

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C.**

**Before the Honorable E. James Gildea  
Administrative Law Judge**

**In the Matter of**

**CERTAIN WIRELESS CONSUMER  
ELECTRONIC DEVICES AND  
COMPONENTS THEREOF**

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**Investigation No. 337-TA-853**

**NON-PARTY QUALCOMM Atheros, Inc.'s Response to  
Complainants' Technology Properties Limited, LLC,  
Phoenix Digital Solutions LLC and Patriot Scientific Corporation  
SUBPOENA DUCES TECUM AND AD TESTIFICADUM**

Pursuant to 19 C.F.R. § 210.32, non-party QUALCOMM Atheros, Inc. ("QUALCOMM") hereby responds to Complainants' Technology Properties Limited, LLC, Phoenix Digital Solutions LLC and Patriot Scientific Corporation (collectively, "TPL") subpoena *duces tecum* and *ad testificadum* (the "Subpoena"). QUALCOMM's response is ongoing, and, as a result, is based upon information presently available to, and located by, QUALCOMM.

QUALCOMM's response shall not be deemed to constitute an admission or representation that any statement or characterization herein is complete. In addition, the fact that QUALCOMM may identify any documents or disclose information herein does not mean that QUALCOMM consents to the authenticity of such documents or to the admissibility of such information, or that such documents or information are relevant to any issue in this Investigation.

QUALCOMM's specific responses to the individual Requests for Production ("Requests") in and Topics for Which Examination Is Requested ("Topics") set forth in Schedules 1 and 2 of the Subpoena are hereby made without waiving or intending to waive, but rather, to the contrary, by preserving and intending to preserve: (1) all questions as to the competence, relevance, materiality, and admissibility as evidence for any purpose of the information or documents, or the subject matter thereof, in any aspect of this Investigation or any other court action or judicial or administrative proceeding or investigation; (2) the right to object on any ground to the use of any such information or documents, or the subject matter thereof, in any aspect of this action or any other court action or judicial or administrative proceeding or investigation; (3) the right to object at any time in connection with any further response to this or any other request for information or production of documents; and (4) the right at any time to supplement its responses. Accordingly, QUALCOMM expressly reserves the right to revise and/or supplement its responses.

Subject to the foregoing, QUALCOMM responds as follows.

### **GENERAL OBJECTIONS**

QUALCOMM incorporates the following General Objections into each of its Responses to the individual Requests and Topics of the Subpoena:

1. QUALCOMM objects to each Request/Topic to the extent that it imposes obligations which exceed the permissible scope of discovery under the rules of the United States International Trade Commission, any applicable orders of the Administrative Law Judge, or any other applicable procedures or orders.

2. QUALCOMM objects to each Request/Topic to the extent that it is overly broad, unduly burdensome, internally duplicative, unreasonably cumulative of other discovery, and to

the extent that it is vague or ambiguous so as not to be subject to a reasonable interpretation or response and would require QUALCOMM to speculate and decide to what extent it must search through information and subjectively determine what may, or may not, be responsive.

3. QUALCOMM objects to each Request/Topic to the extent it calls for information protected from discovery by the attorney-client privilege, the attorney work-product doctrine, the common interest or joint defense privilege, or any other applicable privilege or immunity, or that is otherwise protected from disclosure under the Federal Rules of Civil Procedure, the Federal Rules of Evidence, or the relevant statutory or case law. Nothing contained in any specific response is intended to be, nor should be considered, a waiver of attorney-client privilege, work-product protection, or any other applicable privilege or doctrine, and to the extent any Request/Topic may be construed as calling for disclosure of information, documents and/or things protected by such privileges or doctrines or other exclusions from discovery, a continuing objection to each such Request/Topic is hereby asserted. Inadvertent disclosure of any such information shall not be deemed a waiver of any privilege or immunity.

4. QUALCOMM objects to each Request/Topic to the extent that it seeks information that is the confidential information of third parties and which QUALCOMM is obligated to maintain as confidential information. QUALCOMM will provide such information only subject to the approval of those third parties or as ordered by the Court.

