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Transcript of **DR. CHRISTOPHER JONES**

Date: January 7, 2015

Case: SAMSUNG ELECTRONICS CO, LTD, ET AL v. REMBRANDT
WIRELESS TECHNOLOGIES, LP(PTAB)

Planet Depos, LLC
Phone: 888-433-3767
Fax: 888-503-3767
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Samsung Ex. 1221
Samsung v. Rembrandt
IPR2014-00518

VIDEOTAPED DEPOSITION OF DR. CHRISTOPHER JONES
CONDUCTED ON WEDNESDAY, JANUARY 7, 2015

<p style="text-align: right;">1</p> <p>1 UNITED STATES PATENT AND TRADEMARK OFFICE 2 BEFORE THE PATENT TRIAL AND APPEAL BOARD 3 -----x 4 SAMSUNG ELECTRONICS CO. LTD.; SAMSUNG : 5 ELECTRONICS AMERICA, INC.; SAMSUNG : 6 TELECOMMUNICATIONS AMERICA, LLC; AND : Case: 7 SAMSUNG AUSTIN SEMICONDUCTOR, LLC, : IPR2014-00518 8 Petitioners, : IPR2014-00519 9 v. : 10 REMBRANDT WIRELESS TECHNOLOGIES, LP, : Patent 8,023,580 11 Patent Owner. : 12 -----x 13 14 Videotaped Deposition of 15 DR. CHRISTOPHER JONES 16 Los Angeles, California 17 Wednesday, January 7, 2015 18 9:03 a.m. 19 20 21 22 23 Job No.: 72500 24 Pages: 1 - 190 25 Reported by: Marla Sharp, RPR, CLR, CCRR, CSR 11924</p>	<p style="text-align: right;">3</p> <p>1 A P P E A R A N C E S 2 ON BEHALF OF PETITIONERS: 3 JEFFREY A. MILLER, ESQUIRE 4 DICKSTEIN SHAPIRO LLP 5 1841 Page Mill Road 6 Palo Alto, California 94304 7 (650) 690-9500 8 9 DAN CARDY, ESQUIRE 10 DICKSTEIN SHAPIRO LLP 11 1825 Eye Street, NW 12 Washington, DC 20006 13 (202) 420-2200 14 15 ON BEHALF OF PATENT OWNER AND DR. JONES: 16 GEORGE S. HAIGHT, IV, ESQUIRE 17 PEPPER HAMILTON LLP 18 125 High Street 19 19th Floor - High Street Tower 20 Boston, Massachusetts 02110 21 (617) 204-5100 22 23 ALSO PRESENT: 24 RYAN WONG, Videographer 25</p>
<p style="text-align: right;">2</p> <p>1 Videotaped deposition of DR. CHRISTOPHER JONES, 2 held at the offices of: 3 4 5 DICKSTEIN SHAPIRO LLP 6 2049 Century Park East 7 Suite 700 8 Los Angeles, California 90067 9 (310) 772-8300 10 11 12 13 14 Pursuant to Notice, before Marla Sharp, 15 Certified Shorthand Reporter in and for the State of 16 California. 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">4</p> <p>1 C O N T E N T S 2 EXAMINATION OF DR. CHRISTOPHER JONES PAGE 3 By Mr. Miller 7 4 By Mr. Haight 185 5 6 7 E X H I B I T S 8 (Attached to transcript) 9 JONES DEPOSITION EXHIBIT PAGE 10 Exhibit 1222 Notice of Deposition of Dr. Christopher Jones 8 11 12 Exhibit 1223 US Patent 8,457,228 B2 14 13 Exhibit 1224 Drawing by witness 122 14 Exhibit 1225 Drawing by witness 126 15 Exhibit 1226 Drawing by witness 130 16 Exhibit 1227 Drawing by witness 130 17 Exhibit 1228 Drawing by witness 134 18 Exhibit 1229 Drawing by witness 136 19 Exhibit 1230 Drawing by witness 140 20 Exhibit 1231 Drawing by witness 142 21 22 23 PREVIOUSLY MARKED EXHIBIT PAGE 24 Exhibit 1201 US Patent 8,023,580 B2 14 25 Exhibit 1204 US Patent US 5,706,428 19</p>

