IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

U.S. PHILIPS CORPORATION, Plaintiff, v. EASTMAN KODAK COMPANY, Defendant.	)	Civil Action No. 06-251-GMS

PLAINTIFF U.S. PHILIPS CORPORATION'S
THIRD NOTICE OF 30(b)(6) DEPOSITION TO KODAK

PLEASE TAKE NOTICE that beginning at 9:00 a.m. on October 1, 2007, in the offices of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, 901 New York Ave., N.W., Washington, D.C. 20001, or at another time and place agreed upon by the parties, Plaintiff U.S. Philips Corporation ("Philips") shall take the deposition upon oral examination of Defendant, Eastman Kodak Company ("Kodak"). Kodak is directed to produce, pursuant to Fed. R. Civ. P. 30(b)(6), one or more of its officers, directors, managing agents, employees, or other designated persons to testify on its behalf with respect to the subject matters set forth in Schedule A, attached hereto.

The testimony derived pursuant to this Notice of Deposition shall be used for any and all appropriate purposes as provided by the Federal Rules of Civil Procedure and Evidence. Pursuant to Fed. R. Civ. P. 30(b)(2), the testimony may be recorded by sound and visual means in addition to stenographic means.

ASHBY & GEDDES

/s/ Tiffany Geyer Lydon

Steven J. Balick (I.D. #2114)
John G. Day (I.D. #2403)
Tiffany Geyer Lydon (I.D. #3950)
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899
(302) 654-1888
sbalick@ashby-geddes.com
jday@asby-geddes.com
tlydon@ashby-geddes.com

Attorneys for U.S. Philips Corporation

Of Counsel:

Thomas W. Winland
Steven N. Anzalone
Frank A. De Costa, III
Joyce Craig
Matthew Levy
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P
901 New York Avenue, N.W.
Washington, D.C. 20001-4413
(202) 408-4000

Dated: September 21, 2007

184386.1

SCHEDULE A

DEFINITIONS AND INSTRUCTIONS

1. All definitions set forth in Philips' previous discovery requests (*see, e.g.*, Philips' February 2, 2007, Requests for Production, and Philips' August 17, 2007 First Notice of 30(b)(6) Deposition), including the definition of "Kodak," are incorporated as if set forth fully herein.

2. The phrase "Relevant Products or Services" includes all of Kodak's JPEG image encoding products or services that implement or utilize the baseline sequential mode of the JPEG Standard, ISO/IEC 10918-1, for the encoding of images (*see, e.g.*, Section 4.3 and Annex F).

3. The phrase "Date of First Alleged Infringement" is the date of first manufacture, use, sale, offer for sale in the United States, or importation into the United States, of any Relevant Products or Services by or for Kodak.

4. The phrase "Alleged Infringement Time Period" is from the Date of First Alleged Infringement to September 11, 2007.

SUBJECTS OF THE DEPOSITION

1. The Date of First Alleged Infringement, including an identification of the particular actions taken by or for Kodak on or about that date.

2. Licenses Kodak granted or received, the nature and scope of those licenses, and royalties Kodak agreed to pay or receive, or actually paid or received, under those licenses, in the time period from three years before the Date of First Alleged Infringement to September 11, 2007, for technology subject to any international or national standards with which any Relevant Products or Services are compliant.

3. Licenses Kodak granted or received, the nature and scope of those licenses, and royalties Kodak agreed to pay or receive, or actually paid or received, under those licenses, in the time period from three years before the Date of First Alleged Infringement to September 11, 2007, for any imaging technology utilized in any Kodak imaging products or services, other than as covered by topic 2, above.

4. Prices Kodak charged to customers in the United States for any Relevant Products or Services during the Alleged Infringement Time Period.

5. The portion of the prices Kodak charged to customers in the United States for any Relevant Products or Services during the Alleged Infringement Time Period that was accounted for by any technology license royalties paid by Kodak.

6. Kodak's sales volumes, gross and net sales revenues, variable and fixed costs, and net and marginal profits for each Relevant Product or Service during the Alleged Infringement Time Period.

7. Kodak's accounting policies relating to any Relevant Products or Services during the Alleged Infringement Time Period.

8. Kodak's corporate sales volumes, gross and net sales revenues, variable and fixed costs, and net and marginal profits during the Alleged Infringement Time Period.

9. The effect of the sale or marketing of any Relevant Products or Services in the United States on the generation of sales for other products or services during the Alleged Infringement Time Period.

10. The definition, nature, size, competitiveness, and characteristics of the markets for each of the Relevant Products or Services in the United States during the Alleged Infringement Time Period.

11. Kodak's alleged reliance on any statements, lack of statements, conduct, or lack of conduct by Philips relating to any Philips patents, and all actions Kodak took or did not take based on that alleged reliance.

12. For all Relevant Products or Services manufactured or developed by Iris, the design, manufacture, configuration, and/or structure of any device, circuitry, chip, or other component that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

13. For all Relevant Products or Services manufactured or developed by Iris, the design, manufacture, configuration, and/or structure of any software, firmware, algorithm, or module that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

14. For all Relevant Products or Services manufactured or developed by Iris, the function, use, or operation of any device, circuitry, software, firmware, algorithm, chip, or other module or component that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

15. For all Relevant Products or Services manufactured or developed by Iris, the protocols used, parameters evaluated, and/or results obtained for all tests, evaluations, diagnoses, or troubleshooting of any device, circuitry, chip, software (including firmware), module, or other component to perform the DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

16. How the following encoding functions, set forth in the JPEG Standard, ISO/IEC 10918-1, (*see, e.g.*, Section 4.3 and Annex F) are performed by Relevant Products or Services manufactured or developed by Iris:

    (a) level shifting and forwarding the input data;

    (b) quantizing the resulting coefficients;

(c) Huffman encoding of the DC coefficient; and

(d) Huffman encoding of the AC coefficients.