5. QUALCOMM objects to each Request/Topic to the extent that it seeks sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information before an appropriate amendment to the Protective Order has been agreed upon and entered.

6. QUALCOMM objects to each Request/Topic to the extent that it requests QUALCOMM to identify, produce or otherwise analyze any document or other information that is not within the possession, custody, or control of QUALCOMM, that is already within the possession, custody, or control of TPL or the Respondents, or that is as readily available to TPL or Respondents as to QUALCOMM, on the ground that such Request/Topic is unduly burdensome to QUALCOMM.

7. QUALCOMM objects to the Definitions and Instructions of the Subpoena to the extent they purport to alter the plain meaning and/or scope of any specific Request/Topic, on the ground that such alteration renders the Request/Topic vague, ambiguous, overly broad, and uncertain.

8. QUALCOMM objects to the Definitions and Instructions of the Subpoena to the extent that they purport to impose any requirement in excess of the rules and procedures of the U.S. International Trade Commission or any other applicable procedures or orders.

9. QUALCOMM objects to the Instructions of the Subpoena to the extent that it seeks documents or information from sources that are not reasonably accessible in light of the burdens or costs required to locate, restore, review, and produce whatever responsive information may be found.

10. QUALCOMM objects to the Definitions of “ATHEROS,” “YOU,” “YOUR,” or “YOURS” as overly broad to the extent that they improperly seek documents or information protected by the attorney-client privilege, the work-product doctrine and/or any other applicable privileges or immunities. In particular, QUALCOMM objects to the Definition of “ATHEROS” because it expressly includes QUALCOMM’s attorneys and, therefore improperly seeks documents and information protected by the attorney-client privilege, the work-product

doctrine and/or any other applicable privileges or immunities in each Request and Topic where these terms appear.

11. QUALCOMM objects to the Definition of “ATHEROS PRODUCTS” on the grounds that the phrase “any sub-assembly on which any of the aforementioned chips can be found” as being vague and ambiguous and, to the extent that these terms encompass documents and information not relevant to any claim or defense in this Investigation, overly broad and unduly burdensome.

12. QUALCOMM objects to the dates, times, and locations requested for the document production and the deposition. QUALCOMM will work with counsel for Complainants to agree upon mutually acceptable dates, times, and locations for any document production and deposition.

### **OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION**

Subject to and without waiving any of the foregoing statements and objections, QUALCOMM responds to TPL’s Requests as follows:

#### **Request for Production No. 1:**

For each AATHEROS PRODUCT, all DOCUMENTS concerning block specifications, internal design documents for each block, datasheets, floorplans, user manuals, programming manuals, clock tree, I/O protocol specifications, service manuals, CORE manuals, die images, chip packaging information, clock circuitry diagrams, and timing diagrams.

#### **Response to Request for Production No. 1:**

QUALCOMM objects to this Request as overly broad, unduly burdensome and not reasonably calculated to seek documents and information relevant to any claim or defense in this

Investigation to the extent that this Request seeks “all DOCUMENTS.” QUALCOMM also objects to this Request to the extent that it seek documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Request as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information. QUALCOMM intends to produce documents pursuant to the protective order entered in this investigation as well as the supplemental protective order agreements entered into between Qualcomm Incorporated and the parties to the investigation.

QUALCOMM objects to the terms “block specifications,” “internal design documents for each block,” “floorplans,” “clock tree,” “I/O protocol specifications,” “CORE manuals,” “die images,” “chip packaging information,” “clock circuitry diagrams,” and “timing diagrams” as being vague and ambiguous. QUALCOMM also objects to the terms “block specifications,” “internal design documents for each block,” “datasheets,” “floorplans,” “user manuals,” “programming manuals,” “clock tree,” “I/O protocol specifications,” “service manuals,” “CORE manuals,” “die images,” “chip packaging information,” “clock circuitry diagrams,” and “timing diagrams” as overly broad and unduly burdensome on the grounds that these terms encompass documents and information not relevant to any claim or defense in this Investigation. QUALCOMM further objects to the terms “datasheets,” “user manuals,” “programming manuals,” “I/O protocol specifications,” “service manuals,” “chip packaging information,” “clock circuitry diagrams,” and “timing diagrams” as duplicative and unduly burdensome to the extent that these terms encompass documents and information in the possession, custody or control of Respondents to the Investigation and/or already produced in this Investigation.

