

EXHIBIT A



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June 18, 2019

BY ELECTRONIC DELIVERY

Luann L. Simmons
O'Melveny & Myers LLP
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San Francisco, CA 94111
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Re: *Maxell, Ltd. v. Apple Inc.*, Case No. 5:19-cv-00036-RWS (E.D. Tex.) – Apple's
Upcoming Paragraph 3 and P.R. 3-4 Disclosures

Dear Ms. Simmons:

In a good faith effort to assist Apple in complying with its Discovery Order Paragraph 3 and Patent Rule 3-4 obligations, Maxell identifies the following categories of documents that Maxell presently believes to be the most relevant to its claims and defenses:

1. Service manuals, technical specifications, schematics, block diagrams, research and development documents, and any similar documents demonstrating the design and operation of the Accused Features or Functions¹ of the Accused Products.²
2. Full source code for each Accused Product in directory format as released, compiled, and/or executed on the Accused Product.
3. User manuals, product catalogues, product guides, brochures, and/or product selection guides for the Accused Products.
4. Documents identifying the manufacturer and model number of the components used in the Accused Products that are implicated by the Asserted Patents, as set forth in Maxell, Ltd.'s First Set of Interrogatories at Interrogatory No. 6.
5. Technical specifications, schematics, block diagrams, and source code for the components used in the Accused Products that are implicated by the Asserted Patents, as set forth in Maxell, Ltd.'s First Set of Interrogatories at Interrogatory No. 6.

¹ See Maxell, Ltd.'s First Set of Interrogatories at Definitions and Instructions, ¶ 27.

² See Maxell, Ltd.'s First Set of Interrogatories at Definitions and Instructions, ¶ 18.

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6. Technical specifications, schematics, block diagrams, and source code relating to the components used for “Location” services, “Maps,” and “Find Friends” applications in the Accused Apple ’317/’999/’498 Products.³
7. Technical specifications, schematics, block diagrams, and source code relating to the imaging/camera components, image sensor, image processor, and the processing of images in the Accused Apple ’493 Products,⁴ including image stabilization and camera zooming during the capture, recording and/or displaying of still and/or video images.
8. Technical specifications, schematics, block diagrams, and source code relating to communication components in the Accused Apple ’438 Products,⁵ including Bluetooth, WiFi, cellular components and the authentication process required to use such components for at least “AirDrop” and pairing of iPhones with Apple Watches.
9. Technical specifications, schematics, block diagrams, and source code relating to control of transmission power, reception of communication signals, power amplification of transmission signals, performing power control, and/or encoding and decoding of audio information in the Accused Apple ’193 Products.⁶
10. Technical specifications, schematics, block diagrams, and source code relating to receiving and displaying video information from another device or server, conducting a video phone call, controlling the reception and display of video information before, during, and after conducting a video phone call including, without limitation, these functionalities in the “FaceTime” application and applications relating to the function of receiving video information from a server including the “iTunes,” “TV,” and “Photos” applications implemented in the Accused Apple ’991 Products.⁷
11. Technical specifications, schematics, block diagrams, and source code relating to controlling the generation and outputting of audible notifications based on an incoming signal and/or preventing the output based on time related settings including, without limitation, functionalities of Siri “Announce Calls,” “Do Not Disturb,” and/or “VoiceOver” in the Accused Apple ’306 Products.⁸
12. Technical specifications, schematics, block diagrams, and source code relating to power supply, power monitoring, power management and battery saving in the Accused Apple ’794 Products,⁹ including power management for the display, the wi-fi, the antenna, the camera, Bluetooth, application processor, cellular modem, other electronic components in and out of a sleep-mode, “Low Power Mode” functionality, functionality that controls the display of low battery icon, and/or “Power Reserve Mode” in the Accused Apple ’794 Products.

³ See Maxell, Ltd.’s Patent Rule 3-1 and 3-2 Disclosure of Asserted Claims and Infringement Contentions, Section B.

⁴ See *id.*

⁵ See *id.* As used herein, the Accused Apple ’438 Products refers collectively to the “the Accused Apple ’438 AirDrop Products,” the “Accused Apple ’438 Watch Products,” and the “Accused Apple ’438 Pairable Products.”

