

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 INTERROGATORIES TO THE DEFENDANT**

Pursuant to Rule 33 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") answer the following interrogatories under oath and within the time provided by the Federal Rules of Civil Procedure.

**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. "Sound Transit" or "Defendant" means the named Defendant Central Puget Sound Regional Transit Authority 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.

A. "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.

B. 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.

C. 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.

D. If, in responding to these interrogatories, Defendant elects to avail itself of the procedure authorized by Federal Rule of Civil Procedure 33(d), Plaintiff requests that for each interrogatory so answered, Defendant specify the particular document or documents by production number from which the answer may be derived or ascertained.

E. If Defendant does not answer any interrogatory in full, please state the precise reason for failing to do so. If a legal objection is made, please set forth the specific nature of the grounds for that objection.

F. If only a portion of any interrogatory will not be answered, please provide a complete answer to the remaining portion of the interrogatory and state the reasons or grounds for Defendant’s inability or refusal to complete the answer. If an interrogatory can be answered only in part on the basis of information available at the time of the response, please provide an answer on the basis of that information, indicate that Defendant’s answer is so limited and provide a further response when further information becomes available.

G. If Defendant learns at any time that any response to any of these interrogatories is incomplete or incorrect, Plaintiffs request that Defendant immediately serve amended responses that are complete and correct pursuant to Rule 26(e) of the Federal Rules of Civil Procedure.

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

### **INTERROGATORIES**

1. For each Accused Product which has been made, used or sold by Defendant, explain how and by whom the products were developed, including without limitation, the chronology of the research from conception to the development of the product through any commercial use of the product and identify all persons believed to have significant knowledge of the foregoing.

2. State all facts known to Defendant which allegedly render the '781 patent invalid or unenforceable, including a description and identification of any and all alleged prior art that serves as a basis for the allegation and identify those persons having personal knowledge of such facts.

3. Identify all of Sound Transit's financial plans and marketing plans for the Accused Product, including actual or anticipated gross margin, profits, income or sales volume resulting from the use or implementation of the Accused Product.

4. Identify the employee(s) or agent(s) of Defendant who first became aware of, or who acquired any knowledge regarding the '781 patent and, for each such person identified, describe when, and the circumstances under which, the person first acquired knowledge, or

became aware of the '781 patent as well as the person's actions, if any, in response to such information or knowledge.

5. Please describe and identify any investigation, evaluation or analysis conducted to determine whether any vehicle tracking system used or created by Sound Transit would infringe any claim of the '781 patent and provide the precise date(s), persons involved and results of any such investigation, evaluation or analysis.

6. For each of Interrogatories above, identify the individual within Defendant's employ who is believed to be the most knowledgeable with respect to the subject matter of each Interrogatory, and each individual who was consulted in connection with providing answers to the above Interrogatories.

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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