**Request for Production No. 2:**

For each Atheros Product, all system and transistor level schematics for the clocking circuitry and phase-locked loops, including, but not limited to, schematics contained in the service manuals of each Atheros Product.

**Response to Request for Production No. 2:**

Qualcomm objects to this Request as overly broad, unduly burdensome and not reasonably calculated to seek documents and information relevant to any claim or defense in this Investigation to the extent that this Request seeks “all system and transistor level schematics.” Qualcomm also objects to this Request to the extent that it seek documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. Qualcomm further objects to this Request as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information. Qualcomm intends to produce documents pursuant to the protective order entered in this investigation as well as the supplemental protective order agreements entered into between Qualcomm Incorporated and the parties to the investigation.

Qualcomm objects to the terms “system and transistor level schematics,” “clocking circuitry,” and “schematics contained in the service manuals” as being vague and ambiguous. Qualcomm also objects to the terms “system and transistor level schematics,” “clocking circuitry,” “phase-locked loops,” and “schematics contained in the service manuals” as overly broad and unduly burdensome on the grounds that these terms encompass documents and information not relevant to any claim or defense in this Investigation. Qualcomm further

objects to the terms “service manuals” and “system level schematics” as duplicative and unduly burdensome to the extent that these terms encompass documents and information in the possession, custody or control of Respondents to the Investigation and/or already produced in this Investigation.

**Request for Production No. 3:**

All schematic diagrams of all oscillators used in each ATHEROS PRODUCT.

**Response to Request for Production No. 3:**

QUALCOMM objects to this Request as overly broad, unduly burdensome and not reasonably calculated to seek documents and information relevant to any claim or defense in this Investigation to the extent that this Request seeks “all schematic diagrams” of “all oscillators.” QUALCOMM also objects to this Request to the extent that it seek documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Request as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information. QUALCOMM intends to produce documents pursuant to the protective order entered in this investigation as well as the supplemental protective order agreements entered into between Qualcomm Incorporated and the parties to the investigation.

QUALCOMM objects to the phrase “oscillators used” as being vague and ambiguous. QUALCOMM also objects to the phrase “oscillators used” as overly broad and unduly burdensome on the grounds that this phrase encompasses documents and information not relevant to any claim or defense in this Investigation. QUALCOMM further objects to the term “schematic diagrams” as duplicative and unduly burdensome to the extent that this term



encompasses documents and information in the possession, custody or control of Respondents to the Investigation and/or already produced in this Investigation.

**Request for Production No. 4:**

All block diagrams of phase-locked loops in each ATHEROS PRODUCT, including circuit schematics for each block of the phase-locked loops.

**Response to Request for Production No. 4:**

QUALCOMM objects to this Request as overly broad, unduly burdensome and not reasonably calculated to seek documents and information relevant to any claim or defense in this Investigation to the extent that this Request seeks “all block diagrams of phased-locked loops.” QUALCOMM also objects to this Request to the extent that it seek documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Request as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information. QUALCOMM intends to produce documents pursuant to the protective order entered in this investigation as well as the supplemental protective order agreements entered into between Qualcomm Incorporated and the parties to the investigation.

QUALCOMM objects to the terms “block diagrams of phase-locked loops” and “circuit schematics for each block of the phase-locked loops” as being vague and ambiguous. QUALCOMM objects to the terms “block diagrams of phase-locked loops” and “circuit schematics for each block of the phase-locked loops” as overly broad and unduly burdensome on

the grounds that these terms encompass documents and information not relevant to any claim or defense in this Investigation. In the context of this Request, QUALCOMM interprets the term “circuit schematics” to mean schematic block diagrams.

**Request for Production No.5:**

All manuals, user guides, white papers, technical papers, training guides, brochures, instructions for use, and specifications created by ATHEROS regarding CPU, clocking, phase-locked loops, oscillator variability, manufacturing and operation variations, microprocessor process technology, data transfer, and I/O interfaces.

