

Michael Saunders

From: Martin (DeWerff), Mackenzie <Mackenzie.Martin@bakermckenzie.com>
Sent: Friday, March 1, 2024 12:41 PM
To: Ariana Deskins Pellegrino; Cheong, Ellen; Kennedy, Nicholas; Ojemen, Dorian; Wells, Richard V; Moore, Kathryn
Cc: ForceMOS-ASUS
Subject: EXTERNAL: RE: Force MOS Tech v. ASUSTek Computer (No. 2:22-cv-00460) - Discovery Meet and Confer Summary

Ari,

On our Feb. 8 meet and confer, Mr. Garsson stated that he wanted to connect in the interim, even if there were no substantive updates in view of the holiday. That is why we offered dates (and we heard no response until your recent email). It sounds like Force MOS has changed its mind in that regard, which is fine.

We are available to meet and confer on the items in Mr. Garson's email dated Feb. 8 next week at the below times. Let me know what works for you. I can send additional times if needed.

- Tuesday 3/5 – 2:30-6 pm
- Wednesday 3/6 – 10 am-1 pm

Best,
Mackenzie

Mackenzie Martin
Partner, Intellectual Property & Technology
Tel: +1 214 978 3048
Cell: +1 214 534 0345

**Baker
McKenzie.**

From: Ariana Deskins Pellegrino <APellegrino@dickinson-wright.com>
Sent: Wednesday, February 28, 2024 11:46 AM
To: Martin (DeWerff), Mackenzie <Mackenzie.Martin@bakermckenzie.com>; Cheong, Ellen <Ellen.Cheong@bakermckenzie.com>; Kennedy, Nicholas <Nicholas.Kennedy@bakermckenzie.com>; Ojemen, Dorian <Dorian.Ojemen@bakermckenzie.com>; Wells, Richard V <richard.wells@bakermckenzie.com>; Moore, Kathryn <Kathryn.Moore@bakermckenzie.com>
Cc: ForceMOS-ASUS <ForceMOS-ASUS@dickinson-wright.com>
Subject: [EXTERNAL] RE: Force MOS Tech v. ASUSTek Computer (No. 2:22-cv-00460) - Discovery Meet and Confer Summary

Mackenzie,

Your email offering dates to discuss followed your statement that you had no updates. Obviously, we need an update to have anything meaningful to discuss. Please advise whether you have an update.

Thanks,
Ari



Ariana Deskins Pellegrino

Member

O: 313-223-3084

APellegrino@dickinson-wright.com

From: Martin (DeWerff), Mackenzie <Mackenzie.Martin@bakermckenzie.com>
Sent: Wednesday, February 28, 2024 12:42 PM
To: Ariana Deskins Pellegrino <APellegrino@dickinson-wright.com>; Cheong, Ellen <Ellen.Cheong@bakermckenzie.com>; Kennedy, Nicholas <Nicholas.Kennedy@bakermckenzie.com>; Ojemen, Dorian <Dorian.Ojemen@bakermckenzie.com>; Wells, Richard V <richard.wells@bakermckenzie.com>; Moore, Kathryn <Kathryn.Moore@bakermckenzie.com>
Cc: ForceMOS-ASUS <ForceMOS-ASUS@dickinson-wright.com>
Subject: RE: Force MOS Tech v. ASUSTek Computer (No. 2:22-cv-00460) - Discovery Meet and Confer Summary

Ariana,

We provided dates and times to meet and confer more than a week ago and received nothing in response. On our last meet and confer (Feb. 8), we discussed meeting again to further discuss the requests and what is / isn't feasible for ASUS. And we also made you aware (multiple times) of the Lunar New Year holiday, which closed ASUS's offices for a significant stretch of time during the past month.

So we are surprised to receive the note below. Does Force MOS still want to meet on these issues or not?

Best,
Mackenzie

Mackenzie Martin
Partner, Intellectual Property & Technology
Tel: +1 214 978 3048
Cell: +1 214 534 0345



From: Ariana Deskins Pellegrino <APellegrino@dickinson-wright.com>
Sent: Wednesday, February 28, 2024 11:31 AM
To: Martin (DeWerff), Mackenzie <Mackenzie.Martin@bakermckenzie.com>; Cheong, Ellen <Ellen.Cheong@bakermckenzie.com>; Kennedy, Nicholas <Nicholas.Kennedy@bakermckenzie.com>; Ojemen, Dorian <Dorian.Ojemen@bakermckenzie.com>; Wells, Richard V <richard.wells@bakermckenzie.com>; Moore, Kathryn <Kathryn.Moore@bakermckenzie.com>
Cc: ForceMOS-ASUS <ForceMOS-ASUS@dickinson-wright.com>
Subject: [EXTERNAL] RE: Force MOS Tech v. ASUSTek Computer (No. 2:22-cv-00460) - Discovery Meet and Confer Summary

Mackenzie,

It has been more than a month since we sent correspondence on this issue, and three weeks since we met and conferred; please provide ASUS's position by the end of the week.