17. For all Relevant Products or Services manufactured or developed by Avision, the design, manufacture, configuration, and/or structure of any device, circuitry, chip, or other component that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

18. For all Relevant Products or Services manufactured or developed by Avision, the design, manufacture, configuration, and/or structure of any software, firmware, algorithm, or module that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

19. For all Relevant Products or Services manufactured or developed by Avision, the function, use, or operation of any device, circuitry, software, firmware, algorithm, chip, or other module or component that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

20. For all Relevant Products or Services manufactured or developed by Avision, the protocols used, parameters evaluated, and/or results obtained for all tests, evaluations, diagnoses, or troubleshooting of any device, circuitry, chip, software (including firmware), module, or other component to perform the DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

21. How the following encoding functions, set forth in the JPEG Standard, ISO/IEC 10918-1, (*see, e.g.*, Section 4.3 and Annex F) are performed by Relevant Products or Services manufactured by Avision:

(a) level shifting and forwarding the input data;

(b) quantizing the resulting coefficients;

(c) Huffman encoding of the DC coefficient; and

(d) Huffman encoding of the AC coefficients.

22. For all Relevant Products or Services manufactured or developed by Digital Check Corporation, the design, manufacture, configuration, and/or structure of any device, circuitry, chip, or other component that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

23. For all Relevant Products or Services manufactured or developed by Digital Check Corporation, the design, manufacture, configuration, and/or structure of any software, firmware, algorithm, or module that implements or performs DCT-based encoding of

data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

24. For all Relevant Products or Services manufactured or developed by Digital Check Corporation, the function, use, or operation of any device, circuitry, software, firmware, algorithm, chip, or other module or component that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

25. For all Relevant Products or Services manufactured or developed by Digital Check Corporation, the protocols used, parameters evaluated, and/or results obtained for all tests, evaluations, diagnoses, or troubleshooting of any device, circuitry, chip, software (including firmware), module, or other component to perform the DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

26. How the following encoding functions, set forth in the JPEG Standard, ISO/IEC 10918-1, (*see, e.g.*, Section 4.3 and Annex F) are performed by Relevant Products or Services manufactured or developed by Digital Check Corporation:

    (a) level shifting and forwarding the input data;

    (b) quantizing the resulting coefficients;

    (c) Huffman encoding of the DC coefficient; and

    (d) Huffman encoding of the AC coefficients.

27. For all Relevant Products or Services manufactured or developed by Kodak Rochester, the design, manufacture, configuration, and/or structure of any device, circuitry, chip, or other component that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

28. For all Relevant Products or Services manufactured or developed by Kodak Rochester, the design, manufacture, configuration, and/or structure of any software, firmware, algorithm, or module that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

29. For all Relevant Products or Services manufactured or developed by Kodak Rochester, the function, use, or operation of any device, circuitry, software, firmware, algorithm, chip, or other module or component that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

30. For all Relevant Products or Services manufactured or developed by Kodak Rochester, the protocols used, parameters evaluated, and/or results obtained for all tests, evaluations,

diagnoses, or troubleshooting of any device, circuitry, chip, software (including firmware), module, or other component to perform the DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

31. How the following encoding functions, set forth in the JPEG Standard, ISO/IEC 10918-1, (*see, e.g.*, Section 4.3 and Annex F) are performed by Relevant Products or Services manufactured or developed by Kodak Rochester:

(a) level shifting and forwarding the input data;

(b) quantizing the resulting coefficients;

(c) Huffman encoding of the DC coefficient; and

(d) Huffman encoding of the AC coefficients.

32. For all Relevant Products or Services manufactured or developed by Kodak Shanghai, the design, manufacture, configuration, and/or structure of any device, circuitry, chip, or other component that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

33. For all Relevant Products or Services manufactured or developed by Kodak Shanghai, the design, manufacture, configuration, and/or structure of any software, firmware, algorithm, or module that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

34. For all Relevant Products or Services manufactured or developed by Kodak Shanghai, the function, use, or operation of any device, circuitry, software, firmware, algorithm, chip, or other module or component that implements or performs DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

35. For all Relevant Products or Services manufactured or developed by Kodak Shanghai, the protocols used, parameters evaluated, and/or results obtained for all tests, evaluations, diagnoses, or troubleshooting of any device, circuitry, chip, software (including firmware), module, or other component to perform the DCT-based encoding of data according to the procedures set forth in Section 4.3 and/or F.1 of the JPEG Standard, ISO/IEC 10918-1.

36. How the following encoding functions, set forth in the JPEG Standard, ISO/IEC 10918-1, (*see, e.g.*, Section 4.3 and Annex F) are performed by Relevant Products or Services manufactured or developed by Kodak Shanghai:

(a) level shifting and forwarding the input data;

(b) quantizing the resulting coefficients;

(c) Huffman encoding of the DC coefficient; and

(d) Huffman encoding of the AC coefficients.

37. The factual bases for Kodak's September 17, 2007, supplemental responses to Interrogatory No. 1 of Philips' First Set of Interrogatories.

38. The factual bases for Kodak's September 17, 2007, supplemental responses to Interrogatory No. 10 of Philips' First Set of Interrogatories.

39. The persons, both inside and outside of Kodak, contacted or consulted in determining Kodak's responses to this Deposition Notice.