

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTELLECTUAL VENTURE MANAGEMENT, LLC
Petitioner

v.

Patent of XILINX, INC.,
Patent Owner

Case IPR2012-00018
Patent 7,566,960

and

Case IPR2012-00019
Patent 8,062,968

Title: INTERPOSING STRUCTURE

ORAL AND VIDEOTAPED DEPOSITION OF
DEAN PAUL NEIKIRK, Ph.D., produced as a witness
at the instance of the Petitioner, and duly
sworn, was taken in the above-styled and
numbered cause on the 16th of August, 2013,
from 9:04 a.m. to 11:34 a.m., before Daniel J.
Skur, Notary Public and Certified Shorthand
Reporter in and for the State of Texas,
reported by stenographic means, at the offices
of Haynes and Boone, 2505 North Plano Road,
Suite 4000, Richardson, Texas, pursuant to the
Federal Rules of Civil Procedure.

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

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ALSO PRESENT:

Mr. Don Coulman, IVM
Ms. Kari Livingston, Videographer

P R O C E E D I N G S

1
2 VIDEOGRAPHER: This is tape number 1
3 in the videotaped deposition of Dr. Dean P.
4 Neikirk in the matter of Intellectual
5 Venture Management LLC versus Xilinx, Inc.
6 This deposition is being held at Haynes and
7 Boone, LLP at 2505 North Plano Road, Suite
8 4000, in Richardson, Texas, on August 16th,
9 2013, and the time is 9:04 a.m. My name is
10 Keri Livingston from the firm of
11 TransPerfect, and I am the legal video
12 specialist. Our court reporter today is
13 Dan Skur, also with TransPerfect.

14 Counsel, introduce yourselves and
15 state your agreements for the record. Our
16 court reporter will then swear in the
17 witness.

18 MR. SPECHT: Mike Specht with the
19 firm of Stern Kessler Goldstein & Fox
20 representing the petitioner IVM. Here with
21 me today is Christian Camarce, also with
22 the firm of Stern Kessler and Don Coulman
23 with the petitioner Intellectual Venture
24 Management.

25 MR. KING: Tom King with Haynes and

1 Boone here on behalf of Xilinx. I'm also
2 here with Henry Welch, also with Haynes and
3 Boone.

4 DEAN PAUL NEIKIRK, Ph.D.,
5 having been duly sworn, testified as follows:

6 (9:04 a.m.)

7 EXAMINATION

8 BY MR. SPECHT:

9 Q. Good morning, Dr. Neikirk.

10 A. Good morning.

11 Q. How are you today?

12 A. Just fine, thank you.

13 Q. Would you again please state your
14 full name for the record?

15 A. Dean Paul Neikirk.

16 Q. And just a few housekeeping sorts of
17 items to get started. First of all, you
18 understand that you're under oath to tell the
19 truth today and your testimony is being video
20 recorded, correct?

21 A. Yes, I understand that.

22 Q. And as I go through the questions,
23 if at any time there's a question that is
24 unclear to you, please just stop, ask me to
25 clarify. Does that sound reasonable?

1 A. Yes, it does.

2 Q. In terms of breaks, told the tapes
3 are about two hours long, so we'll certainly
4 take a break when the tapes run out, probably
5 take breaks more frequently than that, and
6 certainly if at any time you need a break, let
7 us know, and, you know, we'll try to honor that
8 request.

9 Do you know why you're here this
10 morning?

11 A. My understanding it is to be deposed
12 with respect to the declarations that I've
13 submitted in this examination.

14 Q. Okay.

15 MR. SPECHT: And just so it's clear
16 on the record, Tom, we're addressing two
17 interparty's reviews here today referred to
18 as IPR 2012-18, which is an interparty's
19 review of the 7,566,960 patent which I'll
20 refer to as the '960 patent in shorthand
21 during the day, and we're also here to
22 discuss relative to IPR 2012-19, which is
23 the interparty's review of 8,062,968, which
24 I refer to as the '968 patent. These
25 patents are related, and the transcripts

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