VIDEOTAPED DEPOSITION OF DR. CHRISTOPHER JONES
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<p style="text-align: right;">5</p> <p>1 EXHIBITS CONTINUED 2 PREVIOUSLY MARKED EXHIBIT PAGE 3 Exhibit 2214 Table of Contents 10 4 Exhibit 2215 Excerpt from Modern Dictionary 86 5 of Electronics, Sixth Edition, 6 by Rudolf Graf 7 Exhibit 2217 7/1/10 article entitled "Analog 169 8 & Digital Modulation Techniques: 9 An Overview" 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">7</p> <p>1 DR. CHRISTOPHER JONES, 2 having been first duly sworn, 3 was examined and testified as follows: 4 EXAMINATION 5 BY MR. MILLER: 6 Q Good morning. 7 A Good morning. 8 Q Thank you for being here today. 9 Why don't we start by marking the 10 deposition notice, get that formality out of the 11 way. It's actually been marked as Exhibit 1222, I 12 believe. 13 A Okay. 14 (Exhibit 1222 was marked for 15 identification by the reporter.) 16 BY MR. MILLER: 17 Q Have you seen that before? 18 A I have. 19 Q And you understand that you're appearing at 20 the behest of this notice? 21 A I do. 22 Q Have you had your deposition taken before? 23 A I have. 24 Q About how many times? 25 A One time before.</p>
<p style="text-align: right;">6</p> <p>1 PROCEEDINGS 2 THE VIDEOGRAPHER: Here begins tape No. 1 3 in the videotaped deposition of Christopher Jones in 4 the matter of Samsung Electronics Company, Limited, 5 and others versus Rembrandt Wireless Technologies in 6 the United States Patent and Trademark Office, Case 7 No. IPR2014-00518, Patent No. 8023580. 8 Today's date is January 7th, 2015. The 9 time on the video monitor is 9:03 a.m. The 10 videographer today is Ryan Wong, representing Planet 11 Depos. This video deposition is taking place at 12 2049 Century Park East, Suite 700, Los Angeles, 13 California 90067. 14 Would counsel please voice identify 15 themselves and state whom they represent. 16 MR. MILLER: Jeffrey Miller, representing 17 the Samsung petitioners. And with me is Dan Cardy. 18 MR. HAIGHT: George Haight of Pepper 19 Hamilton, representing Rembrandt Wireless 20 Technologies and on behalf of the witness, 21 Dr. Jones. 22 THE VIDEOGRAPHER: The court reporter today 23 is Marla Sharp, representing Planet Depos. 24 Would the reporter please swear in the 25 witness.</p>	<p style="text-align: right;">8</p> <p>1 Q I'll briefly go through the ground rules so 2 that we understand -- the record is clear that you 3 understand what your obligations are here today. 4 I'm going to ask you a series of questions, 5 and your job is to answer them to the best of your 6 ability. Do you understand that? 7 A I do. 8 Q If I ask you a question that you don't 9 understand, I'd like you to tell me that. Can you 10 do that for me? 11 A I will do that. 12 Q And just so you understand, if you answer a 13 question, we're going to assume that you understood 14 the question. 15 Do you understand that? 16 A Yes. 17 Q Now, we have a court reporter here, 18 Marla Sharp, who -- we haven't worked with her 19 before, but I'm sure she's excellent. But the best 20 court reporter in the world is not going to be able 21 to take down transcription when we're talking over 22 each other. 23 So I would ask -- and I will do my best as 24 well -- to let you finish speaking. And if you 25 would let me finish my question, then, as well so</p>

