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13

14 IN THE UNITED STATES DISTRICT COURT  
15 CENTRAL DISTRICT OF CALIFORNIA -- SOUTHERN DIVISION

16 UNIVERSAL ELECTRONICS INC.,

17 Plaintiff,

18 v.

19 UNIVERSAL REMOTE CONTROL,  
20 INC.,

21 Defendant.

Case No. SACV12-329AG (JPRx)

**AMENDED NOTICE OF  
DEPOSITION OF UNIVERSAL  
REMOTE CONTROL, INC.  
PURSUANT TO FED. R. CIV. P.  
30(b)(6)**

Honorable Judge Andrew Guilford  
Magistrate Judge Jean P. Rosenbluth

22  
23 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

24 PLEASE TAKE NOTICE that Universal Electronics Inc. (“UEI”) shall take  
25 the deposition upon oral examination of Universal Remote Control, Inc. (“URC”)  
26 under Rule 30(b)(6) of the Federal Rules of Civil Procedure at the offices of Davis  
27

1 Wright Tremaine LLP, 865 South Figueroa Street, Suite 2400, Los Angeles, CA  
2 90017, beginning on September 17, 2013 at 9:00 a.m. PST, or at a mutually  
3 agreeable date and time, continuing from day-to-day until completed. The  
4 deposition will cover the matters identified in this Notice and shall take place upon  
5 oral examination pursuant to the Federal Rules of Civil Procedure before an officer  
6 duly authorized by law to administer oaths and testimony. The deposition will be  
7 recorded stenographically and may be recorded by videotape. You are invited to  
8 attend and cross examine.

9 Pursuant to Rule 30(b)(6), URC is obligated to designate one or more  
10 officers, directors, managing agents, or other persons who consent to testify on its  
11 behalf and who have knowledge of and are adequately prepared to testify  
12 concerning the topics set forth below. URC is requested to identify the designee  
13 for each topic to UEI's counsel in writing at least fourteen (14) days in advance of  
14 the scheduled Rule 30(b)(6) deposition. The definitions set forth in UEI's First Set  
15 of Interrogatories to URC apply to the topics contained herein.

### 16 **DEFINITIONS**

17 The term "URC" refers to Defendant Universal Remote Control, Inc.; all  
18 divisions, departments, subsidiaries, representatives or entities owned or  
19 controlled, in whole or in part, by Defendant Universal Remote Control, Inc.; all  
20 past and present owners, partners, members, officers, agents, directors, employees,  
21 attorneys, affiliates and parents of Defendant Universal Remote Control, Inc.; and  
22 all predecessors in interest, successors in interest, and other entities related to  
23 Defendant Universal Remote Control, Inc.

24 The term "Accused URC Remotes" means the accused products identified in  
25 Plaintiff's Supplemental Disclosure Of Asserted Claims And Infringement  
26 Contentions dated September 5, 2013 and any supplements thereto including,

1 without limitation, URC model numbers: FX1, Gamer, R7, R40, R50, RF10, RF20,  
2 UR2-CBL-CV04, UR2-CV01, UR3-EXP, UR3-SR3, UR4-A803, UR4-DCT,  
3 UR4-DSR, UR4-EXP-CHLA, UR4U-MDVR2B, UR4U-MDVR-CHD2, UR5-  
4 8400, UR5-8400A, UR5-6200, UR5-6200L, UR5U-8700L, UR5U-8720L, UR5U-  
5 8780L, UR5U-8800, UR5U-8800L, UR5U-8820, UR5U-8820L, UR5U-9000L,  
6 UR5U-BH8000, UR5U-MDVR, URC-A6, URC-R6, URC-SR3 and WR7 and  
7 other remote controls with different model names or numbers but with  
8 substantially the same designs, features and functionalities.

