

# EXHIBIT R



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July 22, 2019

**VIA E-MAIL**

Tony Beasley  
O'Melveny & Myers LLP  
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Re: *Maxell, Ltd. v. Apple Inc.*, Case No. 5:19-cv-00036-RWS (E.D. Tex.)

Dear Tony:

This letter is written in response to your letter of July 15 and to summarize the parties' meet and confer held on July 19 addressing the substance of your letter. As we explained during the meet and confer, Maxell's contentions are sufficient and Maxell does not intend to amend them as demanded by your letter. You acknowledged during the call that, despite the language in your July 15 letter, Apple is not challenging the sufficiency of Maxell's contentions in the letter. Rather, you indicated that the letter was to preserve Apple's relevancy objections concerning production of certain source code. Notwithstanding Apple's "objections," however, you agreed during the call to search for and produce *all* relevant source code. Further, upon completing the search for all relevant source code, you agreed to identify (if applicable) any limitations where Maxell invoked P.R. 3-1(g) where Apple was unable to identify any relevant source code after a reasonable search.

In addition, below we address the five specific limitations identified in your letter where you contend source code is not relevant. As explained during the call, this information is already self-evident from the contentions and the claims themselves, but we provide the below, this time only, to demonstrate the lack of merit in Apple's position.

- Element [1.c] of the '493 patent in Appendix 3 claims "a display unit with the display screen, to display **an image corresponding to the image signals**" (emphasis added). Relevant source code may demonstrate that the display is rendering **an image corresponding to the image signals**. This is similarly the case for elements [5.c] and [10.c].
- Element [1.a] of the '438 patent in Appendices 4A-4C claims "an input unit for receiving **an input entered by a user**" (emphasis added). Relevant source code may demonstrate

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that the input received by the input unit was **an input entered by a user**. Similar explanations apply to the other identified elements in claims 1 and 4.

- Element [1.b] of the '794 patent in Appendix 8 claims “a power supply circuit **for supplying power to each of said function devices**” (emphasis added). Relevant source code may demonstrate that the power supply circuit is **for supplying power to each of said function devices**. Similar explanations apply to the other identified elements in claims 1 and 9.

As the explanations above show, the relevancy of source code for each of these limitations is already clear from the contentions and the claims themselves and we would expect a sophisticated company like Apple to readily understand the relevance of source code to these limitations. We provide these only to emphasize the obvious relevancy of source code and underscore the baseless nature of Apple’s “objections.” If Apple intends to sustain its position as to these or any other limitations and refuses to search for and produce relevant source code, please confirm this now so that we can raise the issue with the Court.

Sincerely,



James A. Fussell (Tripp)

cc: Counsel of Record