

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GREE, INC.,

Plaintiff,

v.

SUPERCELL OY,

Defendant.

§ The Honorable Rodney Gilstrap
§
§
§ Civil Action No. 2:19-cv-00310-JRG-RSP
§ 2:19-cv-00311-JRG-RSP
§
§
§ JURY TRIAL DEMANDED
§
§

**DEFENDANT SUPERCELL OY'S NOTICE OF
RULE 30(B)(6) DEPOSITION OF PLAINTIFF GREE, INC.**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Defendant Supercell Oy ("Supercell"), by and through its attorneys, will take the deposition of Plaintiff GREE, Inc. by oral examination. The deposition will be taken on September 4, 2020, or at such other time as otherwise agreed to by counsel for the parties, and at a place as agreed to by counsel for the parties or by virtual deposition.

Supercell reserves the right to record the deposition either via stenographic means by a court reporter certified to record depositions, or a digital reporter utilizing state-of-the-art digital recording equipment. Both the court reporter and digital reporter are authorized to administer the oath and serve as the deposition officer. Supercell further reserves the right to record the deposition utilizing audio or video technology. Supercell also reserves the right to utilize Exhibit Capture (picture-in picture) technology in which any exhibit reviewed by the deponent during the deposition can be captured visually.

Should the deposition be recorded in either video format, Supercell reserves the right to utilize at trial any portion of the audio or video recording of the proceeding. In the event

Supercell utilizes the stenographic reporting method, Supercell reserves the right to utilize instant visual display such that the reporter's writing of the proceeding will be available to all who are a part to this proceeding to request and receive in RealTime.

NOTICE IS FURTHER GIVEN that Supercell reserves the right to conduct this deposition utilizing a paperless exhibit display process called "Exhibit Share," provided and supported by Veritext Legal Solutions. The parties are advised that one paper set of exhibits will be utilized at the deposition for the court reporter's purposes of compiling, exhibit stamping, and ultimate production of the final certified transcript. However, no other paper copies will be provided as they will be available for visual display using Exhibit Share.

Please contact the noticing attorney prior to the deposition to advise that it is your desire to be set up for Exhibit Share access so that the necessary credentials, testing, and information, if necessary, can be provided to you prior to the proceedings. For information and available tutorial videos demonstrative Exhibit Share, please utilize this link to access additional information: <http://www.veritext.com/services/exhibitshare/>.

NOTICE IS FURTHER GIVEN that Supercell reserves the right to conduct this deposition utilizing the secure web-based deposition option afforded by Veritext or, in the alternative, video teleconferencing (VTC) services or telephonically only to provide remote/virtual access for those parties wishing to participate in the deposition via the internet and/or telephone. Also take notice that the court reporter may be remote via one of the options above for the purposes of reporting the proceeding and may or may not be in the presence of the deponent. Please contact the noticing attorney prior to the deposition to advise that it is your desire to appear via this remote participating means so that the necessary credentials, call-in numbers, testing, and information, if necessary, can be provided to you prior to the proceedings.

Supercell reserves the right to utilize instant visual display technology such that the court report's writing of the proceeding will be displayed simultaneous to their writing of same on one's laptop, iPad, tablet, or other type of display device connected to the court reporter.

In accordance with Fed. R. Civ. P. 30(b)(6), GREE is advised of its duty to designate one or more of its officers, directors or other persons to testify on its behalf with respect to the matters identified in the Schedule of Topics. So that Supercell may comply with the U.S. Embassy Tokyo rules for taking depositions, at least three weeks before the deposition, GREE is requested to identify to undersigned counsel the witnesses for each topic and to produce any documents, which have not previously been produced and which are in GREE's (or the designated person's or persons') possession, custody, or control referring or relating to the topics.

Dated: August 7, 2020

Respectfully submitted,

/s/ Jessica M. Kaempf

Jessica M. Kaempf (Admitted E.D. Texas)
FENWICK & WEST LLP
1191 Second Avenue, 10th Floor
Seattle, WA 98101
Telephone: 206.389.4510
Facsimile: 206.389.4511
Email: jkaempf@fenwick.com

Michael J. Sacksteder (Admitted E.D. Texas)
Bryan A. Kohm (Admitted E.D. Texas)
Christopher L. Larson (Admitted E.D. Texas)
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, California 94104
Telephone: 415.875.2300
Facsimile: 415.281.1350
Email: msacksteder@fenwick.com
bkohm@fenwick.com
clarson@fenwick.com

Geoffrey R. Miller
(Texas State Bar No. 24094847)
FENWICK & WEST LLP
902 Broadway, Suite 14
New York, NY 10010
Telephone: 650.988.8500
Facsimile: 650.938.5200
Email: gmiller@fenwick.com

Deron R. Dacus
Texas State Bar 00790553
Shannon M. Dacus
Texas State Bar 00791004
The Dacus Firm, P.C.
821 EST Loop 323, Suite 430
Tyler, TX 75701
Telephone: 903.705.1117
Facsimile: 903.581.2543
Email: ddacus@dacusfirm.com

Attorneys for Defendant Supercell Oy

ATTACHMENT A

DEFINITIONS

1. “**Plaintiff**,” “**you**,” “**your**,” or “**GREE**” means Plaintiff GREE, Inc., and shall include all divisions, parents, subsidiaries identified as part of GREE Group in GREE’s annual reports, including but not limited to GREE International, Inc., GREE International Entertainment, Inc., Wright Flyer Studios, Inc. (“WFS”), Wright Flyer Live Entertainment, Inc., Pokelabo, OpenFeint Inc., Funzio, Inc., Epic Voyage, Inc., and funplex, Inc., and further including but not limited to affiliates, predecessor or successor entities and their respective divisions, parents, subsidiaries, affiliates, predecessor or successor entities, if any, and present and former officers, directors, trustees, employees, staff members, agents or other representatives, other persons acting or purporting to act on behalf of any of the same, including counsel and patent agents, in any country, and any other entity from which they have obtained or are able to obtain any part of the discovery sought herein.

2. “**Defendant**” or “**Supercell**” shall refer to Defendant Supercell Oy.

3. “**This Action**” or “**These Actions**” shall refer to *GREE, Inc. v. Supercell Oy*, filed in the United States District Court, Eastern District of Texas, case Nos. 2:19-cv-00310-JRG-RSP and 2:19-cv-00311-JRG-RSP.

4. “**708 Patent**” means U.S. Patent No. 10,076,708.

5. “**832 Patent**” means U.S. Patent No. 10,413,832.

6. “**107 Patent**” means U.S. Patent No. 9,079,107.

7. “**439 Patent**” means U.S. Patent No. 9,561,439.

8. “**Patents-In-Suit**” means U.S. Patent Nos. 10,076,708; 10,413,832; 9,079,107; and 9,561,439, collectively.

9. The term “**Named Inventors**” shall mean the inventors named on the Patents-In-Suit.

10. The term “**related patents/applications**” as used herein in connection with the Patents-In-Suit means any and all patents, patent applications and/or patent publications

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.