

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

KONINKLIJKE PHILIPS N.V., and  
PHILIPS NORTH AMERICA LLC

Plaintiffs,

v.

DELL TECHNOLOGIES INC., and  
DELL INC.,

Defendants.

C.A. No.: 20-cv-1240-CFC

**JURY TRIAL DEMANDED**

KONINKLIJKE PHILIPS N.V., and  
PHILIPS NORTH AMERICA LLC

Plaintiffs,

v.

HP INC.,

Defendants.

C.A. No.: 20-cv-1241-CFC

**JURY TRIAL DEMANDED**

KONINKLIJKE PHILIPS N.V., and  
PHILIPS NORTH AMERICA LLC

Plaintiffs,

v.

LENOVO GROUP LTD., and  
LENOVO (UNITED STATES) INC.,

Defendants.

C.A. No.: 20-cv-1242-CFC

**JURY TRIAL DEMANDED**

KONINKLIJKE PHILIPS N.V., and  
PHILIPS NORTH AMERICA LLC

Plaintiffs,

v.

INTEL CORPORATION,

Defendants.

C.A. No.: 20-cv-1243-CFC

**JURY TRIAL DEMANDED**

KONINKLIJKE PHILIPS N.V., and  
PHILIPS NORTH AMERICA LLC

Plaintiffs,

v.

MEDIATEK INC., and MEDIATEK  
USA INC.,

Defendants.

C.A. No.: 20-cv-1246-CFC

**JURY TRIAL DEMANDED**

KONINKLIJKE PHILIPS N.V., and  
PHILIPS NORTH AMERICA LLC

Plaintiffs,

v.

REALTEK SEMICONDUCTOR  
CORP.,

Defendants.

C.A. No.: 20-cv-1247-CFC

**JURY TRIAL DEMANDED**

**STIPULATED PROTECTIVE ORDER REGARDING THE DISCLOSURE  
AND USE OF DISCOVERY MATERIALS**

Koninklijke Philips N.V. and Philips North America LLC (collectively “Plaintiff”), along with each of the Defendants in the above-captioned cases, Dell Technologies Inc., Dell Inc., HP Inc., Lenovo Group Ltd., Lenovo (United States), Inc., Intel Corporation, MediaTek Inc., MediaTek USA Inc., and Realtek Semiconductor Corp. (collectively “Defendants”) (all together the “Parties”), anticipate that documents, testimony, or information containing or reflecting confidential, proprietary, trade secret, and/or commercially sensitive information are likely to be disclosed or produced during the course of discovery, initial disclosures, and supplemental disclosures in the above-captioned cases and request that the Court enter this Order setting forth the conditions for treating, obtaining, and using such information. This Order further governs the transfer of and access to certain materials from the record of the related proceeding titled *In re Certain Digital Video-Capable Devices and Components Thereof*, Inv. No. 337-TA-1224 (International Trade Commission).

Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, the Court finds good cause for the following Stipulated Protective Order Regarding the Disclosure and Use of Discovery Materials (“Order” or “Protective Order”):

1. **DEFINITIONS**

(a) “Confidential business information” is information which concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the production, sales, shipments, purchases, transfers, identification of customers, inventories, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or other organization, or other information of commercial value, the disclosure of which is likely to have the effect of causing substantial harm to the competitive position of the person, firm, partnership,

corporation, or other organization from which the information was obtained, unless the Court is required by law to disclose such information.

(b) “Source Code” means source code, object code (i.e., computer instructions and data definitions expressed in a form suitable for input to an assembler, compiler, or other translator), any text written in any high-level programming language defining firmware and/or software functionalities implemented on an integrated circuit, microcode, register transfer language (“RTL”), firmware, and hardware description language (“HDL”), as well as any and all notes, annotations, and other comments of any type related thereto and accompanying the code. No schematics, layout files (such as GDS, GDSII, OASIS, or other comparable file types), process flows, or process recipes will be requested or produced in these actions. For avoidance of doubt, Source Code may include source files, make files, intermediate output files, executable files, header files, resource files, library files, module definition files, map files, object files, linker files, browse info files, and debut files. Source Code does not include file names, version or revisions identifications, and directory listings, which shall, when no Source Code is present, be designated CONFIDENTIAL BUSINESS INFORMATION, SUBJECT TO PROTECTIVE ORDER.

2. **DESIGNATION OF, ACCESS TO, AND USE OF CONFIDENTIAL BUSINESS INFORMATION**

(a) Any information submitted, in discovery or in a pleading, motion, or response to a motion either voluntarily or pursuant to order, in this action, which is asserted by a supplier to contain or constitute confidential business information shall be so designated by such supplier in writing, or orally at a deposition, conference, hearing, or trial, and shall be segregated from other information being submitted. Documents shall be clearly and prominently marked on their face with the legend: "CONFIDENTIAL BUSINESS

INFORMATION, SUBJECT TO PROTECTIVE ORDER," or a comparable notice. Such information, whether submitted in writing or in oral testimony, shall be treated in accordance with the terms of this protective order.

(b) The Court may determine that information alleged to be confidential is not confidential, or that its disclosure is necessary for the proper disposition of the proceeding, before, during or after the close of a trial herein. The parties shall make reasonable efforts to provide the supplier of such information with notice and opportunity to address the confidentiality of the information prior to such a determination and disclosure by the Court.

(c) In the absence of written permission from the supplier or an order by the Court, any confidential documents or business information submitted in accordance with the provisions of paragraphs 2(a)-(b) above shall not be disclosed to any person other than: (i) outside counsel for the parties to the action in which it was produced, including necessary secretarial and support personnel assisting such counsel; (ii) qualified persons taking testimony involving such documents or information and necessary stenographic and clerical personnel thereof; (iii) technical experts and their staff who are employed for the purposes of this litigation (unless they are otherwise employed by, consultants to, or otherwise affiliated with a party, or are employees of any domestic or foreign manufacturer, wholesaler, retailer, or distributor of the products, devices or component parts which are the subject of this action) and subject to the notice and objection provisions below; (iv) professional vendors unaffiliated with any parties or competitors of any party that provide litigation support services, including jury consultants and mock jurors, to whom disclosure is reasonably necessary for the provision of services in connection with this litigation and a representative of which has signed the "Nondisclosure Agreement" attached as Exhibit B; and (v) the Court, jury, and court personnel.

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