

1 Hua Chen  
2 *huachen@scienbizippc.com*  
3 SCIENBIZIP, P.C.  
4 550 South Hope Street, Suite 2825  
5 Los Angeles, California 90071  
6 Telephone: (213) 426-1778

7 Attorney for Defendant  
8 *Bonerge Lifescience (Hunan) Co., Ltd.*

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11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**  
13 **EASTERN DIVISION**

14 NANJING NUTRABUILDING BIO-TECH  
15 CO., LTD.,

16 Plaintiff,

17 v.

18 BONERGE LIFESCIENCE (HUNAN) CO.,  
19 LTD., et al.,

20 Defendants.

Case Number: 5:25-cv-00271-JGB-SHK

[Hon. Judge Jesus G. Bernal]

**DEFENDANT BONERGE LIFESCIENCE  
(HUNAN) CO., LTD.'S RESPONSE TO  
PLAINTIFF'S FIRST SET OF  
REQUESTS FOR ADMISSION**

1 Pursuant to Federal Rules of Civil Procedure 26 and 34, Defendant Bonerge Lifescience (Hunan)  
2 Co., Ltd. (“Bonerge” or “Defendant”), by and through its attorneys, hereby provide the following  
3 responses to Plaintiff Nanjing Nutrabuilding Bio-Tech Co., Ltd.’s (“Nanjing” or “Plaintiff”) First Set  
4 of Admission (each, a “Request,” and collectively, the “Requests”) as follows:

5 **GENERAL STATEMENT**

6 1. As an initial matter, Defendant has not yet completed discovery relating to this litigation,  
7 and investigation of the facts is continuing. Defendant’s responses to these Requests, therefore, are made  
8 without prejudice to Defendant’s right to supplement its responses as further discovery is conducted.

9 2. Defendant responds to these Requests as it interprets and understands each request as set  
10 forth. If Plaintiff subsequently asserts an interpretation of any request that differs from Defendant’s  
11 understanding of that request, Defendant reserves the right to supplement its objections and/or  
12 responses.

13 3. No incidental or implied admissions are intended by these responses. The fact that  
14 Defendant has answered part or all of any Requests is not intended to be, and shall not be construed to  
15 be a waiver by Defendant of any part of any objection to any request.

16 4. Words and terms used in the response shall be construed in accordance with their normal  
17 meanings and connotations.

18 5. Without waiving the objections set forth below, and subject to the limitations stated  
19 above, Defendant will provide the information it believes is responsive and the subject of legitimate  
20 discovery which has been uncovered by reasonable investigation.

21 **GENERAL OBJECTIONS**

22 The following General Objections apply to and are expressly made part of Defendant’s specific  
23 response to each Request.

24 6. Defendant objects to Plaintiff’s Requests and to the instructions and definitions  
25 incorporated therein to the extent that they are inconsistent with or purport to impose obligations broader  
26 in scope or more burdensome than those imposed by the Federal Rules of Civil Procedure, Local Patent  
27 Rules, any applicable Orders of the Court, and/or any stipulation or agreement of the parties and  
28 Defendant expressly disclaims any obligation to provide any discovery beyond that required by such

NNB Exh. 2003, p. 002

1 rules or in a manner not required by such rules. Defendant is not withholding any responsive materials  
2 based on this objection.

3 7. Defendant objects to Plaintiff's Requests to the extent that they call for information that  
4 is immune from discovery under the Federal Rules of Civil Procedure.

5 8. Defendant objects to Plaintiff's Requests and to the instructions and definitions  
6 incorporated therein to the extent that they seek discovery that is not reasonably relevant to any party's  
7 claim or defense or not proportional to the needs of the case, and/or not reasonably calculated to lead to  
8 the discovery of admissible evidence.

9 9. Defendant objects to Plaintiff's Requests and to the instructions and definitions  
10 incorporated therein to the extent that the burden and/or expense of searching for and producing the  
11 requested documents or information outweighs the benefit of the discovery being sought. To the extent  
12 that Plaintiff's Requests and the instructions and definitions incorporated therein impose such an undue  
13 burden and/or expense upon Defendant, they are not proportional to the needs of the case.

14 10. Defendant objects to Plaintiff's Requests and to the instructions and definitions  
15 incorporated therein to the extent that they call for the disclosure of information, including but not  
16 limited to, the thoughts or mental impressions of Defendant's attorneys in connection with the  
17 preparation, prosecution, or defense of any claim by or against Defendant, protected from discovery by  
18 the attorney-client privilege, the work product doctrine, the joint-defense privilege, the common interest  
19 doctrine, or any other applicable privilege or immunity from discovery.