9

1 we're not talking over each other.
2 Can we at least try to do that?
3 **A Yes.**
4 **Q** Is there any reason why you are unable to
5 testify truthfully today? Medication? Whatnot?
6 **A No.**
7 **Q** Thank you. Have you done anything to
8 prepare for your deposition today?
9 **A I have.**
10 **Q** What have you done?
11 **A I've read different documents related to**
12 **the case from the -- from both sides, both parties.**
13 **And then I also spent some time with counsel**
14 **yesterday.**
15 **Q** Was that Mr. Haight?
16 **A Yes.**
17 **Q** About how much time did you spend with
18 Mr. Haight?
19 **A I spent about six, seven hours, something**
20 **like that.**
21 **Q** And you put in a -- or executed a
22 declaration in this IPR proceeding; is that right?
23 **A I did.**
24 **Q** I'm going to provide a copy of that to you
25 so that you have it. We're obviously going to be

10

1 spending a fair amount of time with it today. It's
2 been previously marked as Exhibit 2214.
3 **A Okay.**
4 **Q** And I'm going to provide a copy for the
5 court reporter just so she has one.
6 Can you identify Exhibit 2214 for us today,
7 please?
8 **A Yes. This is Declaration of**
9 **Dr. Christopher Jones.**
10 **Q** Is that you?
11 **A That is me.**
12 **Q** And did you write this declaration?
13 **A I did.**
14 **Q** Can you remember how long it took you to
15 draft this declaration?
16 **A Probably 30 hours.**
17 **Q** And it's my understanding that, in the
18 litigation between Rembrandt and Samsung, that you
19 also put together an expert report; is that right?
20 **A That's correct.**
21 **Q** That was on -- as I recall, it's on
22 infringement, right?
23 **A It's on infringement, yep.**
24 **Q** If you could turn to the last page of
25 Exhibit 2214, which -- it's Exhibit B1 --

11

1 **A Yep.**
2 **Q** -- "Materials Considered."
3 In your work on this matter, have you
4 considered anything other than what's listed in
5 Exhibit B?
6 **A I may have. These things certainly are**
7 **things that I have considered at various degrees of**
8 **depth. To say that I have not considered anything**
9 **else, I don't think I can say that. But -- and I**
10 **don't specifically recall what the other things may**
11 **have been.**
12 **But, of course, in case of this -- any sort**
13 **of exercise like this, there's a lot of reading**
14 **that's done. And I may have considered other**
15 **things.**
16 **If I did consider them to the point of**
17 **needing to cite them, then they've been properly**
18 **cited, to the best of my knowledge.**
19 **Q** Are these the same materials you reviewed
20 when preparing the expert report in the litigation?
21 **A No.**
22 **Q** So you considered other materials when you
23 were putting together your expert report?
24 **A "In the litigation," meaning the**
25 **infringement litigation?**

12

1 **Q** Yes.
2 **A Yes, other materials.**
3 **Q** Now, I've looked at that report, at least
4 parts of it, so I know there was some source code
5 and stuff like that.
6 **A Yes.**
7 **Q** I'm not really interested in that here.
8 I'm not at all interested in that here.
9 Were there any other materials besides
10 things like documents relating to the Samsung
11 products that you considered?
12 **A Besides documents related to the Samsung**
13 **products?**
14 **There were Bluetooth standards that I**
15 **considered there.**
16 **Q** Mm-hmm.
17 **A They're publicly available.**
18 **Q** Did you look at any other Rembrandt patents
19 in that regard?
20 **A I did.**
21 **Q** Which ones -- or which one or ones of the
22 Rembrandt patents did you look at?
23 **A I believe the '280 patent as well is**
24 **another patent -- or the '228. I can't remember the**
25 **numbers offhand but -- because it's not -- I didn't**

