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

MICROSTRATEGY, INC.,)
 Petitioner,)
 vs.) Case No. IPR2013-00034 (JL)
ZILLOW, INC.,) Patent No. 7,970,674
 Patent Owner.)

Deposition of JOHN A. KILPATRICK, Ph.D.,
MAI, FRICS, taken at 1201 Third Avenue,
Suite 4900, Seattle, Washington, commencing
at 9:36 a.m., Thursday, August 8, 2013,
before Donald W. McKay, RMR, CRR, CCR 3237.

JOB No. 1712507
PAGES 1 - 222



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E X H I B I T S

NUMBER	DESCRIPTION	PAGE
Exhibit 1001	U.S. Patent No. 7,970,674 B2, dated June 28, 2011	61
Exhibit 1003	U.S. Patent No. 5,857,174, dated January 5, 1999	163
Exhibit 1004	U.S. Patent No. US2005/0154657 A1, dated July 14, 2005	155
Exhibit 1013	Declaration of John Kilpatrick Under 37 CFR 1.132	39
Exhibit 1014	Uniform Standards of Professional Appraisal Practice and Advisory Opinions, 2005 Edition, effective January 1, 2005	28
Exhibit 1018	The Appraisal Foundation, Appraisal Standards Board, USPAP Q&A	27
Exhibit 1019	Standard on Automated Valuation Models (AVMs), Approved September 2003	24

1 Seattle, Washington; Thursday, August 8, 2013

2 9:36 a.m.

3

4 JOHN A. KILPATRICK, Ph.D., MAI, FRICS

5 called as a witness in the
6 above-entitled cause, being
7 first duly sworn, testified
8 as follows:

9

10 EXAMINATION

11 BY MS. DEGNAN:

12 Q. Good morning.

13 A. Good morning.

14 Q. State your name for the record.

15 A. I'm Dr. John Aaron Kilpatrick.

16 Q. Can you give me your address, please.

17 A. Home or business?

18 Q. Whatever you prefer.

19 A. Business is Suite 240, 2101 Fourth Avenue,
20 Seattle, Washington, 98121.

21 Q. Do you understand you've taken an oath to tell
22 the truth and it's exactly the same as if you were in a
23 court?

24 A. Yes.

25 Q. Is there any reason why you can't give full and

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1 complete testimony today?

2 A. I can't think of one.

3 Q. Are you on any medication that might impair your
4 ability to do so?

5 A. I can't think of any.

6 Q. I understand you've been deposed before. I'm
7 sure you are somewhat familiar with the process. But
8 just so we both have an understanding between us, if you
9 don't understand my questions, please feel free to ask
10 me for clarification.

11 A. I'll do that.

12 Q. The rules are actually such that if there is a
13 question pending, I would prefer to get an answer before
14 we take a break.

15 A. Sure.

16 Q. But I will try to take breaks on a regular
17 basis. If you need one, just let me know.

18 A. Thank you, very much.

19 Q. Have you ever provided any expert opinion in a
20 patent case other than this one?

21 A. Yes.

22 Q. How many?

23 A. I can't recall. At least one in which I've been
24 deposed a couple of times, but not testified in court
25 yet. There may be others, but I can only think of one

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