20 11. Defendant objects to Plaintiff's Requests and to the instructions and definitions  
21 incorporated therein to the extent that they seek documents or information not in the direct possession,  
22 custody, or control of Defendant.

23 12. Defendant objects to Plaintiff's Requests to the extent they are vague or ambiguous,  
24 overly broad, or unduly burdensome.

25 13. Defendant objects to Plaintiff's Requests to the extent they seek information that is  
26 equally accessible to, or readily available to, Plaintiff, including but not limited to documents available  
27 from publicly accessible websites or documents already in the possession, custody, or control of  
28 Plaintiff.

1           14. Defendant objects to Plaintiff's Requests to the extent they seek information that are in  
2 the possession, custody, or control of non-parties.

3           15. Defendant objects to Plaintiff's Requests to the extent they call for a legal opinion or  
4 conclusion.

5           16. Defendant objects to Plaintiff's Requests to the extent that they seek information that is  
6 not proportional to the needs of the case, considering the importance of the issues at stake in the action,  
7 the amount in controversy, the parties' relative access to relevant information, the parties' resources, the  
8 importance of the request in resolving the issues, and because the burden or expense of answering the  
9 requests outweighs their likely benefit.

10           17. Defendant objects to Plaintiff's Requests to the extent they call for confidential  
11 information, including trade secrets and other confidential research, development, and commercial  
12 information, that would cause commercial harm to Defendant if disclosed to Plaintiff or third parties.

13           18. Defendant objects to Plaintiff's definition of "YOU," "YOUR," and "YOURS" as overly  
14 broad to the extent that they attempt to encompass persons or entities not part of the current lawsuit  
15 captioned above. Defendant shall treat such terms as meaning Bonerge Lifescience (Hunan) Co., Ltd.

16           19. Defendant objects to Plaintiff's definition of "DOCUMENT" as overly broad to the  
17 extent that they attempt to encompass items in relation to persons or entities to encompass persons or  
18 entities unknown to, and/or with no actual connections with, or not subject to the control of Defendant.  
19 Defendant shall treat such term "DOCUMENT" limited to those items that are in the possession, control  
20 or custody of Defendant.

21           20. Defendant objects to Plaintiff's definition of "CONCERNING" as it is vague and  
22 ambiguous, unintelligible, in that "concerning" calls for speculation by including a variety of terms,  
23 including "evidencing", "referring to", "relating to", "connected with", and "constituting", each of  
24 which has a distinct, different meaning and, when combined, make any request using "concerning"  
25 inherently vague, ambiguous, and unintelligible. Defendant shall treat "CONCERNING" to be as  
26 defined in a dictionary for the English language.

27           21. Defendant objects to the definition provided for "AND" and "OR" on the ground that it  
28 is vague and ambiguous, unintelligible, and calls for speculation in its simultaneous inclusion of both

1 disjunctive and conjunctive concepts for each of “and” and “or”, giving each term an artificial  
2 meaning and making any request using “and” or “or” as specially defined inherently vague,  
3 ambiguous, and unintelligible. Defendant will read “and” and “or” as used in each request to mean  
4 what “and” and “or” mean in the English language.

5 22. Defendant additionally objects to the claim that the “past tense shall include the present  
6 tense” on the ground that it is vague and ambiguous, unintelligible, and calls for speculation in that it  
7 purports to cast the tense of every verb in all possible tenses for that verb. Such a definition perverts  
8 the plain usage of verbs in ordinary English language and renders their usage unintelligible and unduly  
9 compound. Defendant will read the tense of verbs as used in the interrogatories as having the meaning  
10 ascribed to them in ordinary English.

11 23. Defendant objects to Plaintiff’s definition of “ACCUSED PRODUCTS” to the extent it  
12 is vague, ambiguous, or purports to expand the scope of discovery beyond the claims and defenses in  
13 this action, including by attempting to encompass products that have no alleged nexus to the asserted  
14 infringement. Defendant shall treat the term “ACCUSED PRODUCTS” as dihydroberberine (“DHB”)  
15 in a crystallized form.

