

FILED

March 11, 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: lad
DEPUTY

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Ocean Semiconductor LLC,

Plaintiff

v.

MediaTek Inc. and MediaTek USA Inc.
("MediaTek"),

Defendants.

Civil Action No.: 6:20-cv-1210-ADA

JURY TRIAL DEMANDED

PATENT CASE

Ocean Semiconductor LLC,

Plaintiff

v.

NVIDIA Corporation,

Defendant.

Civil Action No.: 6:20-cv-01211-ADA

JURY TRIAL DEMANDED

PATENT CASE

Ocean Semiconductor LLC,

Plaintiff

v.

NXP USA, Inc.

Defendants.

Civil Action No.: 6:20-cv-1212-ADA

JURY TRIAL DEMANDED

PATENT CASE

Ocean Semiconductor LLC,

Plaintiff

v.

Renesas Electronics Corporation and Renesas
Electronics America, Inc.,

Defendants.

Civil Action No.: 6:20-cv-1213-ADA

JURY TRIAL DEMANDED

PATENT CASE

Ocean Semiconductor LLC,

Plaintiff

v.

Silicon Laboratories Inc.,

Defendant.

Civil Action No.: 6:20-cv-1214-ADA

JURY TRIAL DEMANDED

PATENT CASE

Ocean Semiconductor LLC,

Plaintiff

v.

STMicroelectronics, Inc.,

Defendant.

Civil Action No.: 6:20-cv-1215-ADA

JURY TRIAL DEMANDED

PATENT CASE

Ocean Semiconductor LLC,

Plaintiff

v.

Western Digital Technologies, Inc.

Defendant.

Civil Action No.: 6:20-cv-1216-ADA

JURY TRIAL DEMANDED

PATENT CASE

TO THE APPROPRIATE CENTRAL AUTHORITY OF JAPAN:

The United States District Court for the Western District of Texas presents its compliments to the appropriate Central Authority of Japan, and requests judicial assistance to obtain evidence to be used in a civil proceeding before this Court in the above-captioned matters.

The Court requests the assistance described herein as necessary in the interests of justice.

I. REQUEST

The Court requests that the appropriate Central Authority of Japan compel production of documents and testimony of a representative or representatives from the following corporate entity:

Kioxia Corporation
3-1-21, Shibaura, Minato-ku
Tokyo 108-0023
Japan

Kioxia Corporation is represented by:

Doug Stewart
BRACEWELL LLP
701 Fifth Avenue Suite 6200
Seattle, WA 98104
Telephone: (206) 204-6721
Doug.Stewart@bracewell.com

Specifically, the Court requests that Kioxia Corporation (“Kioxia”) produce the documents and things set forth in **Attachment A** to this Request and thereafter produce a witness or witnesses to testify regarding the deposition topics set forth in **Attachment A**. The Court requests that the witness be placed under oath, subject to questioning by counsel for the parties to the above-captioned matters, and that a verbatim transcript of the testimony be taken.

The Court understands that the documents and information requested may be of a confidential nature. As such, there is a Protective Order in this case to protect the confidentiality of any documents produced. A copy of the Protective Order is appended to **Attachment A**.

If service cannot be effected at the address indicated above, this Court respectfully requests judicial assistance to effect service by any means permitted under Japanese law.

This Court further requests that the executed Letters Rogatory and any evidence produced in response be sent directly to counsel for the Requesting Party, Ocean Semiconductor LLC (“Ocean Semiconductor”), at the following address:

Alex Chan
Devlin Law Firm LLC
1526 Gilpin Avenue
Wilmington, DE 19806
achan@devlinlawfirm.com

II. FACTS

Plaintiff Ocean Semiconductor has filed lawsuits against Defendants Mediatek Inc. and Mediatek USA Inc. (“Mediatek”), NVIDIA Corporation (“NVIDIA”), NXP USA, Inc. (“NXP”), Renesas Electronics Corporation and Renesas Electronics America, Inc. (“Renesas”), Silicon Laboratories Inc. (“Silicon Labs”), STMicroelectronics, Inc. (“STMicro”), and Western Digital Technologies, Inc. (“WD”) (collectively “Defendants”) in the United States District Court for the Western District of Texas as reflected in the caption above. Ocean seeks a judgment that Defendants infringe U.S. Patent Nos. 6,660,651, 6,907,305, 6,725,402, 6,968,248, 7,080,330,

6,836,691, and 8,676,538 (collectively, the “Asserted Patents”).¹ Ocean Semiconductor seeks an award of damages from Defendants to compensate for the alleged patent infringement. The technology described and claimed in the Asserted Patents relates to, among other things, the use of a movable wafer stage, fault detection, process scheduling, and measurement of critical dimension and overlay in semiconductor manufacturing.

In response to Ocean Semiconductor’s infringement claims, Defendants have asserted defenses that include noninfringement, patent exhaustion, license, and implied license. The documents requested in **Attachment A** are critical to Ocean Semiconductor’s ability to demonstrate Defendants’ infringement of the Asserted Patents and to properly and fully respond to Defendants’ defenses.

III. OFFER OF RECIPROCAL ASSISTANCE

The United States District Court for the Western District of Texas is willing to provide similar assistance to the appropriate Central Authority of Japan. *See* 28 U.S.C. § 1782.

IV. REIMBURSEMENT FOR COSTS

This Court, through Plaintiff Ocean Semiconductor, is willing to reimburse the appropriate Central Authority of Japan for costs and expenses incurred in executing these Letters Rogatory.

¹ Ocean also seeks a judgment against NXP and STMicro for infringement of U.S. Patent No. 6,420,097. However, Ocean is not presently seeking information from Kioxia related to those claims.

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