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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Parsons Xtreme Golf, LLC,

Plaintiff/Counter-defendant,

vs.

Taylor Made Golf Company, Inc.,

Defendant/Counterclaimant.

No. CV-17-03125-PHX-JJT

**PARSON XTREME GOLF, LLC'S
RESPONSES AND OBJECTIONS
TO DEFENDANT'S FIRST SET OF
INTERROGATORIES (NOS. 1-3)**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, as well as all applicable local rules and this Court's Orders, Plaintiff Parsons Xtreme Golf, LLC ("PXG"), by and through undersigned counsel, submits its responses to Defendants' First Set of Interrogatories (Nos. 1-3) dated March 28, 2018.

RESPONSES AND OBJECTIONS TO INTERROGATORIES

INTERROGATORY NO. 1: Identify the earliest patent application, to which the '481 patent claims priority, that you contend provides written-description support for the claim limitation " $0.2 \leq V_e/V_b \leq 0.5$ " of the '481 patent, and state, with particularity, where such written-description support is found in that application.

RESPONSE:

PXG objects to this Interrogatory as overbroad, vague, non-specific, and ambiguous due to the phrases “earliest patent application,” “contend provides written-description support,” and “where such written-description support is found.” PXG does not know what Defendants consider relevant, responsive information to this request without further definition and guidance as to those phrases. PXG further objects to this Interrogatory as seeking information subject to expert disclosures and on that basis it is premature.

Subject to and without waiving the foregoing objections, the claim limitation “ $0.2 \leq V_e/V_b \leq 0.5$ ” of the ‘481 patent is supported by U.S. Provisional Patent Application No. 62/041,538, filed on August 25, 2014 (the ‘538 Application). The ‘481 patent includes a proper priority claim to the ‘538 Application. Specifically, in combination with conventional knowledge of the mass and volume properties of solid materials, Paragraphs [0037] and [0042] of the ‘538 Application disclose the claimed ratio of $0.2 \leq V_e/V_b \leq 0.5$.

INTERROGATORY NO. 2: Identify the earliest patent application to which the ‘481 patent claims priority, that you contend provides written-description support for the claim limitation “ $0.01 \leq T_f/V_e \leq 0.2$ ” of the ‘481 patent, and state, with particularity, where such written-description support is found in that application.

RESPONSE:

PXG objects to this Interrogatory as overbroad, vague, non-specific, and ambiguous due to the phrases “earliest patent application,” “contend provides written-description support,” and “where such written-description support is found.” PXG does not know what Defendants consider relevant, responsive information to this request without further definition and guidance as to those phrases. PXG further objects to this Interrogatory as seeking information subject to expert disclosures and on that basis it is premature.

Subject to and without waiving the foregoing objections, the claim limitation

1 “ $0.01 \leq T_f/V_e \leq 0.2$ ” of the ’481 patent is supported by U.S. Patent Application No.
2 14/711,596, filed on May 13, 2015, published as U.S. Patent Application Publication
3 No. 2015/0328508 (the ’596 Application). The ’481 patent includes a proper priority
4 claim to the ’596 Application. Specifically, in combination with conventional
5 knowledge of mass, volume, and density properties of solid materials, Paragraphs
6 [0048], [0061], [0066], [0078], [0082], and [0102] of the ’596 Application disclose
7 the claimed ratio of $0.01 \leq T_f/V_e \leq 0.2$.

8 **INTERROGATORY NO. 3:** Identify the earliest patent application, to which the
9 ’952 patent claims priority, that you contend provides written-description support for
10 the claim limitation “wherein the body portion comprises stainless steel having a
11 density of between 7.0 grams per cubic centimeter and 8.3 grams per cubic
12 centimeter, and a tensile strength between 600 million and 800 million Newtons per
13 square meter” of the ’952 patent, and state, with particularity, where such written-
14 description support is found in that application.

15 **RESPONSE:**

16 PXG objects to this Interrogatory as overbroad, vague, non-specific, and
17 ambiguous due to the phrases “earliest patent application,” “contend provides
18 written-description support,” and “where such written-description support is found.”
19 PXG does not know what Defendants consider relevant, responsive information to
20 this request without further definition and guidance as to those phrases. PXG further
21 objects to this Interrogatory as seeking information subject to expert disclosures and
22 on that basis it is premature.

23 Subject to and without waiving the foregoing objections, the claim limitation
24 “wherein the body portion comprises stainless steel having a density of between 7.0
25 grams per cubic centimeter and 8.3 grams per cubic centimeter, and a tensile strength
26 between 600 million and 800 million Newtons per square meter” is supported, at
27 least as early as the June 13, 2014 U.S. Provisional Application 62/011,859 (P-14-
28 001-P07-US) at Paragraph [0021], which discloses Nitronic 50 steel and related

1 properites concerning the claimed density and tensile strength, and no later than the
2 April 12, 2016 U. S. Provisional Patent Application No. 62/321,652 at Paragraphs
3 [0140]-[0141], which again discloses the claimed density and tensile strength.

4 RESPECTFULLY SUBMITTED this 27th day of April, 2018.

5 **BALLARD SPAHR LLP**

6 By /s/ Brian W. LaCorte

7 Brian W. LaCorte
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CERTIFICATE OF SERVICE

I certify that on the 27th day of April, 2018, I electronically transmitted the foregoing document to the following counsel for Taylor Made Golf Company, Inc.

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