16 24. All answers given herein are made subject to each and every general objection, and to  
17 the specific objections made in the response in which the answer is given. By providing a response,  
18 Defendant has not waived any objection on any grounds of competency, relevance, materiality,  
19 privilege, admissibility as evidence, or any other ground, for any purpose, in any means in this  
20 investigation or proceeding in this or any other action. Furthermore, by providing a response, Defendant  
21 has neither waived its right to make further objections to further discovery requests nor is any response  
22 to be deemed an admission or acknowledgement that the information sought is within the proper scope  
23 of discovery.

24 25. The answers provided herein are based on Defendant’s current knowledge and are made  
25 in a good-faith effort to respond to the extent of the information currently known to Defendant.  
26 Defendant has not completed its investigation of the facts, testimony, witnesses, or documents relating  
27 to this litigation, and has not completed its analysis of available data or begun preparation for trial.  
28 Defendant expressly reserves the right to produce additional information that may come to its attention

1 as this litigation proceeds, or to otherwise supplement its responses in accordance with the Federal Rules  
2 of Civil Procedure or other applicable rule, order, or stipulation of the parties.

3 **SPECIFIC OBJECTIONS AND RESPONSES**

4 **REQUEST NO. 1:**

5 Admit that YOU were aware of the PATENT-IN-SUIT by no later than September 25, 2024.

6 **RESPONSE TO REQUEST NO. 1:**

7 Admitted.

8 **REQUEST NO. 2:**

9 Admit that YOU were aware of the PATENT-IN-SUIT by no later than November 6, 2024.

10 **RESPONSE TO REQUEST NO. 2:**

11 Admitted.

12 **REQUEST NO. 3:**

13 Admit that YOU were aware of the PATENT-IN-SUIT by no later than January 1, 2024.

14 **RESPONSE TO REQUEST NO. 3:**

15 Defendant incorporates its General Objections above as if set forth in full herein. Subject to such  
16 objections - Denied.

17 **REQUEST NO. 4:**

18 Admit that YOU were aware of the PATENT-IN-SUIT by no later than January 1, 2023.

19 **RESPONSE TO REQUEST NO. 4:**

20 Defendant incorporates its General Objections above as if set forth in full herein. Subject to such  
21 objections - Denied.

22 **REQUEST NO. 5:**

23 Admit that YOU were aware of the PATENT-IN-SUIT by no later than January 1, 2022.

24 **RESPONSE TO REQUEST NO. 5:**

25 Defendant incorporates its General Objections above as if set forth in full herein. Subject to such  
26 objections - Denied.

27 **REQUEST NO. 6:**

28 Admit that YOU were aware of the PATENT-IN-SUIT by no later than January 1, 2021.

1 **RESPONSE TO REQUEST NO. 70:**

2 Defendant incorporates its General Objections above as if set forth in full herein. Defendant  
3 further objects to this Request to the extent it is vague, ambiguous, or unintelligible due to terms such  
4 as “changed” your “behavior”.

5 Subject to the above objections – Denied.

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7  
8 Dated: September 15, 2025

Respectfully submitted,

9 /s/ Hua Chen

10 Hua Chen  
11 *huachen@scienbizippc.com*  
12 SCIENBIZIP, P.C.  
13 550 South Hope Street, Suite 2825  
14 Los Angeles, California 90071  
15 Telephone: (213) 426-1778

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Attorney for Defendant  
*Bonerge Lifescience (Hunan) Co., Ltd*

1 **CERTIFICATE OF SERVICE**

2 Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that on the 15th day of September, 2025, a  
3 true and correct copy of the foregoing **DEFENDANT BONERGE LIFESCIENCE (HUNAN) CO.,**  
4 **LTD.’S RESPONSE TO PLAINTIFF’S FIRST SET OF ADMISSION** was served upon Plaintiff  
5 by delivering a copy via email to counsel of record for Plaintiff:

6 Mark D Nielsen  
7 **Scheef and Stone, LLP**  
8 2600 Network Boulevard Suite 400  
9 Frisco, TX 75034  
10 Email:Mark.Nielsen@solidcounsel.Com

11 Chong Wook Pak  
12 Daniel Miles Cislo  
13 **Cislo and Thomas LLP**  
14 12100 Wilshire Boulevard, Suite 1700  
15 Los Angeles, CA 90025  
16 Email:Wook@cislo.Com  
17 Email:Dan@cislo.Com

18 Dated: September 15, 2025

19 By: /s/ Shruti Aggarwal  
20 Shruti Aggarwal