

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

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 AVAYA, INC.,)
)
 Petitioner,)
)
 vs.) No. IPR2013-00071
)
 NETWORK-1 SECURITY) Patent 6,218,930
 SOLUTIONS, INC.,)
) Volume II
 Patent Owner.)
) Pages 240 - 530
 -----x

DEPOSITION OF JAMES M. KNOX, PH.D.
 Santa Monica, California
 Tuesday, December 3, 2013

Reported By:
 SUSAN A. SULLIVAN, CSR #3522, RPR, CRR
 JOB NO. 68564

1 December 3, 2013

2 8:59 a.m.

3
4 DEPOSITION OF JAMES M. KNOX, PH.D., taken
5 by Petitioner, at the offices of Dovel &
6 Luner, 201 Santa Monica Boulevard, Santa
7 Monica, California, before Susan A.
8 Sullivan, CSR, RPR, CRR, State of
9 California.

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

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3 CROWELL & MORING

4 For Petitioner Avaya, Inc.

5 3 Park Plaza

6 Irvine, California 92614

7 BY: JONATHAN LINDSAY, ESQ.

8

9 DOVEL & LUNER

10 For Patent Owner Network-1 Security Solutions,

11 Inc.

12 201 Santa Monica Boulevard

13 Santa Monica, California 90401

14 BY: SEAN LUNER, ESQ.

15

16 WINSTON & STRAWN

17 For Dell, Inc.

18 200 Park Avenue

19 New York, New York 10166

20 BY: MICHAEL SCHEER, ESQ.

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1 JAMES M. KNOX, PH.D.,

2 called as a witness, having been duly sworn by
3 the court reporter, was examined and testified
4 as follows:

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6 EXAMINATION

7 BY MR. LINDSAY:

8 Q I'm going to introduce as Exhibit 14 a copy
9 of your second declaration. I understand that last
10 night there was a replacement declaration that was
11 filed. We can get to that a little bit later. To
12 the extent you think what we're talking about in
13 this declaration is different in your replacement
14 declaration, feel free to indicate that. I don't
15 think that any of the questions I'm going to ask you
16 for the first part of the day relate to the new
17 information but we'll get to the new information a
18 little bit later, okay?

19 A Certainly.

20 (Knox Exhibit 14, a document, marked for
21 identification, as of this date.)

22 Q BY MR. LINDSAY: So in your second
23 declaration you describe Matsuno and De Nicolo as
24 being incompatible I believe is the word that you
25 used to describe them and it is your opinion that

1 they should not be combined?

2 A That's correct.

3 Q Now in Dr. Zimmerman's second declaration he
4 describes at the time that the '930 patent was filed
5 that there were actual commercial products that
6 incorporate both ISDN and ethernet functionality
7 into the same product; is that correct?

8 A He does state that, yes.

9 Q The example he gives is a router that was
10 manufactured by TrendNet; is that correct?

11 A I believe that's correct.

12 Q Did you study the user guide that was
13 included as an exhibit to Dr. Zimmerman's second
14 declaration to ascertain the functionality of that
15 device?

16 A I'm familiar with, in a general sense, with
17 that device. I did also look at the -- at the
18 attachment that came with it.

19 Q Now I don't see that you mentioned or
20 discussed that router anywhere in your declaration.
21 Is that accurate?

22 A In the second declaration that is correct.

23 Q And it wouldn't have been mentioned in the
24 first declaration either?

25 A That's correct.

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