13

1 **rereview that for this matter. But it was '228 or**
2 **'280, another patent similar to the '580 patent in**
3 **its description.**
4 Q Did you look at -- well, why don't we put
5 the '580 patent -- I've got that here somewhere.
6 I'll provide the court reporter what's been
7 previously marked as Exhibit 1201, which is US
8 Patent 8,023,580.
9 **A Thanks.**
10 Q Do you recognize that as the '580 patent?
11 **A I do.**
12 Q And that's one of the documents you
13 reviewed when preparing for both your declaration
14 and the litigation?
15 **A It is.**
16 MR. MILLER: Why don't we mark as the next
17 exhibit US Patent 8457228, which I -- so this will
18 be 1223.
19 (Exhibit 1223 was marked for
20 identification by the reporter.)
21 BY MR. MILLER:
22 Q Do you remember reviewing the '228 patent?
23 **A The claims in specific because that was the**
24 **focus of the litigation work on infringement. And**
25 **I've also reviewed, I believe, the description. But**

14

1 **my understanding is that the description is largely**
2 **the same as in the '580.**
3 **But, yes, I've reviewed the '228 as well.**
4 Q Why don't we pull out Exhibit 1201 again,
5 which is the '22- -- I'm sorry -- the '580 patent.
6 On the first page you can see that on the
7 left-hand side there's a listing of related US
8 application data.
9 Do you see that?
10 **A Yes.**
11 Q Did you consider or review any of the
12 documents listed there in your work on this matter?
13 **A Saying -- "this matter," you mean this IPR?**
14 Q Let's focus on the IPR first.
15 **A Okay. Yes, the provisional application in**
16 **specific.**
17 Q What about any of the other intermeaning
18 utility applications?
19 **A I may have cited to them in my report, but**
20 **I don't recall in this moment. I would have to go**
21 **back and -- I can review my declaration in a moment**
22 **to see if I have citations to them.**
23 Q We don't need to do that now.
24 What about in the litigation? Did you
25 review any of those documents?

15

1 **A Also the provisional. Certainly the**
2 **provisional and perhaps -- I mean, the '626 appears**
3 **familiar in my recollection, but I don't**
4 **specifically recall spending a great amount of time**
5 **with them.**
6 Q Thank you. You can put that down.
7 If you could pull back out your
8 declaration, Exhibit 2214.
9 In the last page, the materials you
10 considered -- and the -- item No. 4 is the
11 declaration of David Goodman.
12 Do you see that?
13 **A Yes.**
14 Q In your work on the IPR, did you consider
15 any of the other declarations that Dr. Goodman put
16 into evidence?
17 **A Yes. There's another declaration of**
18 **Dr. Goodman. I don't recall the number associated**
19 **with it, but I believe it's much later than March of**
20 **last year. So it should be a different declaration,**
21 **though I'm not sure without seeing a reference to**
22 **it.**
23 Q Was that a declaration in the IPRs related
24 to the '228 patent, or was that in the litigation?
25 **A Well, this would have been in the IPR**

16

1 **related to the '580 that I'm talking about. But I**
2 **don't know exactly without looking at this**
3 **declaration what the contents of the March 19th --**
4 Q Okay.
5 **A -- 2014, are.**
6 Q That's okay. I just was wondering if you
7 considered any of the other declarations he's put
8 in.
9 So you think there was one that was filed
10 later that you may have reviewed?
11 **A And I might be incorrect about that because**
12 **I didn't really spend a lot of time paying attention**
13 **to the dates. And all I have here to go off is the**
14 **date of the declaration.**
15 **If you pass me the exhibit, I could decide**
16 **whether or not I'd looked at that recently.**
17 Q If you could turn to Exhibit A to
18 Exhibit 2214.
19 Is that falling apart on you?
20 **A Yeah. If I could get another staple.**
21 MR. MILLER: Get another clip for him.
22 THE WITNESS: Thanks.
23 MR. HAIGHT: You have a staple?
24 THE WITNESS: He's got it.
25 MR. MILLER: Staple is probably going to

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