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AFLIX IP MOLDING CORPORATION Patent Union: Came No. 1982015-00239 Patent No. 7,682,1692 Case No. 1982015-00239 Patent No. 7,682,1692 Case No. 1982015-00230 Patent No. 7,682,1692	3	SONY COMPUTER ENTERTAINMENT AMERICA LLC	3	CROSS-EXAMINATION BY MR. GILBERTSON 4		
APULN IP BOUDINGS CORPORATION APULN IP BOUDINGS CORPORATION Case No. 1942015-002239 Waters No. 7, 687, 682 8 Case No. 1972015-002230 Patent No. 7, 463, 245 9 DEFOSITION OF: GREGORY WELCH LOWER BY: Descenter 17, 2015 TIME: COMMINED: 10168 a.m. COMMINED: 10168 a.m. COMMINED: 11168 a.m. TAMEN BY: Patent Owner COMMINED: 11168 a.m. COMMINED:		Petitioner		REDIRECT EXAMINATION BY MR. KEAN		
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Case No. LWR015 00230 Patent No. 7463,2455 10 DEDOSITION OF: ORSOORY WELCH DATE: December 17, 2015 13 TITME: COMMERCED: 10:08 a.m. 14 COMMERCED: 10:08 a.m. 14 COMMERCED: 10:08 a.m. 14 COMMERCED: 10:08 a.m. 14 STIFULATIONS FACE: What Regency Orlando International 17 JUNE 1930 Jeff rugma slad 19 VOLLAGO, FICTURE 227 18 REPORTED RY: Was Fisher, RMR, CRR 19 20 21 22 23 24 25 26 27 28 28 29 29 20 20 21 21 22 23 24 25 26 27 28 28 29 29 20 20 21 20 21 22 23 24 25 26 27 28 28 29 29 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 29 29 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 29 29 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 29 29 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 29 29 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 20 21 20 21 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 20 20 21 21 22 22 23 24 25 26 27 28 28 29 29 20 20 20 20 21 21 22 22 23 24 25 26 27 28 28 29 29 20 20 20 20 20 20 21 21 22 22 23 24 25 26 27 28 28 29 29 20 20 20 20 20 21 21 22 22 23 24 25 26 27 28 28 29 29 20 20 20 20 20 20 21 21 22 22 23 24 25 26 27 28 28 28 29 29 20 20 20 20 20 20 20 20 21 20 20 20 20 20 20 20 20 20 20 20 20 20						
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Deposition of GREGORY MELCH 10:08 a.m. 14		* * * * * * * * * * * * * * * * *		PETITIONER'S EXHIBITS		
TIME: COMMENCE: 10:88 a.m. (ANTEX) TIME: COMMENCE: 10:108 a.m. (ANTEX) TAKEN BY: Patent Owner 15 TAKEN BY: Patent Owner 16 PLACE: Hyart Resency Orlando International Airport 17 3:30 Just Phane 12:227 18 REPORTED BY: Mae Fisher, RMR, CRR 19 20 21 22 22 22 23 24 25 19 20 22 24 25 10 AP PE A R A N C E S: 1 APRAN J. KEAN, ESQUIRE 26 27 AP PE A R A N C E S: 1 APRAN J. KEAN, ESQUIRE 27 ADTAIN Acanderiself.com 28 Counsel for the PATITIONER 28 Counsel for the PATITIONER 29 Counsel for the PATITIONER 20 Counsel for the PATITIONER 20 Counsel for the PATITIONER 21 ALSO PRESENT: 22 ALLIE PENDERGRASS 23 SOULE AND SAVE SECOND		DEPOSITION OF: GREGORY WELCH		Exhibit 1063 - Article 37		
THE: COMMENCE: 10:08 a.m. COMMENCE: Patent Owner 15 TAKEN BY: Patent Owner 16 PLACE: Hyat Regency Orlando International ALTOWNER 17 Orlando, Florida 3827 18 REPORTED BY: Mae Fisher, RMR, CRR 19 20 21 21 22 22 22 22 23 24 24 25 25 24 APP FEARANCES: 19 25 PROCEED TYPE ARANCES: 19 26 PROCEED TYPE ARANCES: 1 APP FEARANCES: 19 27 PROCEED TYPE ARANCES: 19 28 APRANJ, KEAN, FSQUIRE 0 29 STIPULATIONS THE COUNTERPORTER: Do you solemnly swear or affirm that the testimony you are about to give in this cause will be the truth, the whole truth, and nothing but the truth? 28 APRANJ SEAN SEAN SEAN SEAN SEAN SEAN SEAN SEAN		DATE: December 17, 2015				