Absent some meaningful update by ASUS by the end of the week, we will have to move forward with motion practice.

Best,
Ari



Ariana Deskins Pellegrino

Member

O: 313-223-3084

APellegrino@dickinson-wright.com

From: Martin (DeWerff), Mackenzie <Mackenzie.Martin@bakermckenzie.com>

Sent: Tuesday, February 20, 2024 11:31 PM

To: Ariana Deskins Pellegrino <APellegrino@dickinson-wright.com>; Cheong, Ellen <Ellen.Cheong@bakermckenzie.com>; Kennedy, Nicholas <Nicholas.Kennedy@bakermckenzie.com>; Ojemen, Dorian <Dorian.Ojemen@bakermckenzie.com>; Wells, Richard V <richard.wells@bakermckenzie.com>; Moore, Kathryn <Kathryn.Moore@bakermckenzie.com>

Cc: ForceMOS-ASUS <ForceMOS-ASUS@dickinson-wright.com>

Subject: RE: Force MOS Tech v. ASUSTek Computer (No. 2:22-cv-00460) - Discovery Meet and Confer Summary

Ariana,

As discussed during our call, ASUS has had very limited availability in the past weeks due to the lunar new year holiday and associated office closings. Accordingly, we are still working with the client to respond to the issues below. We are open to discussion but currently do not have a significant update due to the holiday.

If you nonetheless would like to meet, we can do so at the following times: 11-2 Central Thursday; generally available Friday except for 10:30-12:30 Central.

Kind regards,
Mackenzie

Mackenzie Martin

Partner, Intellectual Property & Technology

Tel: +1 214 978 3048

Cell: +1 214 534 0345



This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message. Please visit www.bakermckenzie.com/disclaimers for other important information concerning this message.

From: Ariana Deskins Pellegrino <APellegrino@dickinson-wright.com>

Sent: Monday, February 19, 2024 3:46 PM

To: Martin (DeWerff), Mackenzie <Mackenzie.Martin@bakermckenzie.com>; Cheong, Ellen <Ellen.Cheong@bakermckenzie.com>; Kennedy, Nicholas <Nicholas.Kennedy@bakermckenzie.com>; Ojemen, Dorian <Dorian.Ojemen@bakermckenzie.com>; Wells, Richard V <richard.wells@bakermckenzie.com>; Moore, Kathryn <Kathryn.Moore@bakermckenzie.com>

Cc: ForceMOS-ASUS <ForceMOS-ASUS@dickinson-wright.com>

Subject: [EXTERNAL] RE: Force MOS Tech v. ASUSTek Computer (No. 2:22-cv-00460) - Discovery Meet and Confer Summary

Counsel,

We have not received any correspondence back regarding the below. Please provide your availability to discuss this week.

Best,
Ari

Ariana Deskins Pellegrino Member

2600 W. Big Beaver Rd. Phone 313-223-3084
Suite 300 Fax 844-670-6009
Troy MI 48084 Email APellegrino@dickinsonwright.com



DICKINSON WRIGHT PLLC

ARIZONA CALIFORNIA COLORADO FLORIDA ILLINOIS KENTUCKY MICHIGAN
NEVADA OHIO TENNESSEE TEXAS WASHINGTON D.C. TORONTO

From: Ross Spencer Garsson <RGarsson@dickinson-wright.com>

Sent: Thursday, February 8, 2024 5:12 PM

To: Martin (DeWerff), Mackenzie <Mackenzie.Martin@bakermckenzie.com>; Cheong, Ellen <Ellen.Cheong@bakermckenzie.com>; Kennedy, Nicholas <Nicholas.Kennedy@bakermckenzie.com>; Ojemen, Dorian <Dorian.Ojemen@bakermckenzie.com>; Wells, Richard V <richard.wells@bakermckenzie.com>; Moore, Kathryn <Kathryn.Moore@bakermckenzie.com>; ForceMOS-ASUS <ForceMOS-ASUS@dickinson-wright.com>

Subject: Force MOS Tech v. ASUSTek Computer (No. 2:22-cv-00460) - Discovery Meet and Confer Summary

Dear Mackenzie,

Thank you for meeting and conferring today. The following is our understanding of the meeting and next steps we have each agreed to. Please let us know if you have a different understanding.