9 The term "Patents-in-suit" means United States Patent Nos. 5,414,426 (the  
10 "'426 Patent"), entitled "Favorite Key Macro Command And Chained Macro  
11 Command In A Remote Control," which issued on May 9, 1995; 5,568,367 (the  
12 "'367 Patent"), entitled "Remote Control With Key Lighting," which issued on  
13 October 22, 1996; 5,614,906 (the "'906 Patent"), entitled "Method For Selecting A  
14 Remote Control Command Set," which issued on March 25, 1997; and, 6,587,067  
15 B2 (the "'067 Patent"), entitled "Universal Remote Control With Macro Command  
16 Capabilities," which issued on July 1, 2003.

17 The term "Lawsuit" means *Universal Electronics Inc. v. Universal Remote*  
18 *Control, Inc.*, Civil Action No. SACV12-329AG (JPRx) (C.D. Cal.).

19 The term "Ohsung" refers to Ohsung Electronics USA, Ohsung Electronics  
20 Co., U.S.A. and/or Ohsung Electronics U.S.A., Inc. and includes all respective  
21 predecessors, parents, subsidiaries, affiliates, divisions, related companies and  
22 other business entities controlled by Ohsung Electronics USA, Ohsung Electronics  
23 Co., U.S.A. and/or Ohsung Electronics U.S.A., Inc., as well as any agents, owners,  
24 employees, beneficiaries, representatives and attorneys, and each person acting or  
25 purporting to act on behalf of or under the control of Ohsung Electronics USA,  
26 Ohsung Electronics Co., U.S.A. and/or Ohsung Electronics U.S.A., Inc.

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2 The term "Jak You" means Jak H. You and any agents, consultants,  
3 representatives, attorneys,, and other persons or entities acting for or on behalf of  
4 Jak H. You.

5 The term "person" refers to both natural persons, whether in the employ of  
6 URC or not, and corporate or other business entities (including URC). The acts of  
7 a person (including URC) are defined to include the acts of owners, partners,  
8 members, officers, agents, directors, employees, attorneys, affiliates or parents  
9 acting on the person's behalf.

10 To "identify" a natural person means to state the person's full name, present  
11 business address and telephone number, present job title or occupation, and/or his  
12 or her present or last known home address and telephone number.

13 To "identify" a company or other business, governmental, or organizational  
14 entity means to state its name, corporate or organizational status, principal place of  
15 business of the identified entity, and the identity of persons having knowledge of  
16 the matter with respect to which the entity is named.

17 To "identify" a product or thing means to state its name, title, model number  
18 or other designation, the identity of the person or persons who prepared, designed  
19 or developed it, and its location and custodian.

20 The term "document" refers to the broadest definition of documents and  
21 things under the Federal Rules of Civil Procedure, specifically including writings,  
22 drawings, graphs, charts, photographs, sound recordings, images and other data or  
23 data compilations stored in any medium from which information can be obtained  
24 either directly or, if necessary, after translation by the responding party into a  
25 reasonably usable form.

1 To "identify" or "locate" documents means to provide a brief description of  
2 each document sufficient to support a request for production, including at least the  
3 type of document, date of the document, identification of the author, as well as an  
4 identification of each person who presently has custody of the document and of  
5 any copy thereof.

### 6 TOPICS

7 1. The factual basis for URC's defenses in this action.

8 2. The past and present designs, structures, operations and functionalities  
9 of each Accused URC Remote.

10 3. The dates on which and circumstances under which the Accused URC  
11 Remotes were conceived, designed, and developed and the identities of any  
12 employees, agents and/or representatives of URC who were involved in the  
13 conception, design and/or development of the Accused URC Remotes.

14 4. The dates on which each Accused URC Remote was first offered for  
15 sale in the United States.

16 5. URC's factual basis and contentions regarding its counterclaim for  
17 breach of contract.

18 6. The circumstances and earliest date(s) on which URC became aware  
19 of each of the Patents-in-suit or the applications for each of the Patents-in-suit.

20 7. Any actions or analysis considered, requested and/or taken by URC  
21 pertaining to the Patents-in-suit and/or patent applications, including without  
22 limitation any attempt to avoid infringement of or design around the Patents-in-suit  
23 or applications.

24 8. Identification of all United States customers and licensees of the URC  
25 Accused Remotes and the period of time for which each has been a licensee of  
26 customer of URC.

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