

1 IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
2 MARSHALL DIVISION
3 VERSATA SOFTWARE, INC. * Civil Docket No.
* 2:07-CV-153
4 VS. * Marshall, Texas
*
5 * August 24, 2009
SAP AMERICA INC., ET AL * 8:30 A.M.

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7 TRANSCRIPT OF TRIAL
BEFORE THE HONORABLE CHAD EVERINGHAM
UNITED STATES MAGISTRATE JUDGE
8 AND A JURY

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25 (Proceedings recorded by mechanical stenography,
transcript produced on CAT system.)

VERSATA EXHIBIT 2064
SAP v. VERSATA
CASE CBM2012-00001

1 all right?

2 A. Please. Sure.

3 Q. Okay.

4 MR. BATCHELDER: Would you please put up

5 942, Mr. Sparks?

6 Q. (By Mr. Batchelder) So this is -- why did you

7 title this Elimination of Irrelevant Data Before

8 Retrieval?

9 A. Well, this is -- this kind of has to do with

10 kind of an architectural and philosophical difference

11 between the Trilogy systems and the SAP systems.

12 Again, SAP kind of breaks things down and

13 limits it to one book in each particular case, and it

14 goes through this. Kind of -- and that's -- it's --

15 really gets rid of a lot of stuff so you can just focus

16 on the particular step you're doing.

17 Trilogy's architecture and philosophy is to

18 kind of throw everything into one basket and look at it

19 all together. And those lead to some strikingly

20 different architectural design issues when you put

21 together a system.

22 Q. All right. So let me put it in even simpler

23 terms.

24 A. Okay.

25 Q. In the Trilogy system, where's the heavy

1 lifting done? Is it before the data's retrieved or

2 after?

3 A. After the data's retrieved, because it pulls

4 up a bunch of data; then it does the hard work.

5 Q. Okay. So it grabs a bunch of stuff, and then

6 it has to do some hard work to sort it out and work it

7 through?

8 A. Yeah. That was actually Dr. Nettles' fishnet.

9 Q. Okay. And what about with SAP? Same or

10 different?

11 A. No, it's very different. It doesn't throw

12 everything together and then work on it; it puts it in

13 binders and takes it step by step.

14 Q. So this heavy lifting is being done before

15 data retrieval?

16 A. Correct.

17 Q. Now, do you understand Dr. Nettles has

18 testified that the claims require retrieving all

19 applicable pricing adjustments?

20 A. Yes.

21 Q. Okay. And you agree with that?

22 A. Yes.

23 Q. And Dr. Nettles pointed to the hierarchy

24 access feature as accomplishing that piece of the

25 claims, right?