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24 25 Page 2 Page 2 A P P E A R A N C E S: 1 ABRAN J. KEAN, ESQUIRE Of: Erise IP, P.A. Suite 200 Counsel for the PETITIONER ROBERT J. GILBERTSON, ESQUIRE Of: Greene Espei PLLP Suite 220 Mindrag 1831 Counsel for the PATENT OWNER By Interest 220 Mindrag 1831 Counsel for the PATENT OWNER By Interest 220 Mindrag 1831 Counsel for the PATENT OWNER Counsel for the PATENT OWNER By Interest 220 Mindrag 1831 Counsel for the PATENT OWNER ALLIE PENDERGRASS Suite 200 Counsel for the PATENT OWNER ALLIE PENDERGRASS Suite 200 Allie PENDERGRASS Suite 200 Suite 200 Allie PENDERGRASS Suite Withum hat the testimony you acabout to give accurate testimony? A. No.	22		22			
Page 2 A P P E A R A N C E S: A P P E A R A N C E S: A BRAN J. KEAN, ESQUIRE OI: Fried Transport of the Page 2 of the Coursel for the PETITIONER Abran. Kean@eriseIP.com Counsel for the PETITIONER FOBERT J. GILBERTSON, ESQUIRE OI: Green EBRINT Street Minicapi 18 3 Who Street Suite 2200 Minicapi 18 3 Who Stato Counsel for the PATENT OWNER ALSO PRESENT: A. Good morning. COUNSEL for the PATENT OWNER A. That's correct. COUNSEL for the PATENT OWNER A. That's coursel for the patent and IPACOLTONER A. COUNSEL for the patent of the PATENT OWNER A. That's coursel for the patent of the patent of the patent of the patent ow	23		23			
Page 2 A P P E A R A N C E S: A BRAN J, KEAN, ESQUIRE Of: Erise IP. P. A Bran C E S: THE COURT REPORTER: Do you solemnly swear or affirm that the testimony you are about to give in this cause will be the truth, the whole truth, and nothing but the truth? Counsel for the PETITIONER ROBERT J. GILBERTSON, ESQUIRE Of: Creene Environment of the PETITIONER ROBERT J. GILBERTSON, ESQUIRE Of: Creene Environment of the PATENT OWNER ROBERT J. GILBERTSON, ESQUIRE Of: Creene Environment of the PATENT OWNER ROBERT J. GILBERTSON, ESQUIRE Of: Creene Environment of the PATENT OWNER ROBERT J. GILBERTSON, ESQUIRE Of: Creene Environment of the With Street South Environment of the PATENT OWNER ALSO PRESENT: ALSO PRESENT: ALSO PRESENT: ALSO PRESENT: ALSO PRESENT: COUNSEL for the PATENT OWNER ALSO PRESENT: COUNSEL for the PATENT OWNER ALSO PRESENT: COUNSEL for the PATENT OWNER A Good morning, Dr. Welch. A. Good morning, Dr. Welch. A. Good morning. Counsel for the PATENT owner The WITNESS: I do. GREGORY WELCH, a witness herein, having been first duly sworn, was examined, and testified as follows: CRESS-EXAMINATION BY MR. GILBERTSON: Q. Good morning, Dr. Welch. A. Good morning, C. We are here for deposition on supplemental declarations that you have submitted in IPR2015-00229 The counsel for the PATENT owner The WITNESS: I do. GREGORY WELCH, A witness herein, having been first duly sworn, was examined, and testified as follows: CROSS-EXAMINATION EN MR. GILBERTSON: Q. Good morning, Q. We are here for deposition on supplemental declarations that you have submitted in IPR2015-00229 The counsel for the PATENT owner The WITNESS: I do. GREGORY WELCH, A witness herein, having been first duly sworn, was examined, and testified as follows: CROSS-EXAMINATION ENVER GILBERTSON: Q. Good morning, Q. We are here for deposition on supplemental declarations that you have submitted in IPR2015-00229 The counsel for the PATENT owner A. That's correct. Q. I have some questions for you about those sup	24		24			
