

EXHIBIT 1

PAT GRIFFITH Confidential
ACCELERATION vs. ACTIVISION

May 17, 2016
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<p style="text-align: center;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF DELAWARE 3 4 ACCELERATION BAY LLC, a Delaware Limited Liability Corporation, 5 Plaintiff, 6 vs. NO. 15-228-RGA 7 ACTIVISION BLIZZARD, INC., a Delaware Corporation, 8 Defendant. 9 ~~~~~ 10 11 12 DEPOSITION OF 13 PAT GRIFFITH 14 **CONFIDENTIAL** 15 16 May 17, 2016 17 9:37 a.m. - 6:49 p.m. 18 19 333 South Grand Avenue, 38th Floor 20 Los Angeles, California 90071 21 22 23 24 Alisia Patricio, CSR No. 13606 within and for the State of California 25</p>	<p style="text-align: center;">Page 3</p> <p>1 INDEX OF EXAMINATION 2 3 WITNESS: 4 PAT GRIFFITH 5 6 EXAMINATION: PAGE 7 BY MR. HANNAH 8 8 9 10 INDEX OF EXHIBITS 11 12 DEPOSITION DESCRIPTION PAGE 13 EXHIBIT 1 Plaintiff Acceleration Bay LLC's 10 Notice of 30(b)(6) Deposition of Defendant Activision Blizzard, Inc.; ten pages 14 15 EXHIBIT 2 Screen capture entitled Destiny 16 - End Credits; one page 16 17 EXHIBIT 3 Screen capture printout from a 21 website entitled State Engine Architecture, Bates-stamped AB-AB002386; one page 18 19 EXHIBIT 4 Puppet at Demonware, Ruaidhri 31 Power, Bates-stamped AB-AB002400 through AB-AB002428; 29 pages 20 21 EXHIBIT 5 Treyarch Confidential T7 Parties 101 and Sessions, Vo. 1, dated January 10, 2014, Bates-stamped ATVI0025895 through ATVI0025920; 22 26 pages 23 24 EXHIBIT 6 Page of code; one page retained 163 by counsel 25</p>
<p style="text-align: center;">Page 2</p> <p>1 APPEARANCES OF COUNSEL 2 For the Plaintiff: 3 KRAMER LEVIN NAFTALIS & FRANKEL BY: WILLIAM HANNAH, ESQ. 4 990 Marsh Road Menlo Park, California 94025 5 (650) 752-1729 (650) 752-1829 (Fax) 6 whannah@kramerlevin.com 7 KRAMER LEVIN NAFTALIS & FRANKEL BY: AARON FRANKEL, ESQ. 8 1177 Avenue of the Americas New York, New York 10036 9 (212) 715-7793 (212) 715-8363 (fax) 10 Afrankel@kramerlevin.com 11 For the Defendant: 12 WINSTON & STRAWN BY: MICHAEL A. TOMASULO, ESQ. 13 333 South Grand Avenue Los Angeles, California 90071 14 (213) 615-1848 (213) 615-1750 (Fax) 15 mtomasulo@winston.com 16 Also Present: 17 Luis Garcia, Videographer 18 19 20 21 22 23 24 25</p>	<p style="text-align: center;">Page 4</p> <p>1 INDEX OF EXHIBITS (Continued) 2 3 DEPOSITION DESCRIPTION PAGE 4 EXHIBIT 7 Xbox One Technical information 171 on P2P Networking Behavior Version 1.0, last updated October 6, 2013, Bates-stamped AB-AB002810 through AB-AB002813; 5 four pages 6 7 EXHIBIT 8 Document Bates-stamped 182 ACTVI0026136 through ATVI0026139; four pages 8 9 EXHIBIT 9 Set of documents with first page 188 entitled Contents, Bates-stamped ATVI0025819 through ATVI0025832; 10 14 pages 11 12 EXHIBIT 10 Set of documents with first page 200 entitled CORE MW3 GOALS, Bates-stamped ATVI0027267 through ATVI0027275; nine pages 13 14 EXHIBIT 11 Spreadsheet with tabs entitled 206 Feature, Task, Implementor, Priority, and Start Date, Bates-stamped ATVI0027244 through ATVI0027246; three pages 15 16 EXHIBIT 12 Article entitled Meet the People 221 Who Keep Some of Your Favorite Games Running, by Brian Crecente on December 7, 2013; 13 pages 17 18 19 20 EXHIBIT 13 Set of documents Bates-stamped 238 ATVI0026163 through ATVI0026167; five pages 21 22 EXHIBIT 14 Page of source code 241 Bates-stamped ATVI-SRC-COD000209; one page 23 retained by counsel 24 25</p>

