

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2 BEFORE THE TRIAL AND APPEAL BOARD

3 -----x  
4 AVAYA, INC., )  
 )  
5 Petitioner, )  
 )  
6 vs. ) No. IPR2013-00071  
 )  
7 NETWORK-1 SECURITY ) Patent 6,218,930  
 SOLUTIONS, INC., )  
8 ) Volume II  
 Patent Owner. )  
9 ) Pages 240 - 530  
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12 DEPOSITION OF JAMES M. KNOX, PH.D.

13 Santa Monica, California

14 Tuesday, December 3, 2013

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22  
23 Reported By:

24 SUSAN A. SULLIVAN, CSR #3522, RPR, CRR

25 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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CROWELL & MORING

For Petitioner Avaya, Inc.

3 Park Plaza

Irvine, California 92614

BY: JONATHAN LINDSAY, ESQ.

DOVEL & LUNER

For Patent Owner Network-1 Security Solutions,  
Inc.

201 Santa Monica Boulevard

Santa Monica, California 90401

BY: SEAN LUNER, ESQ.

WINSTON & STRAWN

For Dell, Inc.

200 Park Avenue

New York, New York 10166

BY: MICHAEL SCHEER, ESQ.

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:

5

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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