A P P E A R A N C E S: BRAN J KEAN ESQUIRE OF: Creenwood Village, CO 80111 Abran Kean@eriseIP.com Counsel for the PETITIONER OF: Creene Sprinth Street Mindeagol Salte 200 Mindeagol Salte 20	25		25			
ABRAN J. KEAN, ESQUIRE Of: Erise IP. As a Boulevard Suite 200 yillage, CO 80111 Abran Kean@eriseIP.com Counsel for the PETITIONER Of: 27 eege Espain in Street Suite 200 Minneapolis MN 55402 Bilbertson@greenespel.com Counsel for the PATENT OWNER ALSO PRESENT: ALSO PRESENT: ALSO PRESENT: ALSO PRESENT: ALSO PRESENT: ALSO PRESENT: CALLIE PENDERGRASS End of the Pate of the PATENT OWNER ALSO PATE BOULEVARD OYEL AGE COUNT REPORTER: Do you solemnly swear or affirm that the testimony you are about to give in this cause will be the truth, the whole truth, and nothing but the truth? THE WITNESS: I do. GREGORY WELCH, a witness herein, having been first duly sworn, was examined, and testified as follows: CROSS-EXAMINATION BY MR. GILBERTSON: Q. Good morning, Dr. Welch. A. Hoo was a swell be the truth, the whole truth, and nothing but the truth? THE WITNESS: I do. CROSS-EXAMINATION 10 BY MR. GILBERTSON: Q. We are here for deposition on supplemental declarations that you have submitted in IPR2015-00229 relating to the '692 patent and IPR2015-00230 relating to the '245 patent. That's your understanding, right? A. That's correct. Q. I have some questions for you about those supplemental declarations, and I want to show them to you. Let me first ask, is there anything going on for you today, such that it would be hard for you to give accurate testimony? A. No.		Page 2		Page 4		
ABRAN J KEAN, ESQUIRE OFFICE OF A CONTRACT STANDARD STAN	1	APPEARANCES:	1	PROCEEDINGS		
Counsel for the PETITIONER Counsel for the PETITIONER ROBERT J. GILBERTSON, ESQUIRE MINDEAD 1.8 SOUTH NITH Street Suite 220 Minime and testified as follows: Counsel for the PATENT OWNER Counsel for the PATENT OWNER ALSO PRESENT: CALLIE PENDERGRASS Senior Technical Advisor Firse, I. P.A. Suite 300 CYSTANDARY COUNSEL STORE A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. Counsel for the PATENT OWNER A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. CALLIE PENDERGRASS Senior Technical Advisor Firse, I. P.A. COUNTY COUNT				THE COURT REPORTER: Do you solemnly swear or		
Counsel for the PETITIONER Counsel for the PETITIONER ROBERT J. GILBERTSON, ESQUIRE MINDEAD 1.8 SOUTH NITH Street Suite 220 Minime and testified as follows: Counsel for the PATENT OWNER Counsel for the PATENT OWNER ALSO PRESENT: CALLIE PENDERGRASS Senior Technical Advisor Firse, I. P.A. Suite 300 CYSTANDARY COUNSEL STORE A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. Counsel for the PATENT OWNER A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. CALLIE PENDERGRASS Senior Technical Advisor Firse, I. P.A. COUNTY COUNT		Of: Erise IP, P.A. 5600 Greenwood Plaza Boulevard		affirm that the testimony you are about to give in		
