

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

-----:
THE GILLETTE COMPANY; TAIWAN :
SEMICONDUCTOR MANUFACTURING :
COMPANY, LTD.; TSMC NORTH : Case No.:
AMERICA CORP.; FUJITSU : IPR2014-00604
SEMICONDUCTOR LIMITED; and :
FUJITSU SEMICONDUCTOR : Case No.:
AMERICA, INC. : IPR2014-00578
:
Petitioners :
:
V :
:
ZOND, LLC :
:
Patent Owner :
-----:

Boston, Massachusetts

Thursday, December 11, 2014

Deposition of:

RICHARD DeVITO,
called for oral examination by counsel for Patent
Owner, pursuant to notice, at Wilmer Cutler
Pickering Hale and Dorr, 60 State Street, Boston,
Massachusetts, before Elizabeth O. Bailey, CSR, of
Capital Reporting Company, a Notary Public in and
for the Commonwealth of Massachusetts, beginning at
9:12 a.m., when were present on behalf of the
respective parties:

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

2 On Behalf of Petitioner The Gillette Company:

3 COSMIN MAIER, ESQUIRE
4 Wilmer Cutler Pickering Hale and Dorr, LLP
5 7 World Trade Center
6 250 Greenwich Street
7 New York, New York, 10007

8 LARISSA BIFANO PARK, ESQUIRE
9 Wilmer Cutler Pickering Hale and Dorr, LLP
10 60 State Street
11 Boston, Massachusetts, 02109

12 On Behalf of Petitioner Taiwan Semiconductor
13 Manufacturing Company, Ltd., and TSMC North
14 America Corp.:

15 ANTHONY J. FITZPATRICK, ESQUIRE
16 Duane Morris, LLP
17 470 Atlantic Avenue
18 Suite 500
19 Boston, Massachusetts, 02210

20 On Behalf of Patent Owner:

21 TIGRAN VARDANIAN, ESQUIRE
22 MICHAEL SADOWITZ, ESQUIRE
23 Radulescu, LLP
24 The Empire State Building
25 350 Fifth Avenue
26 Suite 6910
27 New York, New York, 10118

28 TAREK N. FAHMI, ESQUIRE
29 Ascenda Law Group
30 84 W. Santa Clara Street,
31 Suite 550
32 San Jose, California, 95113

33 ALSO PRESENT:

34 Craig Newman - Video Reporter
35 Capital Reporting Company

36

1 C O N T E N T S

2 EXAMINATION BY: PAGE

3 Counsel for Patent Owner 5

4

5 E X H I B I T S

6 DeVITO DEPOSITION EXHIBITS: PAGE

7 1001 775 Patent 22

8 1002 Paper by Mozgrin 85

9 1006 Paper by Kudryavstev 103

10 1008 382 Patent 37

11 1011 Declaration 54

12 1014 265 Patent 98

13

14

15

16

17

18

19

20

21

22

23

24

25 (Exhibits retained by counsel.)

1 P R O C E E D I N G S

2 VIDEO REPORTER: We are now recording and
3 on the record. My name is Craig Newman. I'm a
4 legal video specialist on behalf of the Capital
5 Reporting Company.

6 Today is December 11, 2014, and the time
7 is approximately 9:12 a.m. This is the deposition
8 of Richard DeVito. This case is for the United
9 States Patent and Trademark Office before the
10 Patent Trial and Appeal Board. It is case number
11 IPR2014-00578.

12 It's entitled, "The Gillette Company,
13 Taiwan Semiconductor Manufacturing Company Limited,
14 TSMC North America Corp., Fujitsu Semiconductor
15 Limited, and Fujitsu Semiconductor America, Inc.,
16 Petitioners, versus Zond," that's Z-O-N-D, "LLC,
17 Patent Owner.

18 This deposition is being taken at Wilmer
19 Cutler Pickering Hale and Dorr at 60 State Street
20 in Boston on behalf of the patent owner. The court
21 reporter is Beth Bailey with Capital Reporting.

22 At this point, counsel will please state
23 their appearances, and the court reporter will
24 administer the oath.

25 MR. VARDANIAN: Tigran Vardanian,

1 Radulescu, LLP, on behalf of Zond, LLC. With me is
2 my colleague, Michael Sadowitz, also with
3 Radulescu, LLP, also on behalf of Zond, LLC.

4 MR. FAHMI: Tarek Fahmi of the Ascenda
5 Law Group on behalf of Zond.

6 MR. MAIER: Cosmin Maier of Wilmer Hale
7 on behalf of petitioner The Gillette Company, and
8 with me is my colleague, Larissa Park, also of
9 Wilmer Hale.

10 MR. FIZPATRICK: Anthony Fitzpatrick from
11 Duane Morris on behalf of Taiwan Semiconductor
12 Manufacturing Company Limited and TSMC America.

13 WHEREUPON,

14 RICHARD DeVITO
15 called as a witness, and having been satisfactorily
16 identified by the production of his Massachusetts
17 driver's license and duly sworn, testifies as
18 follows:

19 EXAMINATION BY COUNSEL FOR THE PATENT OWNER

20 BY MR. VARDANIAN:

21 Q Good morning, Mr. DeVito.

22 A Good morning.

23 Q Will you please state your full name and
24 address for the record?

25 A Richard DeVito, 11 Parkside Drive,

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.