

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ADVANCED MICRO DEVICES, INC. §
AND ATI TECHNOLOGIES ULC, §

Plaintiffs, §

v. §

TCL INDUSTRIES HOLDINGS CO., LTD.; §
TCL INDUSTRIES HOLDINGS (H.K.) §
LIMITED; TCL ELECTRONICS HOLDINGS §
LIMITED; TCL TECHNOLOGY GROUP §
CORPORATION; TTE CORPORATION; TCL §
HOLDINGS (BVI) LIMITED; TCL KING §
ELECTRICAL APPLIANCES (HUIZHOU) §
CO. LTD.; SHENZHEN TCL NEW §
TECHNOLOGIES CO., LTD.; TCL MOKA §
INTERNATIONAL LIMITED; TCL SMART §
DEVICE (VIETNAM) CO., LTD; §
MANUFACTURAS AVANZADAS SA DE §
CV; TCL ELECTRONICS MEXICO, S DE §
RL DE CV; TCL OVERSEAS MARKETING §
LTD.; and REALTEK SEMICONDUCTOR §
CORP., §

Defendants. §

C.A. No. 2:22-cv-00134-JRG-RSP

JURY TRIAL DEMANDED

**REALTEK SEMICONDUCTOR CORP.’S
INITIAL AND ADDITIONAL DISCLOSURES**

Pursuant to Federal Rule of Civil Procedure 26(a)(1) and the Discovery Order in this case, Defendant Realtek Semiconductor Corp. (“Realtek”) hereby makes these Initial and Additional Disclosures. The following disclosures are made based on the information reasonably available to Realtek at this time, and Realtek reserves the right to supplement, correct, or amend these disclosures pursuant to Federal Rule of Civil Procedure 26(e). Realtek makes these disclosures without waiving any claim for privilege and/or work product protection, or any objection the discoverability, disclosure, relevance, or admissibility of information.

INITIAL DISCLOSURES

(a) Correct Names of Parties

Realtek believes the names of the parties to be correct.

(b) Potential Parties

Realtek is unaware of any potential parties not presently named.

(c) Legal Theories and Factual Bases of Disclosing Party's Claims or Defenses

1. Non-Infringement

AMD's infringement contentions are inadequate, vague, and generally fail to put Realtek on notice of its full theories of infringement. Discovery is in its infancy. To the extent Realtek can understand any of the infringement theories in this case, Realtek has not directly or indirectly infringed, contributed to, or induced infringement of any valid and enforceable claims of the Asserted Patents, either literally or under the doctrine of equivalents. Facts supporting Realtek's non-infringement contentions include, but are not limited to, the structure, characteristics, and operation of the Realtek accused products; the Asserted Patents and its prosecution histories; and any admissions by Plaintiffs regarding the Asserted Patents.

2. Invalidity

One or more of the Asserted Patents are invalid or void for failure to satisfy one or more of the requirements in Part II of the Title 35 of the United States Code, including, but not limited to, limited to, §§ 101, 102, 103, and/or 112. More specifically, with respect to its defenses under 35 U.S.C. §§ 102 and 103, Realtek currently identifies as prior art for each of the asserted patents against Realtek the prior art references listed on the face of each asserted patent. This prior art is exemplary only and should not be construed as limiting in any way the defenses that Realtek will present in this investigation. Realtek's investigation is ongoing. In addition to any art that is cited

on the face of the Asserted Patents, Realtek may also rely upon admissions in the patents or their file histories, and any other references that Realtek or any other Defendant may identify. Invalidity contentions are not yet due in this case, but will be served at the appropriate time. Once served, it is Realtek's intention that such invalidity contentions are to be automatically incorporated in full by reference into this disclosure. Realtek's invalidity assertions are made on information and belief as it continues its invalidity investigation and prepares its Invalidity Contentions.

3. Prosecution History Estoppel

On information and belief, Plaintiffs' claims of patent infringement are barred in whole or in part by the doctrine of prosecution history estoppel by reason of statements, representations, concessions, admissions, arguments, and/or amendments, whether explicit or implicit, made by or on behalf of the applications during the prosecution of the patent application that led to the issuance of the Asserted Patents.

4. Limitation on Patent Damages

On information and belief, any claim for damages based on the alleged infringement of the claims of the Asserted Patents must be limited according to 35 U.S.C. §§ 286, 287, and/or 288. Also, Plaintiffs are not entitled to an award of attorneys' fees, costs, pre-judgment or post-judgment interest under 35 U.S.C. §§ 284 or 285, or any applicable law.

5. No Entitlement to Injunctive Relief

Plaintiffs are not entitled to injunctive relief under any theory, including without limitation, because any alleged injury to Plaintiffs are not immediate or irreparable, Plaintiffs have an adequate remedy at law, and/or public policy concerns weigh against any injunctive relief.

6. License, Covenant Not to Sue, and/or Patent Exhaustion

Plaintiffs' claim for remedial relief, if any, against Realtek for alleged infringement of the Asserted Patents, is barred in whole, or in part, by the doctrine of patent exhaustion, implied license, express license, an obligation not to assert and/or covenant not to sue, including, but not limited to, Plaintiffs' commitments to the Khronos Group and/or any other entity who otherwise is licensed to the Asserted Patents.

(d) Persons with Knowledge

Realtek reserves the right to supplement these disclosures as it learns the identities and/or subject matter of additional witnesses Realtek may use to support its claims or defenses.

Realtek's investigation is in its infancy and ongoing. No persons with relevant knowledge of relevant facts have yet been identified. Realtek intends to supplement these disclosures with relevant persons with knowledge as they are discovered. Individuals that may possess information relevant to Realtek's claims or defenses, such as information related to non-infringement, invalidity, and/or unenforceability of the Asserted Patents include, but are not limited to: (i) authors and creators of prior-art products, publications, and/or patents relevant to the subject matter of the Asserted Patents; (ii) individuals having knowledge of any prior art use, sale, offer to sell, or invention relevant to the subject matter of the Asserted Patents; (iii) individuals having knowledge of the ordinary skill in the art to which the alleged inventions pertain; (iv) individuals having knowledge of any license to the Asserted Patents, any offer to license the Asserted Patents, any obligation not to assert the Asserted Patents or to license the Asserted Patents, and/or any refusal to license the Asserted Patents; (v) individuals having knowledge of the circumstances or manner in which the alleged inventions are disclosed in the Asserted Patents; (vi) individuals having knowledge of the ownership of, or rights to, the Asserted Patents and/or the subject matter

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