Counsel for the PETITIONER Counsel for the PETITIONER ROBERT J. GILBERTSON, ESQUIRE MINDEAD 1.8 SOUTH NITH Street Suite 220 Minime and testified as follows: Counsel for the PATENT OWNER Counsel for the PATENT OWNER ALSO PRESENT: CALLIE PENDERGRASS Senior Technical Advisor Firse, I. P.A. Suite 300 CYSTANDARY COUNSEL STORE A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. Counsel for the PATENT OWNER A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. A. Good morning, Dr. Welch. CALLIE PENDERGRASS Senior Technical Advisor Firse, I. P.A. COUNTY COUNT		Suite 200 Greenwood Village CO 80111		this cause will be the truth, the whole truth, and		
Counsel for the PETITIONER Counsel for the PETITIONER Counsel for the PETITIONER THE WITNESS: I do. GREGORY WELCH, GREGORY WELCH, Counsel for the PATENT OWNER Counsel for the PATENT OWNER ALSO PRESENT: CALLIE PENDERGRASS Senior Technical Advisor Firse of lege Boulevard Suite 300 park KS 66211 Counsel for the PATENT OWNER The WITNESS: I do. GREGORY WELCH, Witness herein, having been first duly sworn, was examined, and testified as follows: CROSS-EXAMINATION BY MR. GILBERTSON: Q. Good morning, Dr. Welch. A. Good morning. Q. We are here for deposition on supplemental declarations that you have submitted in IPR2015-00229 To the '245 patent. That's your understanding, right? A. That's correct. Q. I have some questions for you about those supplemental declarations, and I want to show them to you. Let me first ask, is there anything going on for you today, such that it would be hard for you to give accurate testimony? A. No.		(720) 689-5440 Abran keangerige ID com				
ROBERT J. GILBERTSON, ESQUIRE OF Greene Espel PLLE OF Greene Espel PLLE OF GREENT J. GILBERTSON, ESQUIRE OF GREENT J. GREENT J. GREENT J. GREENT J. A without sworn, was examined, and testified as follows: OCROSS-EXAMINATION				-		
Suite 2002 Minneapolis MN 55402 (612) 373-0830 Bgilbertson@greenespel.com Counsel for the PATENT OWNER ALSO PRESENT: CALLIE PENPERGRASS Senior Technical Advisor Frise 10	7					
Suite 2002 Minneapolis MN 55402 (612) 373-0830 Bgilbertson@greenespel.com Counsel for the PATENT OWNER ALSO PRESENT: CALLIE PENPERGRASS Senior Technical Advisor Frise 10	'	Of: Greene Espel, PLLP				
Bgilbertson@greenespel.com Counsel for the PATENT OWNER ALSO PRESENT: ALSO PRESENT: CALLIE PENDERGRASS Senior Technical Advisor Filse Soll College Boulevard Suite 300 Overland Park KS 66211 C9. Good morning. Q. We are here for deposition on supplemental declarations that you have submitted in IPR2015-00229 relating to the '692 patent and IPR2015-00230 relating to the '245 patent. That's your understanding, right? A. That's correct. Q. I have some questions for you about those supplemental declarations, and I want to show them to you. Let me first ask, is there anything going on for you today, such that it would be hard for you to give accurate testimony? A. No.		S111 De 2200				
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ALSO PRESENT: 12 ALSO PRESENT: 13 CALLIE PENDERGRASS Senior Technical Advisor Erise, IP, P.A. 14 Q. We are here for deposition on supplemental 15 Suite 300 Overland Park, KS 66211 16 (913) 777-5602 17 to the '245 patent. That's your understanding, right? 18 A. That's correct. 19 Q. I have some questions for you about those 20 supplemental declarations, and I want to show them to 21 you. Let me first ask, is there anything going on for 22 you today, such that it would be hard for you to give 23 accurate testimony? 24 A. No.						