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<p style="text-align: right;">Page 5</p> <p>1 INDEX OF EXHIBITS (Continued)</p> <p>2 DEPOSITION DESCRIPTION PAGE</p> <p>3 EXHIBIT 15 Page of source code Bates-stamped ATVI-SRC-COD000060; one page retained by counsel 244</p> <p>4 EXHIBIT 16 Module Bates-stamped ATVI-SRC-COD000221; one page retained by counsel 246</p> <p>5 EXHIBIT 17 CLvoice.CCP module Bates-stamped ATVI-SRC-COD000226; one page retained by counsel 257</p> <p>6 EXHIBIT 18 bdSession.H module Bates-stamped ATVI-SRC-COD000221; one page retained by counsel 264</p> <p>7 EXHIBIT 19 LobbyMatchmaking.LUA module Bates-stamped ATVI-SRC-COD000041; one page retained by counsel 270</p> <p>8 EXHIBIT 20 design_mesh module Bates-stamped ATVI-SRC-COD000054; one page retained by counsel 275</p> <p>9 EXHIBIT 21 Multiplayer peer-to-peer requirement module, Bates-stamped ATVI-SRC-COD000055; one page retained by counsel 278</p> <p>10 EXHIBIT 22 peermesh_net.cpp module Bates-stamped ATVI-SRC-COD000114; one page retained by counsel retained by counsel 282</p> <p>11 EXHIBIT 23 Article entitled Call of Duty: Black Ops 3 Lag and In-Game Performance, Bates-stamped AB-AB002368 through AB-AB002371; four pages 284</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p>	<p style="text-align: right;">Page 7</p> <p>1 DEPOSITION OF PAT GRIFFITH</p> <p>2 TUESDAY, MAY 17, 2016</p> <p>3</p> <p>4 THE VIDEOGRAPHER: Good morning.</p> <p>5 This is Media No. 1 to the videotaped</p> <p>6 deposition of Pat Griffith in the matter of</p> <p>7 Acceleration Bay, LLC versus Activision Blizzard,</p> <p>8 Inc. This is being heard in the United States</p> <p>9 District Court for the District of Delaware. The</p> <p>10 case number is 15-228-RGA.</p> <p>11 This deposition is being held at 333 South</p> <p>12 Grand Avenue, Los Angeles, California 90071.</p> <p>13 Today's date is May 17th, 2016, and the time</p> <p>14 is 9:38 a.m.</p> <p>15 My name is Luis Garcia. I'm the</p> <p>16 videographer. The court reporter is Alisia Patricio.</p> <p>17 Counsel, will you please introduce</p> <p>18 yourselves and affiliations, and the witness will be</p> <p>19 sworn.</p> <p>20 MR. HANNAH: I'm William Hannah of Kramer,</p> <p>21 Levin, Naftalis & Frankel, representing Acceleration</p> <p>22 Bay.</p> <p>23 MR. FRANKEL: Aaron Frankel, also from</p> <p>24 Kramer Levin, on behalf of Acceleration Bay.</p> <p>25 MR. TOMASULO: Michael Tomasulo from Winston</p>
<p style="text-align: right;">Page 6</p> <p>1 INDEX OF EXHIBITS (Continued)</p> <p>2 DEPOSITION DESCRIPTION PAGE</p> <p>3 EXHIBIT 24 Article entitled Call of Duty Devs Helped Improve Overwatch's Shooting; four pages 287</p> <p>4 EXHIBIT 25 Activision Associate Multiplayer Gameplay Engineer - Sledgehammer Games job posting; two pages 292</p> <p>5 EXHIBIT 26 Defendant Activision/Blizzard Inc's Second Supplemental Responses to Plaintiff Acceleration Bay LLC's Second Set of Common Interrogatories to Defendants, Numbers 5 and 9; 14 pages 296</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12 (Exhibits 6 and 14 through 22 were designated confidential and retained by counsel.)</p> <p>13</p> <p>14</p> <p>15</p> <p>16 INFORMATION REQUESTED</p> <p>17 None.</p> <p>18</p> <p>19</p> <p>20 INSTRUCTION NOT TO ANSWER</p> <p>21 PAGE LINE</p> <p>22 11 25</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 8</p> <p>1 & Strawn on behalf of the defendant Activision</p> <p>2 Blizzard, Inc. And with me is Omer Salik, S-A-L-I-K,</p> <p>3 in-house counsel at Activision Blizzard.</p> <p>4</p> <p>5 PAT GRIFFITH,</p> <p>6 having been duly administered an oath by the Court</p> <p>7 Reporter, was examined, and testified as follows:</p> <p>8</p> <p>9 EXAMINATION</p> <p>10 BY MR. HANNAH:</p> <p>11 Q Good morning, Mr. Griffith.</p> <p>12 A Good morning.</p> <p>13 Q Could you please state your full name for</p> <p>14 the record.</p> <p>15 A Patrick William Griffith.</p> <p>16 Q Thank you.</p> <p>17 And do you understand that you're under oath</p> <p>18 today?</p> <p>19 A Yes.</p> <p>20 Q And do you understand you have a duty to</p> <p>21 provide accurate and complete answers to the</p> <p>22 questions you are asked?</p> <p>23 A Yes.</p> <p>24 Q You have a -- do you understand you have a</p> <p>25 duty to not withhold relevant information in</p>