**Response to Request for Production 5:**

QUALCOMM objects to this Request as overly broad, unduly burdensome and not reasonably calculated to seek documents and information relevant to any claim or defense in this Investigation to the extent that this Request seeks “all manuals, user guides, white papers, technical papers, training guides, brochures, instructions.” QUALCOMM also objects to this Request to the extent that it seek documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Request as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information. QUALCOMM intends to produce documents pursuant to the protective order entered in this investigation as well as the supplemental protective order agreements entered into between Qualcomm Incorporated and the parties to the investigation.

QUALCOMM objects to the terms “oscillator variability,” “operation variations,” “microprocessor process technology,” as being vague and ambiguous. QUALCOMM objects to the terms “manuals,” “user guides,” “white papers,” “technical papers,” “training guides,”

“brochures,” “instructions for use,” “specifications” “regarding CPU, clocking, phase-locked loops, oscillator variability, manufacturing and operation variations, microprocessor process technology, data transfer, and I/O interfaces” as overly broad and unduly burdensome on the grounds that these terms encompass documents and information not relevant to any claim or defense in this Investigation. QUALCOMM further objects to this Request as duplicative and unduly burdensome to the extent that it seeks documents and information in the possession, custody or control of Respondents to the Investigation and/or already produced in this Investigation.

**Request for Production No.6:**

For each ATHEROS PRODUCT, all specifications, user guides or user manuals, simulation methods and results, testing methods and results, block diagrams, and the circuit schematics for each block, of the I/O interfaces, including, but not limited to, XDR DRAM I/O interfaces, I/O interfaces with DRAM, Bluetooth interfaces and transceivers, and USB interfaces.

**Request for Production No. 6:**

QUALCOMM objects to this Request as overly broad, unduly burdensome and not reasonably calculated to seek documents and information relevant to any claim or defense in this Investigation to the extent that this Request seeks “all specifications, user guides or user manuals, simulation methods and results, testing methods and results, block diagrams, and the circuit schematics for each block, of the I/O interfaces.” QUALCOMM also objects to this Request to the extent that it seek documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Request as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic

information. QUALCOMM intends to produce documents pursuant to the protective order entered in this investigation as well as the supplemental protective order agreements entered into between Qualcomm Incorporated and the parties to the investigation.

QUALCOMM objects to the terms “simulation methods and results” and “testing methods and results,” as being vague and ambiguous. QUALCOMM objects to the phrase “specifications, user guides or user manuals, simulation methods and results, testing methods and results, block diagrams, and the circuit schematics for each block, of the I/O interfaces” as overly broad and unduly burdensome on the grounds that these terms encompass documents and information not relevant to any claim or defense in this Investigation. QUALCOMM objects to the terms “XDR DRAM I/O interfaces,” “I/O interfaces with DRAM,” and “Bluetooth interfaces and transceivers” as being outside the scope of the accused functionality and not relevant to any claim or defense in this Investigation. QUALCOMM further objects to this Request as duplicative and unduly burdensome to the extent that it seeks documents and information in the possession, custody or control of Respondents to the Investigation and/or already produced in this Investigation.

**Request for Production No.7:**

For each Atheros Product, all Documents concerning the simulation procedures and corresponding results for the clocking circuitry and phase-locked loops.

**Response to Request for Production No. 7:**

QUALCOMM objects to this Request as overly broad, unduly burdensome and not reasonably calculated to seek documents and information relevant to any claim or defense in this Investigation to the extent that this Request seeks “all Documents.” QUALCOMM also objects to this Request to the extent that it seek documents and information protected from

disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Request as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information. QUALCOMM intends to produce documents pursuant to the protective order entered in this investigation as well as the supplemental protective order agreements entered into between Qualcomm Incorporated and the parties to the investigation.

QUALCOMM objects to the terms “simulation procedures and corresponding results” and “clocking circuitry” as being vague and ambiguous. QUALCOMM objects to the terms “simulation procedures and corresponding results,” “clocking circuitry,” and “phase-locked loops” as overly broad and unduly burdensome on the grounds that these terms encompass documents and information not relevant to any claim or defense in this Investigation.

