

1 embodiment of Conwell that does the neighbor search,  
2 we've got the Element (b), those digitally created  
3 compact electronic representations of a first  
4 electronic work, because we're taking a robust hash  
5 value of our unknown work?

6 A Right. So just to give a specific  
7 example, you have an original song; you apply this  
8 hashing -- this robust hashing algorithm; you obtain  
9 a 128-bit sequence, which translates to Number 198.  
10 Okay? So it goes in your database.

11 Then you have a version of that song which  
12 is not identical. It could be, say, MP3 recorded at  
13 a different sampling rate. You apply -- you go  
14 through this procedure; you apply a robust hash  
15 algorithm, and if indeed, you know, that song was  
16 similar, with very high probability the hash values  
17 will be the same; and therefore, we obtain, again,  
18 198.

19 So then we simply do a lookup in the  
20 table, and we have two songs that are simply a  
21 version of each other, and because they map to the  
22 exact same identifier, 198, they are deemed to -- to  
23 be similar, and so they are in the neighborhood of  
24 each other.

25 Q Element (c) says we're

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20 table, and we have two songs that are simply a  
21 version of each other, and because they map to the  
22 exact same identifier, 198, they are deemed to -- to  
23 be similar, and so they are in the neighborhood of  
24 each other.

25 Q Element (c) says we're going to be

1 comparing the first electronic data with the second  
2 digitally created compact electronic representation  
3 using a nonexhaustive neighbor search.

4 Do you see that?

5 A Yes. That's 13(c); right?

6 Q Yes.

7 A Yes.

8 Q Is that, as you understand, Conwell --  
9 withdrawn.

10 Is it your testimony that Conwell teaches  
11 Element (c) when it teaches using a robust hash  
12 approach, where it uses a lookup table to compare  
13 one hash value of the unknown work to hash values  
14 that are in the database?

15 A Yes.

16 Q In the embodiment in Conwell that --  
17 withdrawn.

18 Would you agree that Conwell teaches some  
19 things are not a neighbor search?

20 A I will have to read the entire patent. I  
21 mean, clearly, the intent is to map similar songs to  
22 the same identifier. So that is the whole point of  
23 the patent.

24 Q Well, if -- does Conwell teach using a  
25 nonrobust hash?

1           In other words, does it say that we can  
2 use a nonrobust hash, or does it say the only thing  
3 you can ever use in this is a robust hash?

4           A    We have to read the entire patent.  
5 Clearly, the intent is to use -- it teaches,  
6 actually, using a robust hash. It teaches that.

7           Q    That's one of the embodiments; right?

8           A    It is the -- the main one. That's my  
9 opinion --

10          Q    All right. The main one.

11          A    Huh?

12          Q    It's the main one?

13          A    Yes.

14          Q    But it teaches other things as well;  
15 right?

16          A    It teaches many things, yes.

17          Q    Now, does it teach some things that would  
18 not be a neighbor search?

19          A    I would have to read the whole patent  
20 again. I focused on the neighbor search.

21          Q    By "focused on the neighbor search," you  
22 mean you focused on the embodiment that uses the  
23 robust hash; right?

24          A    Yes.

25          Q    All right. Then let me see how that maps



1 onto the claim, because I'm not following you.

2 If we look at Claim 13, we've got a  
3 database that includes various things.

4 That's Element (a); right?

5 A Yes.

6 Q Among those are "First electronic data,  
7 including a first digitally created compact  
8 electronic representation of one or more referenced  
9 electronic works"; right?

10 A Yes.

11 Q In Conwell in the embodiment you're  
12 pointing to, the "electronic works" are various  
13 digital songs, right, in a database?

14 A Yes.

15 Q In Conwell in the embodiment you're  
16 pointing to, is the "compact electronic  
17 representation" the hash value?

18 A Yes, it is.

19 Q Now, the next element, (a)(2), is  
20 "electronic data related to an action."

21 Do you see that?

22 A Yes.

23 Q And it relates to an advertisement.

24 Do you see that?

25 A Yes.

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