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UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

- - -
HONORABLE MARIANA R. PFAELZER,
SENIOR UNITED STATES DISTRICT JUDGE PRESIDING
- - -

THE CALIFORNIA INSTITUTE OF)
TECHNOLOGY,) CERTIFIED COPY
)
PLAINTIFF,)
) CV 13-07245 MRP
VS.)
)
HUGHES COMMUNICATIONS,)
INC., et al.,)
)
DEFENDANTS.)
-----)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
MONDAY, APRIL 7, 2014
P.M. SESSION
LOS ANGELES, CALIFORNIA

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1 LOS ANGELES, CALIFORNIA; MONDAY, APRIL 7, 2014

2 P.M. SESSION

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6 THE CLERK: Calling item No. 1, The
7 California Institute of Technology versus Hughes
8 Communications, Inc., et al.

9 Counsel, please state your appearances.

10 MR. ASPERGER: Good afternoon, Your Honor.

11 Jim Asperger, of Quinn Emanuel, appearing on
12 behalf of Cal Tech.

13 And, Your Honor, with me is Mark Tung, who
14 is on this case from our Silicon Valley office. He is
15 in the process of submitting an application to be
16 admitted, so isn't formerly admitted or on the case
17 yet, but will be.

18 THE COURT: That's fine.

19 MR. ASPERGER: He is the person who is
20 intimately familiar with the technology.

21 THE COURT: All right. That's good.

22 MR. MARCUS: Good afternoon, Your Honor.

23 David Marcus from the Wilmer Hale firm on
24 behalf of defendants.

25 With me at counsel table is Matt Hawkinson

1 from my firm.

2 Also here is Kim Jessett from our client.

3 THE COURT: All right. Now, let me start by
4 saying to you, my mind's open about what we're going to
5 do. So this a really important discussion we're having,
6 and you can say whatever you want about how you want to
7 proceed.

8 The only thing is that I do have -- you
9 already know this. I do have this procedure in mind
10 where you don't get -- and this has happened many times
11 before, where you don't get damages up front. That
12 discovery we will put off. And whatever else you want
13 to say about how you want to proceed is all right with
14 me. We'll just discuss it.

15 Now, maybe I should start with you,
16 Mr. Tung, or you Mr. Asperger, one of the other of you.

17 Let me, if one or the other who is going to
18 answer the questions come up there.

19 MR. ASPERGER: Your Honor, I'll go ahead and
20 start. And then if you have any questions about the
21 patents or technical questions, Mr. Tung will --

22 THE COURT: That's fine.

23 I do want to know about the technology.
24 That's what I would like to know, to begin with.

25 MR. ASPERGER: Then why don't I let Mr. Tung

1 give you an explanation.

2 THE COURT: Let's do that.

3 Now, this not for wan of trial, Mr. Tung.
4 This is just not at my papering. I just don't -- I
5 mean, I appreciate the significance of it. But I don't
6 know -- I'm not sure what I'm looking at. So if you
7 would tell me, I'd be glad.

8 MR. TUNG: Certainly, Your Honor.

9 So if I understand what you want me to
10 address, it's the context of the technology and what --
11 certainly not its applications, but within the context
12 in which the issues fall.

13 So these patents all belong to a single
14 family. And they address a method of encoding, a method
15 and apparatus for encoding signals. So in a
16 communication --

17 THE COURT: That I do know.

18 MR. TUNG: Okay, great.

19 So in communication systems the objective is
20 to get information from one place to another, and
21 information is often coded in the form of bits of ones
22 and zeroes. And so as part of that process, there is an
23 encoding process that in this case these patents deal
24 with building redundancy into your signal.

25 So one of the challenges of a communication

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