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3        UNITED STATES PATENT AND TRADEMARK OFFICE

4          BEFORE THE PATENT TRIAL AND APPEAL BOARD

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7          _____

8                  UNIFIED PATENTS INC.

9                     Petitioners

10                        v.

11                    CLOUDING IP

12                   Patent Owner

13          _____

14               Case IPR2013-00586

15               Case IPR2014-00306

16                Patent 6,738,799

17          _____

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20        DEPOSITION OF NORMAN HUTCHINSON, Ph.D.

21           Vancouver, British Columbia

22              Friday, July 25, 2014

23

24    Reported by:  Susan Steudel

25    Job No. 82473

1

2                          Friday, July 25, 2014

3                             9:00 a.m.

4     Deposition of Dr. Norman Hutchinson, Ph.D.,  held at The

5     Westin Bayshore, 1601 Bayshore Drive, Vancouver, British

6     Columbia, Canada pursuant to Notice before Susan Steudel,

7     Certified Realtime Reporter, in the Province of British

8     Columbia.

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2     APPEARANCES:

3     ON BEHALF OF UNIFIED PATENTS:

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17    S. GREGORY HERRMAN

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1    DR. NORMAN HUTCHINSON,

2          called as a witness, having been duly sworn, was

3          examined and testified as follows:

4                    EXAMINATION

5    BY MR. FAHMI:

6          Q.   Good morning, Dr. Hutchinson.

7          A.   Good morning.

8          Q.   As you know, my name is Tarek Fahmi.  We're here

9    today to take your deposition in connection with

10   Interparties Review Matters 2013-00586 and 2014-00306 in

11   the US Patent and Trademark Office.  Do you understand

12   that?

13         A.   Yes.

14         Q.   I know you've given deposition testimony

15   previously so I would just like to go over a couple of

16   items.  One, if you can wait before answering a question

17   until I've finished asking it.  I'll try and do likewise

18   and wait until you've finished giving an answer before I

19   ask another question.  That way we're not speaking over

20   one another; all right?

21         A.   Yes.

22         Q.   As you're doing that, also please give audible

23   answers.  The court reporter is recording what's being

24   said and she can't really accurately record nods of the

25   head or mumbles or "uh-huhs."  Audible answers are

1    appreciated; all right?

2         A.   Yes.

3         Q.   Is there any reason why you can't give your best

4    testimony here today?

5         A.   No.

6         Q.   Are you taking any medications that might affect

7    your memory at all?

8         A.   No.

9         Q.   Any other reason you could not give your best

10   testimony today?

11        A.   No.

12        Q.   You've provided a supplemental declaration in

13   connection with this proceeding; is that right?

14        A.   That's right.

15        Q.   And in connection with the preparation of that

16   supplemental declaration did you review the Balcha Miller

17   and Williams references?

18        A.   Yes.

19        Q.   Would you agree that each of these references

20   discusses the generation of an update file?

21        A.   Not all of them call it an update file, but

22   essentially it is called an update file.

23        Q.   Sometimes it is called a delta file or difference

24   file?

25        A.   Yes.

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