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1 lot of people just want to play multiplayer. And if
 2 you go into the normal game, there's a whole bunch of
 3 menus you have to get through to get to multiplayer.
 4 So it's just meant to speed people up who just don't
 5 want to fuss with the other part of the game.
 6 BY MR. HANNAH:
 7 Q But there's no technical reason --
 8 A No.
 9 Q -- for that?
 10 A Oops.
 11 No.
 12 Q Okay. And then Black Ops 3, also the Black
 13 Ops 3 did not split those two up, correct, on PC?
 14 A I do not recall. I don't play on Steam --
 15 Q Okay.
 16 (Reporter clarification.)
 17 THE WITNESS: On Steam.
 18 BY MR. HANNAH:
 19 Q What do you play on?
 20 A On Play- --
 21 MR. TOMASULO: Objection.
 22 THE WITNESS: Sorry.
 23 MR. TOMASULO: Relevance.
 24 THE WITNESS: PlayStation 4.
 25 ///

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1 BY MR. HANNAH:
 2 Q Do you play Xbox at all?
 3 A Not very recently.
 4 Q If you'd flip over to the next page of the
 5 document in front of you, it says "Games" and then
 6 "DemonWare" at the top, and then it says "Call of
 7 Duty."
 8 After that, it lists a lot of Call of Duty
 9 games.
 10 A Uh-huh.
 [REDACTED]
 [REDACTED]
 [REDACTED]
 15 BY MR. HANNAH:
 16 Q Did any of these Call of Duty games use what
 17 you would consider a peer-to-peer system?
 18 MR. TOMASULO: Objection. Foundation.
 19 THE WITNESS: There are components of the
 20 game where peers will directly speak to each other.
 21 BY MR. HANNAH:
 22 Q And what do you mean by that?
 [REDACTED]
 [REDACTED]
 [REDACTED]

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[REDACTED]
 [REDACTED]
 3 Q And does Call of Duty Black Ops 3 have
 4 direct communications for voice chat between peers?
 5 A Yes.
 6 Q And does Call of Duty Advanced Warfare have
 7 direct communication between peers?
 8 A Yes.
 9 MR. TOMASULO: Objection. Foundation as
 10 to -- I'm sorry. Vague. But keep going.
 11 BY MR. HANNAH:
 12 Q Is there any other components other than
 13 voice chat where the peers or the clients would talk
 14 directly to each other?
 15 MR. TOMASULO: Objection. Vague.
 16 THE WITNESS: Yes.
 17 BY MR. HANNAH:
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

[REDACTED]
 [REDACTED]
 3 Q Now, does that normally -- is there an
 4 acronym for that usually called QOS?
 5 A Yes. That's quality of service.
 6 Q Quality of service. Okay.
 7 Now, does Black Ops 3 use this quality of
 8 service --
 9 A Yes.
 10 Q -- that you just described?
 11 Could you take me more through the process
 12 for Black Ops 3?
 13 When I start the game, how is -- when is
 14 this quality of services used?
 15 MR. TOMASULO: Objection. Vague.
 16 THE WITNESS: So when you start the game, it
 17 would be after you've searched for a match.
 18 BY MR. HANNAH:
 19 Q Okay.
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

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