**Request for Production No. 8:**

For each Atheros Product, all Documents concerning the testing procedures and corresponding results for the clocking circuitry and phase-locked loops.

**Request for Production No. 8:**

QUALCOMM objects to this Request as overly broad, unduly burdensome and not reasonably calculated to seek documents and information relevant to any claim or defense in this Investigation to the extent that this Request seeks “all Documents.” QUALCOMM also objects to this Request to the extent that it seek documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Request as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information. QUALCOMM intends to produce documents pursuant to the

protective order entered in this investigation as well as the supplemental protective order agreements entered into between Qualcomm Incorporated and the parties to the investigation.

QUALCOMM objects to the terms “testing procedures and corresponding results” and “clocking circuitry” as being vague and ambiguous. QUALCOMM objects to the terms “testing procedures and corresponding results,” “clocking circuitry,” and “phase-locked loops” as overly broad and unduly burdensome on the grounds that these terms encompass documents and information not relevant to any claim or defense in this Investigation.

**Request for Production No. 9:**

All source code and related programming information for each ATHEROS PRODUCT.

**Response to Request for Production No. 9:**

QUALCOMM objects to this Request as overly broad, unduly burdensome and not reasonably calculated to seek documents and information relevant to any claim or defense in this Investigation to the extent that this Request seeks “all source code and related programming information.” QUALCOMM also objects to this Request to the extent that it seek documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Request as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information. QUALCOMM intends to produce documents pursuant to the protective order entered in this investigation as well as the supplemental protective order agreements entered into between Qualcomm Incorporated and the parties to the investigation.

QUALCOMM objects to the term “related programming information” as being vague and ambiguous, and overly broad and unduly burdensome on the grounds that this term

encompasses documents and information not relevant to any claim or defense in this Investigation. QUALCOMM further objects to this Request as duplicative and unduly burdensome to the extent that it seeks documents and information in the possession, custody or control of Respondents to the Investigation and/or already produced in this Investigation.

**Request for Production No. 10:**

All DOCUMENTS sufficient to show the structure and function of each Atheros PRODUCT.

**Response to Request for Production No. 10:**

QUALCOMM objects to this Request as overly broad, unduly burdensome and not reasonably calculated to seek documents and information relevant to any claim or defense in this Investigation to the extent that this Request seeks “All DOCUMENTS.” QUALCOMM also objects to this Request to the extent that it seek documents and information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Request as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information. QUALCOMM intends to produce documents pursuant to the protective order entered in this investigation as well as the supplemental protective order agreements entered into between Qualcomm Incorporated and the parties to the investigation.

QUALCOMM objects to the phrase “sufficient to show the structure and function” as being vague and ambiguous, and overly broad and unduly burdensome on the grounds that this phrase encompasses documents and information not relevant to any claim or defense in this Investigation.

**OBJECTIONS AND RESPONSES TO TOPICS ON WHICH EXAMINATION IS  
REQUESTED**

**Topic No. 1:**

For each ATHEROS PRODUCT, the block specifications, and the internal design for each block.

**Response to Topic No. 1:**

QUALCOMM objects to this Topic as overly broad and unduly burdensome to the extent that this Topic seeks information not relevant to any claim or defense in this Investigation. QUALCOMM also objects to this Topic to the extent that it seeks information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Topic as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information before an appropriate amendment to the Protective Order has been agreed upon and entered.

QUALCOMM objects to the terms “block specifications” and “internal design for each block” as being vague and ambiguous. QUALCOMM objects to the terms “block specifications” and “internal design for each block” as overly broad and unduly burdensome on the grounds that these terms encompass information not relevant to any claim or defense in this Investigation. QUALCOMM objects that, in light of the generic breadth of the topic, QUALCOMM cannot identify a person with knowledge of every detail regarding the block specifications and internal design for the accused functionality and will limit its responses to the level of generality at which the requests have been made.

**Topic No. 2:**

The clock tree, and clock circuitry in each ATHEROS PRODUCT.