ABLIE PENDERGRASS Senior Technical Advisor Frise, IP, P.A. 201 College Boulevard Over and Park, KS 66211 18 A. Good morning. 19 10 11 12 13 A. Good morning. 14 Q. We are here for deposition on supplemental 15 16 17 18 18 19 19 10 11 11 12 13 14 Q. We are here for deposition on supplemental 15 16 16 17 18 18 19 19 10 11 11 12 13 14 Q. We are here for deposition on supplemental 15 16 16 17 18 18 18 19 19 10 10 11 11 12 12 13 14 15 15 15 16 16 17 18 18 18 19 19 19 10 10 11 11 12 12 13 14 15 15 15 16 16 17 18 18 18 18 18 18 18 19 19 19	1					
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20 20 supplemental declarations, and I want to show them to 21 you. Let me first ask, is there anything going on for 22 you today, such that it would be hard for you to give 23 accurate testimony? 24 A. No.	18		18			
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24 A. No.	22		22	you today, such that it would be hard for you to give		
	23		23	accurate testimony?		
25 MR. GILBERTSON: Okay. Let's go off the record	24		24	A. No.		
	25		25	MR. GILBERTSON: Okay. Let's go off the record		



EXHIBIT 2050 SCEA v. APLIX

Page 5 A discussion off the record was held.) 1 Salimnated active areas is not supported by the '255 Salimnated active areas is not supported by the '256 Salimnated active areas is substantive active areas is not supported by the '256 Salimnated active areas is not supported by the '256 Salimnated active areas is not supported by the '256 Salimnated active areas is not supported by the '256 Salimnated active areas is not supported by the '256 Salimnated active areas is not suppor		12/17	Page: 2	
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3	1	for a moment.	1	delineated active areas is not supported by the '245
Q. Let me show you what has been marked as problem 10 to 1	2	(A discussion off the record was held.)	2	patent specification and would also be contrary to the
Exhibit 1042 in the '692 matter. Is this your supplemental declaration in the '692 matter? A. It think you said — 'did you say 1492 1042 is 8 for the '245, I think. 9	3	BY MR. GILBERTSON:	3	basic understanding of a skilled artisan at the time of
Supplemental declaration in the '692 matter? A. I think you said did you say 10427 1042 is For the '245. I think. 9 O. I did misereak. Sorry. Thank you. 10 Q. So lects stort with the '692. In the '692 11 meter, is Exhibit 1041 your supplemental declaration? 12 matter, is Exhibit 1041 your supplemental declaration? 13 A. Yes. That's correct. 14 O. And on the last page of than declaration, is that 15 your signature? 16 A. Yes, it is. 17 O. And in the '245 matter, is Exhibit 1042 your 18 supplemental declaration? 19 A. Yes, it is. 20 O. And is that your signature on the last page of 21 Saminor 1042? 22 A. This, your. 23 O. And I understand that you may have a 24 clarification that we can get to in a bit relating to an 25 saminor that your signature on the last page of 1 is that right? 2 A. That's correct. 3 O. Is that Exhibit 1023? 4 A. That's correct. 5 O. Okey. No will get to that one. Are there any 5 other errors or clarifications in either your '692 7 supplemental declaration or your '245 declaration? 8 O. Okey. No will get to that one. Are there any 6 other errors or clarifications in either your '692 9 A. That's correct. 10 O. This was are of now, no, thank you. 11 O. This valates generally to delineated active 12 A. Not. This valates generally to delineated active 13 O. This valates generally to delineated active 14 areas, how they'se continued or designated. Do you 15 have paragraph 7 in front of you? 16 A. Okay. 17 O. This valates generally to delineated active 18 paragraph 2 of my declaration must 19 A. Okay. 10 O. This possible that the top of paragraph if you could turn to the second page of it toward the end. 19 A. Okay. 10 O. This possible that is a long paragraph if you could turn to the second page of it toward the end. 19 A. Okay. 20 D. This possible that is a long paragraph if you could turn to the second page of it toward the end. 21 Page A. Okay. 22 D. This value that the bended to the second page of it toward the end. 23 A. The last sen	4	Q. Let me show you what has been marked as	4	the '245 patent.
