

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

MAXELL, LTD.,

Plaintiff,

v.

APPLE INC.,

Defendant.

CASE NO. 5:19-CV-00036-RWS

**DEFENDANT APPLE INC.'S IDENTIFICATION OF NARROWED
PRIOR ART INVALIDITY CHALLENGES**

Pursuant to the Court's Order regarding narrowing of issues for trial (Dkt. No. 619), Defendant Apple Inc. hereby identifies the following narrowed prior art invalidity "grounds" for the '438, '794, and '493 patents:¹

1. '438 patent: Japanese Patent Publication No. 2003-006110 ("Yamazaki") in combination with U.S. Patent Application Publication No. 2003/0149874 ("Balfanz").
2. '794 patent: Japanese Unexamined Utility Model Application Publication No. U3064314 to Tagoshi.
3. '493 patent: the Sony MVC-FD88 alone or in combination with U.S. Patent No. 5,444,482 ("Misawa").

¹ The Court's narrowing instruction with respect to Apple's prior art invalidity challenges does not apply to the '317, '498, or '999 patents. Dkt. No. 619.

Dated: February 8, 2021

Respectfully Submitted

By: /s/ Mark D. Fowler

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 8th day of February 2021, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document. Any other counsel of record will be served by a facsimile transmission and/or first-class mail.

/s/ Michael Jay _____
Michael Jay