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

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| TELCORDIA TECHNOLOGIES, INC.,<br><br>*Plaintiff,*<br>*Counterclaim-Defendant,*<br>vs.<br><br>ALCATEL USA, INC.,<br><br>*Defendant,*<br>*Counterclaim-Plaintiff.* | Case No. 04-CV-874 GMS |

**ALCATEL'S THIRD NOTICE OF 30(B)(6) DEPOSITION TO TELCORDIA**

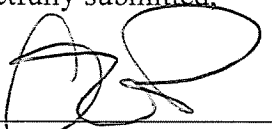
**PLEASE TAKE NOTICE** that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Defendant/Counterclaim-Plaintiff Alcatel USA, Inc. ("Alcatel") will take the deposition by oral examination of Plaintiff/Counterclaim-Defendant Telcordia Technologies, Inc. ("Telcordia") commencing on May 4, 2006 at 9:30 a.m., at the offices of Kenyon & Kenyon, One Broadway, New York, New York, or at such other time and place as may be mutually agreed upon by the parties, and will continue from day to day, until completed, with such adjournments as to time and place as may be necessary. The deposition shall be recorded by stenographic and/or videographic means before a Notary Public or other officer authorized by law and pursuant to the Federal Rules of Civil Procedure. Alcatel requests that Telcordia designate one or more officers, directors, managing agents (or other persons whom Telcordia consents to testify on its behalf) with respect to the topics for examination listed in the attached Schedule A.

Alcatel also requests, pursuant to Rule 30(b)(5) of the Federal Rules of Civil Procedure, that Telcordia respond within 30 days to the Document Request set forth in

the attached Schedule B, and produce the documents and tangible things identified therein for inspection and copying at the offices of Kenyon & Kenyon, One Broadway, New York, New York 10004, or at such other time and place as shall be agreed upon by the parties or determined by the Court.

Dated: March 14, 2006

Respectfully submitted,



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## SCHEDULE A

## INSTRUCTIONS AND DEFINITIONS

1. The instructions and definitions set forth in Alcatel's previous discovery requests are incorporated herein and shall apply to this Notice of Deposition and Request for the Production of Documents. *See, e.g., Alcatel USA's First Set of Requests for the Production of Documents (1-73)*, dated April 7, 2005 and *Alcatel USA's Second Set of Requests for the Production of Documents (74-152)*, dated September 29, 2005.

2. As used herein, the term "'052 patent" shall refer to United States Patent No. 6,247,052.

3. As used herein, the term "interfacing a switching system" shall refer to, without limitation, allowing or providing access to a switching system using an application, such as an applet, to monitor, observe, control and/or configure the switching system.

4. As used herein, the term "switching system accessing product(s)" shall include, without limitation, any product or system including, but not limited to, hardware and/or software, that is capable of interfacing a switching system.

5. As used herein, the term "Telcordia switching system accessing product(s)" shall include, without limitation, any switching system accessing product made, used, sold, distributed, licensed, leased, imported or exported in the United States by or on behalf of Telcordia.

## TOPICS FOR EXAMINATION

1. Testing, quality assurance and/or verification of each Telcordia switching system accessing product.

2. Maintenance relating to each Telcordia switching system accessing product.

3. Customer support or service relating to each Telcordia switching system accessing product.

4. Distribution, sale, licensing and/or lease of Telcordia switching system accessing products.

5. Pricing of Telcordia switching system accessing products.

6. Marketing and promotion of Telcordia switching system accessing products.

7. Market studies or analyses, strategic and business plans and/or competitive analyses conducted by or on behalf of Telcordia concerning the market in the United States or abroad, for any and all switching system accessing products.

8. Identification of each person or entity that has made, purchased, sold, offered for sale, distributed, imported, exported, licensed or leased any Telcordia switching system accessing product.

9. Identification of all products that compete with, or have or will compete with, Telcordia switching system accessing products.

10. For each year from 1999 to present, the unit sales (actual and projected) for each Telcordia switching system accessing product.

11. For each year from 1999 to present, the revenue and profits (actual and projected) for each Telcordia switching system accessing product.

12. For each year from 1999 to present, the expenses and costs (actual and projected), including fixed and variable costs, for each Telcordia switching system accessing product.

13. Telcordia's patent, technology, and know-how licensing policies.

14. Telcordia's first knowledge of the '052 patent.

15. Telcordia's policy and/or practice for investigating and/or reviewing the patents of other entities.

16. Any investigation and/or review by or on behalf of Telcordia relating to the '052 patent and/or other patents issued, owned or assigned to Alcatel.

17. Telcordia's search and collection of documents in response to Alcatel's document requests and Notices of Deposition, including but not limited to the persons involved in the search, the locations and document repositories searched, and the sources of the documents produced by Telcordia in this action.

## SCHEDULE B

## INSTRUCTIONS AND DEFINITIONS

All instructions and definitions set forth in Schedule A above are incorporated as if fully set forth herein.

## DOCUMENT REQUEST

1. All documents not previously produced that have been reviewed or considered by Telcordia in preparing for this deposition.

## CERTIFICATE OF SERVICE

I, Adam W. Poff, Esquire, hereby certify that on March 14, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Steven J. Balick, Esquire
John G. Day, Esquire
Ashby & Geddes
222 Delaware Avenue
P.O. Box 1150
Wilmington, DE 19899

I further certify that on March 14, 2006, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following in the manner indicated:

**BY FEDERAL EXPRESS**

John M. Williamson, Esquire
Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
901 New York Avenue, NW
Washington, DC 20001

/s/ Adam W. Poff
Adam W. Poff (#3990)