⁶ See *id.*

⁷ See *id.*

⁸ See *id.*

⁹ See *id.*

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13. Technical specifications, schematics, block diagrams, and source code relating to communication units that implement authentication process with another device and communicate with another device to control an unlocking operation, these features or functions include without limitation the “Watch” application implemented on iPhones, the “Unlock with iPhone” functionality in the “Watch Application” on iPhones, the “Unlock with iPhone” functionality in Apple watches, the functionality of pairing of Apple watches with iPhones and Mac products, and/or the functionality of unlocking Mac products with an Apple watch in the Accused Apple ’586 Products.¹⁰
14. Non-public, permanent confidential documents submitted to the FCC for the Accused Products.
15. Documents identifying the internal code names, model numbers, or identifiers and external model numbers of the Accused Products.
16. Documents identifying the Build IDs of code implemented in the processors of the Accused Products including, for example, the code implemented in the modems and/or application processors and/or image signal processors.
17. Documents identifying for each Accused Product the preinstalled version of iOS and all compatible versions of iOS.
18. Documents showing the date of first sale, first offer for sale, or first importation into the United States of the Accused Products.
19. Sales data (quantity and value) and profit data for the Accused Products from 2013 to present, including data maintained in the ordinary course of business regarding individual sales of the Accused Products such as the date of sale, entity responsible for sale, customer(s), location of sale and delivery, and costs associated with the sale.
20. Price lists for the Accused Products from 2013 to present.
21. Documents showing the cost allocation from 2013 to present of the components in the Accused Products that are implicated by the Asserted Patents, as set forth in Maxell, Ltd.’s First Set of Interrogatories at Interrogatory No. 6.
22. Financial reports to shareholders or investors from 2013 to present, and annual and quarterly profit and loss statements from 2013 to present.
23. Any financial statements or reports filed with any government agency, including the SEC, from 2013 to present.
24. Marketing materials, market studies, and customer surveys relating to the Accused Products, particularly studies focused on the benefits, extent of use, and reasons for releasing the Accused Products.
25. Sales forecasts and/or projections prepared by or for Apple related to the projected revenue, profitability, and/or units of iPhones, iPads, iPod Touches, Apple Watches, and Mac Products expected or anticipated to be sold or distributed in the United States on or before 2022.
26. Meeting notes or presentations related to the Accused Products.
27. Business plans for the Accused Products.

¹⁰ See *id.*

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28. Documents or correspondence relating to Apple's licensing practices, policies, or strategy.
29. Patent license agreements between Apple and any third-parties pertaining to the Accused Products or products that are reasonably similar to the Accused Products.
30. Documents regarding any efforts to design around the Asserted Patents.
31. Documents relating to any comparison between the Asserted Patents and the Accused Products.
32. Documents relating to Hitachi, Ltd., Hitachi Consumer Electronics Co., Ltd., Hitachi Maxell, Ltd., and/or Maxell, Ltd., and or any subsidiary or affiliate thereof.
33. Documents evidencing or relating to prior communications with Hitachi, Ltd., Hitachi Consumer Electronics Co., Ltd., Hitachi Maxell, Ltd., and/or Maxell, Ltd., and or any subsidiary or affiliate thereof, concerning the Asserted Patents, including communications related to any potential patent license agreement or business arrangement.
34. Documents referring or relating to Apple's first awareness of each of the Asserted Patents.
35. Any document alleged to be prior art to the Asserted Patents.
36. Agreements involving the Accused Products, including sample sales agreements, distribution agreements, and/or manufacturing and development agreements relating to any Accused Products.
37. Corporate organization charts or documents identifying individuals most knowledgeable about the Accused Products, including identities of individuals responsible for testing, developing, marketing, and selling any such Accused Products.
38. Corporate organization charts or documents identifying individuals most knowledgeable about the Accused Features or Functionalities of the Accused Products, including identities of individuals responsible for testing, developing, any implementing any such Accused Features or Functions.
39. Apple's document retention policy.
40. Documents referring or relating to differences in operation between the Accused Products as they relate to the Accused Features or Functions.
41. Documents referring or relating to any modifications to the Accused Products' source code, including without limitation any communications concerning the reasons for such modifications.
42. Any sales training or service materials relating to any of the Accused Products.
43. Documents relating to any study, search, or investigation conducted by or on behalf of Apple to obtain information relevant to the patentability, validity, enforceability or scope of any of the Asserted Patents, including without limitation, any search for prior art to any of the Asserted Patents.

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The foregoing categories are not exhaustive but merely intended to assist Apple in its document collection efforts. Maxell reserves the right to identify additional categories of relevant documents.

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