

In The Matter Of:

APPLE, INC.

v.

SIGHTSOUND TECHNOLOGIES, LLC

JOHN P. J. KELLY, Ph.D. - Vol. 1

December 4, 2013

MERRILL CORPORATION

Legalink, Inc.

135 Main Street
4th Floor
San Francisco, CA 94105
Phone: 415.357.4300
Fax: 415.357.4301

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

--oOo--

APPLE, INC.

Petitioner,

vs.

SIGHTSOUND TECHNOLOGIES, LLC

Respondent.

Case CBM2013-00020, Patent 5,191,573

and

Case CBM2013-00023, Patent 5,966,440

DEPOSITION OF

JOHN P. J. KELLY, Ph.D.

Wednesday, December 4, 2013

REPORTER: COREY W. ANDERSON, CSR 4096 (2001-454287)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

INDEX OF EXAMINATIONS

EXAMINATION Page

EXAMINATION BY MR. MARSH 6

INDEX TO EXHIBITS

No. Description Page

Exhibit 1132	Declaration of Dr. John P. J. Kelly In Support Of Apple Inc.'s Petition For Covered Business Method Patent Review Of United States Patent No. 5,191,573 Pursuant To 35 U.S.C. Section 321, 35 C.F.R Section 42.304	19
--------------	--	----

Exhibit 1051	Declaration of Dr. John P. J. Kelly In Support Of Apple Inc.'s Petition For Covered Business Method Patent Review Of United States Patent No. 5,191,573 Pursuant To 35 U.S.C. Section 321, 35 C.F.R Section 42.304	38
--------------	--	----

Exhibit 1244	Declaration of Dr. John P. J. Kelly In Support Of Apple Inc.'s Petition For Covered Business Method Patent Review Of United States Patent No. 5,996,440 Pursuant To 35 U.S.C. Section 321, 35 C.F.R Section 42.304	54
--------------	--	----

Exhibit 1106	Article in Billboard	60
--------------	----------------------	----

Exhibit 1309	Article in Billboard	61
--------------	----------------------	----

Exhibit 1108	Excerpt from Billboard	66
--------------	------------------------	----

Merrill Corporation - San Francisco

(800) 869-9132

www.merrillcorp.com/law

1	Exhibit 1311 Excerpt from Billboard	67
2	Exhibit 1112 One-Page Block Diagram	82
3	Exhibit 1315 One-Page Block Diagram	82
4	Exhibit 1140 Excerpt from Broadcast Management Engineering	92
5		
6	Exhibit 1342 Excerpt from Broadcast Management Engineering	92
7	Exhibit 4147 Transcription Of Audio	95
8	Exhibit 1119 Lexis-Nexis Document dated November 12, 1984	102
9		
10	Exhibit 1324 Lexis Nexis Article dated November 12, 1984	103
11	Exhibit 1113 Single-Page Document to Dear Shareholder dated 7/16/84TR:1}{P}	
12		
13	Exhibit 1316 Single-Page Document to Dear Shareholder dated 7/16/84	122
14	Exhibit 1114 Article entitled A High Speed Telecommunications Interface For Digital Audio Transmission And Reception	126
15		
16		
17	Exhibit 1317 Article entitled A High Speed Telecommunications Interface For Digital Audio Transmission And Reception	126
18		

---o0o--

1 A P P E A R A N C E S

2

3 FOR THE PETITIONER:

4 ROPES & GRAY
1211 Avenue Of The Americas
5 New York, New York 10036-8704
BY: CHING-LEE FUKUDA, ESQ.
6 212-596-9000
ching-lee.fukuda@ropesgray.com

7

8 ROPES & GRAY
1900 University Avenue, 6th Floor
East Palo Alto, California 94303-2284
9 BY: LAUREN N. ROBINSON, ESQ.
650-617-4077
10 lauren.robinson@ropesgray.com

11 FOR THE RESPONDENT:

12 ARNOLD & PORTER LLP
555 12th Street, N.W.
13 Washington, DC 20004
BY: DAVID R. MARSH, Ph.D
14 202-942-5068
david.marsh@aporter.com

15

16 --oOo--

17

18

19

20

21

22

23

24

25

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.