Page 1

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,

                    Petitioner,

vs.   Case IPR2012-00026
                            Case IPR2013-00109
                            Patent 6, 757, 717 B1

PROXYCONN, INC.,

                    Patent Owner.
                              /

    DEPOSITION OF DARRELL D.E. LONG, Ph.D.

            Monday, May 6, 2013

                8:35 a.m.

    Fairfield Inn & Suite Santa Cruz - Capitola
        1255 41st Avenue, Conference Room A
          Capitola, California 95010

    Lisa M. Picciano Fellis, RPR, CSR #13750

Stratos Legal Services

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

2

   For Microsoft Corp: KLARQUIST SPARKMAN, LLP
3   BY: JOHN D. VANDENBERG, ESQ.
                           One World Trade Center
4   121 S.W. Salmon Street, 16th Floor
                           Portland, Oregon 97204-2988
5   (503) 595-5300
                           john.vandenberg@klarquist.com
6

7

   For Proxyconn, Inc.:   HARNESS, DICKEY & PIERCE, PLC
8   BY: MATTHEW L. CUTLER, ESQ
                           7700 Bonhomme, Suite 400
9   St. Louis, Missouri 63105
                           (314) 726-7522
10   mcutler@hdp.com

11

12 Also Present: Mr. Leo Goldstein, Ph.D.
   (via telephone)   Mr. Alon Konchitsky, Ph.D.
13

14

15

16   ---o0o---

17

18

19

20

21

22

23

24

25

1   I N D E X   O F   E X A M I N A T I O N S

2
                                              Page
3

4   By Mr. Cutler   4
        By Mr. Vandenberg   201
5

6
                        ---o0o---
7

8   I N D E X   O F   E X H I B I T S

9   Page

10

        1020 Petition filed by Microsoft   21
11
        1021 Goldstein '717 Patent   43
12
        1022 Yohe Patent   141
13
        1023 Mattis Patent   184
14
        1024 Perlman Patent   115
15
        1025 HTTP DRP or Distributed
16   Replication Protocol   184

17   1026 Santos Patent   55

18   1027 Second Declaration   185

19   1028 Memory Hierarchy Diagram   65

20   1029 Crude Network Diagram   74

21   1030 Simplified Computer Architecture 75

22   1031 Nodes Diagram   123

23   1032 Example of Claim 1   123

24   1033 Router Example (Re: Perlman)   125

25   1034 Hashing Diagram   133

Stratos Legal Services

1   DARRELL D.E. LONG, Ph.D.

2   being first duly sworn by the Court Reporter to tell the

3   truth, the whole truth and nothing but the truth,

4   testified as follows:

5

6   EXAMINATION BY MR. CUTLER:

7

8   Q.   Good morning, Dr. Long.

9   A.   Good morning.

10   Q.   Would you please state your full name for the

11   record?

12   A.   Darrell Don Earl Long. I've got two middle

13   names, thanks to my mom.

14   Q.   Great. And last name Long, L-o-n-g, right?

15   A.   L-o-n-g.

16   Q.   Great. You've obviously had your deposition

17   taken many times before, correct?

18   A.   I have.

19   Q.   Just want to throw a couple grounds rules down,

20   even though you've done this a lot, just so we're on the

21   same page. Obviously, our court reporter needs to take

22   down both my questions and your answers, as to make the

23   transcript as clean as possible. Wait until I complete

24   my question. Your attorney might -- Mr. Vandenberg

25   might have an objection to interpose. I'll be quiet

1 while you give your complete answer. Does that sound

2 fair?

3   A.   Sure.

4   Q.   The other thing is, obviously, we are going to

5 be here for a few hours together. You know, if you need

6 a break at any point in time, just let me know. The

7 only caveat to that is, I would like to -- if I have

8 a pending question, I'd like to get an answer to that

9 before we break; otherwise, really, we can break any

10 time you need to.

11   A.   Of course. Thank you.

12   Q.   One of the things, it's within the Federal

13 Rules of Civil Procedure, it's also certainly within

14 the Trial Practice Guide, that governs the Inter Partes

15 Review proceedings, is a rule that you're not supposed

16 to talk substance with your attorney during those

17 breaks. And I wanted to make sure we're on the same

18 page with that one, and obviously the same rules apply

19 when our expert is being deposed. Does that make sense?

20   A.   Sure. John already told me that.

21   Q.   Good, good, good. He's got you well prepared.

22 Otherwise, I think we'll probably break every hour or

23 so, but, you know, if you need to sooner than that, just

24 let me know.

25   A.   Sounds good.

DOCKET ALARM

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 inter-face) 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.