

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ARRIVALSTAR S.A. AND MELVINO
TECHNOLOGIES LIMITED,

Plaintiffs,

v.

CENTRAL PUGET SOUND REGIONAL
TRANSIT AUTHORITY,

Defendant.

Civil Action No. 2:12-cv-00977-TSZ

PLAINTIFFS' FIRST SET OF DOCUMENT REQUESTS TO THE DEFENDANT

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited request that Defendant Central Puget Sound Regional Transit Authority (“Sound Transit”) produce for inspection and copying at the offices of Dowell Baker, P.C., 201 Main Street, Suite 710, Lafayette, Indiana, 47901 the following documents in accordance with Rule 34 of the Federal Rules of Civil Procedure and the definitions and instructions set forth herein, within 30 days after service of this request.

DEFINITIONS AND INSTRUCTIONS

- A. “ArrivalStar” or “Plaintiffs” means the named plaintiffs ArrivalStar S.A. and Melvino Technologies Limited, their officers, directors, employees, agents and representatives.
- B. “Sound Transit” or “Defendant” means the named Defendant Central Puget Sound Regional Transit Authority (“Sound Transit”) and any business entities, agents, attorneys, representatives, employees and all other persons acting or purporting to act on behalf of, or who are subject to the direction or control of, Central Puget Sound Regional Transit Authority.
- C. “Document” is used in the broadest sense consistent with the definition set forth in Fed. R. Civ. P. 34(a). The term “document” includes, without limitation, physical objects and

things, such as research and development samples, prototype devices, production samples and the like, as well as hard copies and electronic copies of computer production software, computer files and electronic mail (email). A draft, translation or non-identical copy is a separate document within the meaning of this term.

D. The “781 patent” means United States Patent No. 7,030,781 entitled “Notification system and method that informs a party of vehicle delay,” issued April 18, 2006.

E. The term “Accused Product(s)” means Sound Transit’s delay alert notification system and any other Sound Transit system that tracks the location of a vehicle or vehicles and transmits to a mobile communications device, via email or text message, a message or messages indicating the proximity of a vehicle or vehicles from a particular location.

F. Plaintiffs specifically requests that Defendant search all computers, hard drives, data storage and/or other archiving systems that might reasonably be expected to contain any of the documents, email and/or data requested in the following document requests.

G. If no responsive documents exist for any particular requests, please specifically state that no responsive documents exist.

H. For any responsive documents withheld or not produced on the basis that the document is privileged, confidential or otherwise protected from disclosure, please provide a description of each document (including the date, name and employer of the author of the document, all recipients of the document, type of document and general content of the document) sufficient to allow Plaintiffs to make an independent determination with respect to the claim of privilege or protection from disclosure.

I. For any responsive document that is no longer available or in existence, please provide a description of the document or documents, an explanation for why the document is no

longer in existence and any information known to Defendant that would aid Plaintiffs in locating and/or obtaining the requested documents from another source.

J. The obligation to produce the documents requested herein is continuing within the terms of Fed. R. Civ. P. 26(e).

K. If Defendant finds the meaning of any term in these requests unclear, Defendant shall assume a reasonable meaning, state what the assumed meaning is and respond to the requests according to the assumed meaning.

DOCUMENT REQUESTS

1. Please produce all documents, including any correspondence, email or data in electronic form, mentioning or referring to ArrivalStar.

2. Please produce all documents, including any correspondence, email or data in electronic form, mentioning or referring to the '781 Patent.

3. Please produce all documents, including any correspondence, email or data in electronic form, mentioning or referring to any patent owned by Plaintiffs.

4. Please produce all documents, including any correspondence, email or data in electronic form, mentioning or referring to the subject matter of the '781 Patent.

5. Please produce all documents, including any correspondence, email or data in electronic form, mentioning or referring to when Defendant first became aware of the existence of any of the '781 Patent or its alleged infringement thereof, or any of Plaintiffs' patents.

6. Please produce all user manuals for the Accused Product.

7. Please produce all training materials referring or relating to the Accused Product.

8. Please produce all documents, including correspondence, email or data in electronic form, referring or related to the conception, research, design, development and

commercialization of the Accused Product, including development meeting notes or correspondence, status reports, committee meeting minutes, testing reports, simulations, developers' notes and notebooks, project schedules, meeting presentations, algorithms, schematics, screen shots, drawings, prototypes, samples and specifications.

9. Please produce all documents, including correspondence, email or data in electronic form, referring or related to the conception, research, design, development and commercialization of the Accused Product and any other vehicle tracking system used or created by Defendant that provides notifications to users regarding the location, estimated time of arrival and/or delay of vehicles, including development meeting notes or correspondence, status reports, committee meeting minutes, testing reports, simulations, developers' notes and notebooks, project schedules, meeting presentations, algorithms, schematics, screen shots, drawings, prototypes, samples and specifications.

10. Please produce all documents, including correspondence, email or data in electronic form, referring or related to the structure, operation, function or performance of the Accused Product and/or its components, including all source code, user guides, reference manuals, product manuals, product descriptions, technician's guides, installation guides, technical manuals, software manuals, screen shots and datasheets.

11. Please produce all documents, including correspondence, email or data in electronic form, referring or related to any instructions, information or directions Defendant provides to any of its customers concerning how to use, install or operate the Accused Product.

12. Please produce all documents, including correspondence, email or data in electronic form, referring or related to any instructions, information or directions Defendant provides to any of its customers concerning how to use, install or operate any other vehicle

tracking system used or created by Defendant that also provides notifications to users regarding the location, estimated time of arrival and/or delay of vehicles.

13. Please produce samples of all promotional items, marketing material or advertisements referring to the Accused Product.

14. Please produce samples of all promotional items, marketing material or advertisements referring to any other vehicle tracking system used or created by Defendant that provides notifications to users regarding the location, estimated time of arrival and/or delay of vehicles.

15. Please produce all documents, including correspondence, email or data in electronic form, referring or related to any advantages, benefits or features of the Accused Product.

16. Please produce any documents that Defendant contends is material to the scope, interpretation, validity, infringement or enforceability of the '781 patent or any claim of any of the '781 patent.

17. Please produce any alleged prior art to the '781 patent.

18. Please produce all documents that contain, refer or relate to any oral or written opinion received by Defendant concerning the validity, invalidity, enforceability, unenforceability, infringement, noninfringement, patentability, scope or interpretation of '781 patent or any claim of the '781 patent.

19. Please produce all documents and things not previously produced which Defendant intends to rely upon in its defense or in support of its counterclaim at trial.

Dated: September 20, 2012

/s/ Anthony E. Dowell

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**ATTORNEY FOR PLAINTIFFS
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CERTIFICATE OF SERVICE

I hereby certify that on the September 20, 2012, a copy of the foregoing was sent via United States mail to counsel for Defendants:

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