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

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ORACLE CORPORATION,   :
                                   :
          Petitioner,   :
                                   :
       vs.   : Case No.
                                   : I PR 2013-0073 (JL)
CLOUDING IP, L.L.C.,   : No. 6,738,700
                                   :
          Patent Owner.   :
                                   :
------------------------------:

                         Alexandria, Virginia
                      Wednesday, May 29, 2013

Deposition of:

                 ANDREW GRIMSHAW, PH.D.

called for oral examination by counsel for Patent

Owner, pursuant to notice, at Oblon, Spivak,

McClelland, Maier & Neustadt, L.L.P., 1940 Duke

Street, Alexandria, Virginia, before Shari R.

Broussard, RPR, CSR, of Capital Reporting Company, a

Notary Public in and for the Commonwealth of Virginia,

beginning at 10:14 a.m., when were present on behalf

of the respective parties:

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

 2  On behalf of Petitioner:

 3        MICHAEL L. KIKLIS, ESQUIRE
          SCOTT McKEOWN, ESQUIRE
 4        CHRISTOPHER RICCIUTI, ESQUIRE
          Oblon, Spivak, McClelland,
 5          Maier & Neustadt, L.L.P.
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10  On behalf of Patent Owner:

11        TAREK N. FAHMI, ESQUIRE
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14

15  ALSO PRESENT:

16        Brad Sheafe
          Nicholas Baggaley, Oracle
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 1                    C O N T E N T S

 2   EXAMINATION BY:                             PAGE

 3      Counsel for Patent Owner                   4

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 5   PREVIOUSLY MARKED EXHIBITS REFERRED TO:     PAGE

 6   1001 U.S. Patent No. 6,738,799              48

 7   1003 U.S. Patent No. 6,233,589              35

 8   1004 U.S. Patent No. 5,832,520              68

 9   1006 U.S. Patent No. 5,990,810               9

10   1007 Grimshaw Declaration                   21

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22          (*Exhibits attached to transcript.)
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 1                P R O C E E D I N G S

 2  WHEREUPON,

 3                    ANDREW GRIMSHAW, PH.D.

 4  called as a witness, and having been sworn by the

 5  notary public, was examined and testified as

 6  follows:

 7            EXAMINATION BY COUNSEL FOR PATENT OWNER

 8  BY MR. FAHMI:

 9     Q    Would you identify yourself for the record,

10  please, Dr. Grimshaw?

11     A    My name is Andrew Grimshaw.  I'm a professor

12  of computer science at the University of Virginia.

13     Q    Do you have a current address?

14     A    I have a current address.  I live at 129

15  Observatory Ave.

16     Q    Dr. Grimshaw, my name is Tarek Fahmi.  I'm

17  an attorney.  I represent Clouding IP, L.L.C. in a

18  matter before the United States Patent Trial and

19  Appeal Board brought by Oracle Corporation contesting

20  the validity of Clouding's '799 patent.

21            Have you ever been deposed before,

22  Dr. Grimshaw?
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 1      A     I have.

 2      Q     How many times?

 3      A     Twice.

 4      Q     Just a couple of ground rules if you don't

 5  mind.  I'm going to assume for purposes of today's

 6  proceedings that if you answer a question, that you've

 7  understood my question and you're answering the

 8  question that I've asked.

 9            Is that fair?

10      A     I guess so, yes.

11      Q     And I'd like to read into the record a rule

12  from the U.S. PTO PTAB concerning the taking of

13  testimony in proceedings such as this, and this is

14  from the Office of Patent Trial Practice Guide.  It's

15  at page 48772 of Volume 77 of the Federal Register.

16  It's just one paragraph.  "Once the cross-examination

17  of a witness has commenced and until cross-examination

18  of the witness has concluded, counsel offering the

19  witness on direct examination shall not (a), consult

20  or confer with the witness regarding the substance of

21  the witness' testimony already given or anticipated to

22  be given except for the purpose of conferring on
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