

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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INTEL CORPORATION, and CAVIUM, LLC,  
Petitioners,

v.

ALACRITECH, INC.,  
*Patent Owner*

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IPR2018-00234<sup>1</sup>

Patent 8,805,948

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**EXHIBIT 2400**

**PATENT OWNER'S DOCUMENT REQUESTS TO PETITIONER**

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<sup>1</sup> Cavium, LLC, which filed a Petition in Case IPR2018-00403, has been joined as a petitioner in this proceeding.

Patent Owner Alacritech, Inc. (“Alacritech”) requests that Petitioners Intel Corporation (“Intel”) and Cavium, Inc. (“Cavium”) produce documents in response to the following Requests for Production.

## INTRODUCTION

1. In producing documents responsive to these Requests for Production, Petitioners are to comply with Federal Rules of Civil Procedure 26 and 34, the Board’s Scheduling Order and any other Board Order in this proceeding, and the instructions in the Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756 (Aug. 14, 2012).
2. For each Request for Production, identify any responsive document that Petitioners are aware of but cannot produce because it has been lost or destroyed or is otherwise not in Petitioner’s possession, custody, or control. To the extent you are aware of responsive documents outside of your possession, custody, or control, please identify such documents specifically as well as the person you contend is their proper source or custodian.
3. If Petitioners find the meaning of any term in any Request for Production unclear, Petitioners should assume a reasonable meaning, state what the assumed meaning is, and produce documents on the basis of that assumed meaning.
4. For any document responsive to a Request for Production that Petitioners withhold on the basis of privilege, Petitioner shall provide a privilege

log identifying the document's date, author(s), recipient(s), subject matter, and the basis of the asserted privilege.

## DEFINITIONS

1. "Challenged Patents" means U.S. Patent Nos. 7,124,205, 8,805,948, and 7,945,699.
2. "Dell" means Dell Inc.
3. "Wistron" means Wistron Corporation, SMS InfoComm Corporation, and Wiwynn Corporation ("Wiwynn").
4. "CenturyLink" means CenturyLink, Inc., Tier 3, Inc., Savvis Communications Corp., and CenturyLink Communications LLC.
5. "Putative Real Parties in Interest" means Dell, Wistron, and/or CenturyLink.
6. "District Court Cases" means Case Nos. 2:16-cv-00695, 2:16-cv-00692, 2:16-cv-00693 filed in the United States District Court for the Eastern District of Texas.
7. "IPR Proceedings" means IPR Case Nos. IPR2018-00226, IPR2018-00234, and IPR2018-00401.
8. "Documents" is defined as synonymous in meaning and equal in scope to the usage of this term in Federal Rule of Civil Procedure 34(a), and

should be understood to include written, printed, typed, and electronically reproduced materials.

9. “Communication” should be understood to include all inquiries, discussions, conversations, negotiations, agreements, understandings, meetings, telephone conversations, letters, facsimiles, notes, telegrams, advertisements, or other forms of verbal exchange, whether oral or written.

## **REQUESTS FOR PRODUCTION**

### **Request for Production No. 1:**

Documents and Communications relating to the indemnification and defense obligations, rights and interests between Intel and Dell, Intel and Wistron, Intel and CenturyLink, and Cavium and Dell relating to Alacritech’s patents asserted at anytime in the in the District Court Cases (including documents giving rise to such indemnification obligations, documents tendering and documents memorializing the nature and scope of the agreements).

### **Request for Production No. 2:**

Documents and Communications relating to any representations or warranties made by Intel or Cavium to the Putative Real Parties in Interest about indemnity and defense obligations, rights and interests relating to Alacritech’s patents asserted at anytime in the in the District Court Cases.

**Request for Production No. 3:**

Documents and Communications between Petitioners and the Putative Real Parties in Interest concerning the consideration and decision to prepare, review, or file any IPR petition against Alacritech's patents asserted at anytime in the District Court Cases.

**Request for Production No. 4:**

Documents memorializing the relationship(s) between Petitioners and the Putative Real Parties in Interest, including indemnity and defense agreements, and any participation in Board membership, ownership interests, agency designations, legal representations, and/or financial investments.