

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

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GOOGLE, INC.,

Petitioner,

-against-

Case No.:

CBM 2015-0040

CONTENTGUARD HOLDINGS, INC.,

Patent Owner.

VOLUME II

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January 18, 2016

9:34 a.m.

Continued Deposition of
BENJAMIN GOLDBERG, PH.D, held at the
offices of Kaye Scholer, LLP, 250 West
55th Street, New York, New York, pursuant
to Notice, before Joelle Falsetta, a
Notary Public of the State of New York.

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

2

3 KAYE SCHOLER, LLP

4 Attorneys for Petitioner

5 250 West 55th Street

6 New York, New York 10019

7 BY: ROBERT LAURENZI, ESQ.

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13 Attorneys for Patent owner

14 120 South LaSalle Street, Suite 201

15 Chicago, Illinois 60603

16 BY: TIMOTHY P. MALONEY, ESQ.

17 (Tim@fitcheven.com)

18

19

20

21

22 Also present via telephone:

23 Michael Franzinger, Apple

24

25

1 B E N J A M I N G O L D B E R G,
2 being first duly sworn by Joelle
3 Falsetta, a Notary Public of the State of
4 New York, was examined and testified as
5 follows:

6 Q. Good morning, Dr. Goldberg.

7 A. Good morning.

8 Q. We met before at your
9 previous deposition; is that right?

10 A. Yes.

11 Q. You still remember the
12 overall procedure of the deposition?

13 A. I do, thank you.

14 Q. I'll skip through those
15 formalities since you understand them.

16 We only have a few documents
17 that I'll be asking you questions
18 about today. So I'll just hand you
19 them up front.

20 MR. MALONEY: Let me start
21 by asking the court reporter to
22 mark as Exhibit 6 of this
23 deposition, a declaration of
24 Dr. Goldberg, dated December 21,
25 2015.

1 (Declaration marked for
2 identification, Goldberg Exhibit
3 6.)

4 Q. Do you recognize what has
5 been handed to you and marked as
6 Goldberg 6 as your December 21st
7 declaration?

8 A. Yes.

9 Q. Let me hand you what has
10 been previously marked at your prior
11 deposition as Goldberg 2.

12 Do you recognize that as the
13 '280 Patent involved in this
14 proceeding?

15 A. Yes.

16 Q. And let me also hand you
17 what has been marked as Goldberg
18 Exhibit 3.

19 Do you recognize that as the
20 Stefik Patent in this proceeding?

21 A. Yes.

22 Q. I think most of my
23 questions will be confined to those
24 documents.

25 So turning to Exhibit 6, your

1 second declaration. I read through
2 some of these additional examples that
3 you provided and I have some questions
4 about those.

5 And I ask you to turn to page
6 four and the section beginning
7 paragraph nine, you have some
8 discussion of an example of a set of,
9 two sets of usage rights that you set
10 forth here in the table appearing in
11 paragraph nine; is that right?

12 A. Yes.

13 Q. Do you need time to
14 familiarize yourself with what you
15 said here or are you comfortable
16 proceeding?

17 A. We could proceed.

18 Q. I understand generally the
19 points you make. I just want to kind
20 of see where we can agree if at
21 anything.

22 And let me begin by just
23 confirming what we have here in the
24 table.

25 Am I correct that what you are

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