

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 going to be

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Google Inc. v. Network-1 Technologies, Inc.

IPR2015-00345

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9 withdrawn.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17 withdrawn.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.

1 Q Then Element (b) says, "Obtaining a second
2 digitally created compact electronic representation
3 of a first electronic work."

4 A Yes.

5 Q In Conwell in the embodiment you're
6 pointing to, what constitutes the second digitally
7 created compact electronic representation?

8 A So you -- you have the -- what's called
9 the query song, okay, and so that will an electronic
10 work. And you extract a hash from it, a robust
11 hash, and you obtain a compact electronic
12 representation of that work.

13 Q Is the robust hash value the digitally
14 created compact electronic representation?

15 A It is, yes.

16 MR. ELACQUA: Is this a good breaking point?

17 MR. DOVEL: Yeah. Let's do it.

18 THE VIDEOGRAPHER: We're off the record at
19 2:42 PM.

20 (Off the record.)

21 THE VIDEOGRAPHER: We are back on the record
22 at 2:54 PM.

23 BY MR. DOVEL:

24 Q Let's continue with Element (c) of
25 Claim 13, which is on page 50. It carries over to

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