During the meeting, you reiterated the position outlined in Ellen's letter that Asus "is not a MOSFET company" and so does not keep records of which of its products contain trenched MOSFETS that are encompassed by the Accused Products as defined in Force MOS's discovery requests and infringement contentions. Indeed, as we understand your position, you indicated Asus does not know whether each of the MOSFETS in its products are, or are not, trenched MOSFETS. You further stated that it would be unduly burdensome for Asus to analyze its products to determine which MOSFETS would fall within the accused products as Asus does not keep its records in that way.

We outlined our proposal that, taking Asus at its word that it does not know and have a reasonable way to obtain whether its products contain the accused trench MOSFETS, that Asus could provide to Force MOS a list of all products that it imports or sells in the United States that contain MOSFETS so that Force MOS may conduct its own investigation as to whether the devices contain MOSFETS that meet the limitations of the asserted claims. Asus would also provide a list of the particular MOSFETS in each of these identified products.

To the extent that Asus asserts it cannot discern which MOSFETs are included in the products being imported or sold in the United States, Force MOS further proposes that Asus provide to Force MOS a list of all MOSFETs that Asus has received from its suppliers, inclusive of an identification of each respective supplier.

As a further note to our discussion today (now explicitly provided herein), Force MOS has already, through its own investigative efforts, discovered that any Asus product imported or sold in the United States containing at least the following components is an Accused Product: 2N7002KDW, 2N7002K, PJX138, QM3016AM, PE616BA, L2N7002SLT1G, QM3058M6, AP3P021H, EMB20N03V, and 2N7003KDW.

During the meet and confer, we further explained that, although Force MOS maintains that its requests are proper (as the requests are reasonably calculated to lead to the discovery of admissible evidence), Force MOS's proposal will allow the parties to streamline discovery, as Force MOS will be able to further confirm the Accused Products at issue in this litigation and Asus will be able to consult with its accounting and operations departments (which should be able to retrieve the information requested through discovery as part of its regulatory, tax, and other business obligations in respect to the products and MOSFETs Asus lists).

You stated that you would need to discuss the proposal with your client, that you would reach out to your client to discuss today, and that you would be available to discuss further early next week with the understanding that your client may have sporadic availability until the week of February 19 given the Chinese New Year. You also asked, and we agreed, to provide authority for our position that Force MOS is entitled to the discovery it seeks. Attached is such authority. As we discussed today, please let us know when you have discussed with your client and your availability to discuss further next week.

Sincerely,

Ross Spencer Garsson

For docketing purposes of patent & trademark matters only, please add the appropriate email of dwpatents@dickinson-wright.com or dwtrademarks@dickinson-wright.com to any emails being sent to our office. Thank you.

Ross Spencer Garsson Member

607 W. 3rd Street.
Suite 2500
Austin TX 78701

Phone 512-770-4222

Mobile 512-653-7667

Fax 844-670-6009

Email RGarsson@dickinsonwright.com



DICKINSON WRIGHT PLLC

ARIZONA CALIFORNIA COLORADO FLORIDA ILLINOIS KENTUCKY MICHIGAN
NEVADA OHIO TENNESSEE TEXAS WASHINGTON D.C. TORONTO

The information contained in this e-mail, including any attachments, is confidential, intended only for the named recipient(s), and may be legally privileged. If you are not the intended recipient, please delete the e-mail and any attachments, destroy any printouts that you may have made and notify us immediately by return e-mail.

Neither this transmission nor any attachment shall be deemed for any purpose to be a "signature" or "signed" under any electronic transmission acts, unless otherwise specifically stated herein. Thank you.

The information contained in this e-mail, including any attachments, is confidential, intended only for the named recipient(s), and may be legally privileged. If you are not the intended recipient, please delete the e-mail and any attachments, destroy any printouts that you may have made and notify us immediately by return e-mail. Neither this transmission nor any attachment shall be deemed for any purpose to be a "signature" or "signed" under any electronic transmission acts, unless otherwise specifically stated herein. Thank you.

The information contained in this e-mail, including any attachments, is confidential, intended only for the named recipient(s), and may be legally privileged. If you are not the intended recipient, please delete the e-mail and any attachments, destroy any printouts that you may have made and notify us immediately by return e-mail. Neither this transmission nor any attachment shall be deemed for any purpose to be a "signature" or "signed" under any electronic transmission acts, unless otherwise specifically stated herein. Thank you.