**Response to Topic No. 2:**

QUALCOMM objects to this Topic as overly broad and unduly burdensome to the extent that this Topic seeks information not relevant to any claim or defense in this Investigation. QUALCOMM also objects to this Topic to the extent that it seeks information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Topic as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information before an appropriate amendment to the Protective Order has been agreed upon and entered.

QUALCOMM objects to the terms “clock tree” and “clock circuitry” as being vague and ambiguous. QUALCOMM objects to the terms “clock tree” and “clock circuitry” as overly broad and unduly burdensome on the grounds that these terms encompass information not relevant to any claim or defense in this Investigation. QUALCOMM objects that, in light of the generic breadth of the topic, QUALCOMM cannot identify a person with knowledge of every detail regarding the clock tree and clock circuitry for the accused functionality and will limit its responses to the level of generality at which the requests have been made.

**Topic No. 3:**

The I/O protocol specifications, I/O interfaces, data transfer and chip packaging in each Atheros product.

**Response to Topic No. 3:**

QUALCOMM objects to this Topic as overly broad and unduly burdensome to the extent that this Topic seeks information not relevant to any claim or defense in this Investigation. QUALCOMM also objects to this Topic to the extent that it seeks information protected from

disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Topic as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information before an appropriate amendment to the Protective Order has been agreed upon and entered.

QUALCOMM objects to the terms “I/O protocol specifications” and “data transfer” as being vague and ambiguous. QUALCOMM objects to the terms “I/O protocol specifications,” “I/O interfaces,” “data transfer,” and “chip packaging” as overly broad and unduly burdensome on the grounds that these terms encompass information not relevant to any claim or defense in this Investigation. QUALCOMM further objects to this Topic as duplicative and unduly burdensome to the extent that it seeks information in the possession, custody or control of Respondents to the Investigation and/or already produced in this Investigation. QUALCOMM objects that, in light of the generic breadth of the topic, QUALCOMM cannot identify a person with knowledge of every detail regarding the I/O protocol specifications, I/O interfaces, data transfer and chip packaging and will limit its responses to the level of generality at which the requests have been made.

**Topic No. 4:**

The oscillators in each Atheros Product, including oscillator variability, manufacturing and operation variations.

**Objections and Response to Topic No. 4:**

QUALCOMM objects to this Topic as overly broad and unduly burdensome to the extent that this Topic seeks information not relevant to any claim or defense in this Investigation. QUALCOMM also objects to this Topic to the extent that it seeks information protected from

disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Topic as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information before an appropriate amendment to the Protective Order has been agreed upon and entered.

QUALCOMM objects to the terms “oscillator variability” and “manufacturing and operation variations” as being vague and ambiguous. QUALCOMM objects to the terms “oscillators,” “oscillator variability” and “manufacturing and operation variations” as overly broad and unduly burdensome on the grounds that these terms encompass information not relevant to any claim or defense in this Investigation. QUALCOMM objects that, in light of the generic breadth of the topic, QUALCOMM cannot identify a person with knowledge of every detail regarding oscillators (including oscillator variability, manufacturing, and operation variations) for the accused functionality and will limit its responses to the level of generality at which the requests have been made.

**Topic No. 5:**

The phase-locked loops in each ATHEROS PRODUCT.

**Response to Topic No. 5:**

QUALCOMM objects to this Topic as overly broad and unduly burdensome to the extent that this Topic seeks information not relevant to any claim or defense in this Investigation. QUALCOMM also objects to this Topic to the extent that it seeks information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Topic as seeking sensitive confidential business documents and information including, *inter alia*, source code and

sensitive electronic information before an appropriate amendment to the Protective Order has been agreed upon and entered.

QUALCOMM objects to the term “phase-locked loops” as overly broad and unduly burdensome on the grounds that this term encompasses information not relevant to any claim or defense in this Investigation. QUALCOMM objects that, in light of the generic breadth of the topic, QUALCOMM cannot identify a person with knowledge of every detail regarding phase-locked loops for the accused functionality and will limit its responses to the level of generality at which the requests have been made.

**Topic No. 6:**

The simulation and testing procedures and the corresponding results for the clocking circuitry and the phase-locked loops in each ATHEROS PRODUCT.

