

1 DAVIS WRIGHT TREMAINE LLP
MARTIN L. FINEMAN, State Bar No. 104413
2 martinfineman@dwt.com
ANNA BUONO, State Bar No. 232753
3 annabuono@dwt.com
865 South Figueroa Street, Suite 2400
4 Los Angeles, CA 90017
5 Telephone: (213) 633-6800
Facsimile: (213) 633-6899

6 NIRO HALLER & NIRO, LTD.
7 RAYMOND P. NIRO (*pro hac vice pending*)
8 clee@nshn.com
181 West Madison Street, Suite 4600
9 Chicago, Illinois 60602
Telephone: (312) 236-0733
10 Facsimile: (312) 236-3137

11 Attorneys for Plaintiff
12 UNIVERSAL ELECTRONICS INC.
(*additional counsel listed on signature page*)
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.
22

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

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,
27

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.

1
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.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.