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2 N O T I C E

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7 court reporter's computer, without the benefit of
8 proofreading. It will contain untranslated steno
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10 misspellings. These and any other errors will be
11 corrected in the final transcript. Since this rough
12 draft transcript has not been proofread, the court
13 reporter cannot assume responsibility for any errors
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15 assist attorneys in their case preparation and is
16 not to be construed as the final transcript. It is
17 not to be read by the witness or quoted in any
18 pleading or for any other purpose and may not be
19 filed with any court.

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1 COMMENCING --

10 see what happens. It could very well be that Mr.
11 Chassman will handle the objections during your
12 redirect.

13 THE WITNESS: He seems capable to me.

14 MR. KATZ: We can go off the record.

15 * * *

16 (Whereupon, a brief recess was taken.)

17 * * *

18 EXAMINATION

19 BY MR. FOSTER:

20 Q. Dr. Shamos, you understand you're still
21 under oath?

22 A. Yes, I do.

23 Q. All right. You have in front of you your
24 computer with a number of documents that have been
25 filed in court; is that right?

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1 A. Yes.

2 Q. Would you open up on the computer the
3 document entitled defendant's joint opening brief on
4 claim construction and indefiniteness.

5 A. Yes, I have that. I have a flash drive, if
6 you want to look at these documents.

7 MR. CHASSMAN: Is this -- you're talking
8 about the brief filed in this case?

9 MR. FOSTER: Yeah.

10 MR. CHASSMAN: Yes.

11 MR. FOSTER: I assume you have a copy.

12 BY MR. FOSTER:

13 Q. Have you read that document?

14 A. Yes.

15 Q. Have you formed any opinions on statements
16 that are contained in that document?

17 MR. CHASSMAN: Objection; goes beyond
18 the scope of cross.

19 A. I have rebuttal argument to some of the
20 points made in the brief.

21 MR. FOSTER: What's the next exhibit?
22 11?

23 COURT REPORTER: Yes.

24 MR. FOSTER: Ask the reporter to mark as
25 Exhibit 11 this document.

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1 * * *

2 (Shamos Deposition Exhibit 11 was marked for
3 identification.)

4 * * *

5 A. I'm ready.

6 BY MR FOSTER:

7 Q. Okay. Who prepared this document?

8 A. I did.

9 Q. And what was the purpose of your preparing
10 it?

11 A. I was asked to look at defendant's Markman
12 brief and see if I disagreed with anything in there.

13 MR. CHASSMAN: I'm going to object to
14 this whole line of questioning as improper, it's
15 prejudicial, and we were not provided a copy of this
16 in advance of the deposition. This appears to be --
17 call it what you want, but it's additional opinions,