**Response to Topic No. 6:**

QUALCOMM objects to this Topic as overly broad and unduly burdensome to the extent that this Topic seeks information not relevant to any claim or defense in this Investigation. QUALCOMM also objects to this Topic to the extent that it seeks information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Topic as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information before an appropriate amendment to the Protective Order has been agreed upon and entered.

QUALCOMM objects to the terms “simulation and testing procedures,” “corresponding results,” and “clocking circuitry” as being vague and ambiguous. QUALCOMM objects to the terms “simulation and testing procedures,” “corresponding results,” “clocking circuitry,” and

“phase-locked loops” as overly broad and unduly burdensome on the grounds that these terms encompass information not relevant to any claim or defense in this Investigation. QUALCOMM objects that, in light of the generic breadth of the topic, QUALCOMM cannot identify a person with knowledge of every detail regarding the simulation and testing procedures and the corresponding results for clocking circuitry and phase-locked loops for the accused functionality and will limit its responses to the level of generality at which the requests have been made.

**Topic No. 7:**

The structure and function of each Atheros product.

**Response to Topic No. 7:**

QUALCOMM objects to this Topic as overly broad and unduly burdensome to the extent that this Topic seeks information not relevant to any claim or defense in this Investigation. QUALCOMM also objects to this Topic to the extent that it seeks information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. QUALCOMM further objects to this Topic as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information before an appropriate amendment to the Protective Order has been agreed upon and entered.

QUALCOMM objects to the term “structure and function” as being vague and ambiguous, and overly broad and unduly burdensome on the grounds that this term encompasses information not relevant to any claim or defense in this Investigation. QUALCOMM objects that, in light of the generic breadth of the topic, QUALCOMM cannot identify a person with knowledge of every detail regarding the structure and function for the accused functionality and will limit its responses to the level of generality at which the requests have been made.

**Topic No. 8:**

Source code and related programming information for each Atheros Product.

**Response to Topic No. 8:**

Qualcomm objects to this Topic as overly broad and unduly burdensome to the extent that this Topic seeks information not relevant to any claim or defense in this Investigation. Qualcomm also objects to this Topic to the extent that it seeks information protected from disclosure by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity. Qualcomm further objects to this Topic as seeking sensitive confidential business documents and information including, *inter alia*, source code and sensitive electronic information before an appropriate amendment to the Protective Order has been agreed upon and entered.

Qualcomm objects to the term “related programming information” as being vague and ambiguous. Qualcomm objects to the terms “source code” and “related programming information” as overly broad and unduly burdensome on the grounds that these terms encompass information not relevant to any claim or defense in this Investigation. Qualcomm objects that, in light of the generic breadth of the topic, Qualcomm cannot identify a person with knowledge of every detail regarding the source code and related programming information for the accused functionality and will limit its responses to the level of generality at which the requests have been made.

**Topic No. 9:**

Documents produced in response to this subpoena.

**Response to Topic No. 9:**

QUALCOMM objects to this Topic as overly broad and unduly burdensome to the extent that this Topic seeks information not relevant to any claim or defense in this Investigation. QUALCOMM also objects to this Topic on the grounds that it is duplicative of the other Topics. QUALCOMM objects that, in light of the generic breadth of the topic, QUALCOMM cannot identify a person with knowledge of every detail regarding every document and will limit its responses to the level of generality at which the requests have been made.

Dated: February 11, 2013

Respectfully submitted,

/s/ Vidya r. Bhakar

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*Attorneys for QUALCOMM ATHEROS, INC.*

***In the Matter of Certain Wireless Consumer  
Electronics Devices and Components Thereof  
Investigation No. 337-TA-853***

**CERTIFICATE OF SERVICE**

I hereby certify that on February 11, 2013, copies of **NON-PARTY QUALCOMM INCORPORATED'S RESPONSE TO COMPLAINANTS' TECHNOLOGY PROPERTIES LIMITED, LLC, PHOENIX DIGITAL SOLUTIONS LLC AND PATRIOT SCIENTIFIC CORPORATION SUBPOENA *DUCES TECUM* AND *AD TESTIFICADUM*** were filed and served upon the following parties as indicated:

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