

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

-----X

APPLE, INC., Petitioner,

v.

SMARTFLASH, LLC, Patent Owner,

-----X

CBM2015-00028 (Patent 7, 334, 720 B2)

CBM2015-00029 (Patent 7, 334, 720 B2)

CMB2015-00031 (Patent 8, 336, 772 B2)

CMB2015-00032 (Patent 8, 336, 772 B2)

CMB2015-00033 (Patent 8, 336, 772 B2)

-----X

VIDEOTAPED DEPOSITION OF ANTHONY J. WECHSELBERGER

East Palo Alto, California

July 22nd, 2015

8:03 a.m.

Reported by:

KELLI A. RINAUDO, CSR 6411, RMR, CRR, CCRR

Job No.: 40121

1  
2  
3 Anthony J. Wechselberger

4 July 22, 2015

5 8:03 a.m.  
6  
7  
8

9 Videotaped deposition of ANTHONY J.

10 WECHSELBERGER, the witness herein, held at Ropes &

11 Gray, 1900 University Avenue, 6th Floor, East Palo

12 Alto, California, pursuant to Notice, before KELLI A.

13 RINAUDO, RMR, CRR, CCRR, CLR and CSR 6411 within the

14 State of California.  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## 1           A P P E A R A N C E S

2           FOR THE PETITIONER:

3                   ROPES &amp; GRAY

4                   1900 University Avenue, 6th Floor

5                   East Palo Alto, CA 94303-2284

6                   650.617.4028

7           BY:   LAUREN N. ROBINSON, ESQ.

8                   Lauren.Robinson@ropesgray.com

9                   DANIEL RICHARDS, ESQ.

10                  daniel.richards@ropesgray.com

11  
12  
13           FOR THE PETITIONER:

14                   ROPES &amp; GRAY

15                   1211 Avenue of the Americas

16                   New York, NY 10036-8704

17                   212.596.9000

18           BY:   CHING-LEE FUKUDA, ESQ.

19                   Ching-Lee.Fukuda@ropesgray.com

20

21

22

23

24

25

1           A P P E A R A N C E S (CONTINUED)

2           FOR THE PATENT OWNER:

3                     DAVIDSON BERQUIST JACKSON & GOWDEY, LLP

4                     8300 Greensboro Drive, Suite 500

5                     McLean, VA 22102

6                     BY:   MICHAEL R. CASEY, Ph.D., ESQ.

7                             mcasey@dbjg.com

8  
9  
10  
11           ALSO PRESENT:

12                     JEFREE ANDERSON, Videographer

13

14

15

16

17

18

19

20

21

22

23

24

25

1 WEDNESDAY, JULY 22, 2015; 8:03 A.M.

2  
3 THE VIDEOGRAPHER: This begins the video  
4 deposition of Anthony Wechselberger in the matter of  
5 Apple, Incorporated, versus Smartflash, LLC, in the  
6 court -- United States Patent and Trademark Office  
7 before the Patent Trial and Appeal Board.

8 This deposition is being held at 1900  
9 University Avenue in East Palo Alto, California, on  
10 July 22nd, 2015, at approximately 8:03 a.m.

11 My name is Jefree Anderson from the firm of  
12 David Feldman Worldwide, and I am the legal video  
13 specialist.

14 Our court reporter is Kelli Rinaudo in  
15 association with David Feldman Worldwide.

16 Will counsel please introduce themselves?

17 MS. FUKUDA: Ching-Lee Fukuda from Ropes and  
18 Gray representing petitioner, Apple. And with me are  
19 my colleagues Lauren Robinson and Dan Richards.

20 MR. CASEY: I'm Michael Casey from the firm  
21 of Davidson Berquist Jackson & Gowdey representing the  
22 patent owner, Smartflash, LLC.

23 THE VIDEOGRAPHER: Will the court reporter  
24 please swear in the witness.

25 ANTHONY WECHSELBERGER, being duly sworn on oath,

# 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.