A. I think you said did you say 1042? 1042 is 8 for the '245. I think. 9	5	Exhibit 1042 in the '692 matter. Is this your	5	Q. Thank you. Is it your understanding that Dr.
delineated active areas? A. That's colary. A. That's colary. So let's start with the 's92. In the 's92 and that was in response to the statements she made in the declaration that is that the correct. A. Yes. That's correct. A. Yes. That's correct. A. Yes. That's correct. A. Yes. That's correct. A. Yes. At is. O. And on the last page of that declaration, is that your supplemental declaration? A. Yes. At is. O. And in the '245 matter, is Exhibit 1942 your supplemental declaration? A. Yes., it is. O. And is that your signature on the last page of the delineated active areas? A. Yes., it is. O. And is that your signature on the last page of the delineated active areas? A. Te is, yes. In the your signature on the last page of the delineated active areas? A. Te is, yes. O. And is understand that you may have a conduction must redefine spatial boundaries of the delineated active areas? A. The is, yes. In the widele of paragraph 2, where Dr. MacLean had said, mucke, Disclosure of '245's Claim 1 clearly requires these delineations to paragraph 2, one the middle of paragraph 2, stere Dr. MacLean had said, mucke, Disclosure of '245's Claim 1 clearly requires these delineations to paragraph 2, one the middle of paragraph 2, one the porating system, close quote. Page 6 In the that winhit 2013? A. That's correct. O. Life you could turn, please, in your '245 muplemental declaration when you used the term — or the words of the delineated active areas? A. New, A. Act, in front of you? A. New, A. New are defined. A. New,	6	supplemental declaration in the '692 matter?	6	MacLean's opinions include a requirement that each
A. That's okay. A. That's correct. O. And in the '245 matter, is Edubit 1042 your supplemental declaration, is that in specific commental. A. Yes. It is. O. And in the '245 matter, is Edubit 1042 your supplemental declaration, is that in your signature? A. Yes, it is. O. And in the '245 matter, is Edubit 1042 your supplemental declaration in the '245 matter, is Edubit 1042 your signature? A. Yes, it is. O. And in the '245 matter, is Edubit 1042 your supplemental declaration? A. Yes, it is. O. And is that your signature on the last page of the delineated active areas? A. Tes, it is. O. And is understand that you may have a clarification that we can get to in a bit relating to an other winds that right? A. That's correct. O. Clay. We will get to that one. Are there any of to chart scale declaration to your '245 declaration, when you use the term or the supplemental declaration to your '245 matter your '467 your '245 matter or your your your understanding of her statement or your '245 matter or your '245 matter or your your your understanding of her view is that in her your water area? A. It don't a matter or it is a long paragraph if you you dull turn, please, in your '245 matter or your	7	A. I think you said did you say 1042? 1042 is	7	application must redefine spatial boundaries of the
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11 mount of the content of the conte	9	Q. I did misspeak. Sorry. Thank you.	9	A. I don't recall her, you know, overall opinions,
A. Yes. That's correct. O. And in the 1245 matter, is Exhibit 1041 your supplemental declaration, is that in your signature? A. Yes, it is. O. And in the 1245 matter, is Exhibit 1042 your applemental declaration? A. Yes, it is. O. And in the 1245 matter, is Exhibit 1042 your applemental declaration? A. Yes, it is. O. And it that your signature on the last page of the interval of the inter	10	A. That's okay.	10	but that was in response to the statements she made in
A. Yes. That's correct. A. Yes, it is. O. And in the '245 matter, is Exhibit 1042 your approached at the '245 matter, is matter approached at the '245 matter, is ma	11	Q. So let's start with the '692. In the '692	11	her declaration that I cited at the beginning of
Q. And on the last page of that declaration, is that 15 your signature? A. Yes, it is. Q. And in the '245 matter, is Exhibit 1042 your 18 supplemental declaration. B. Supplemental declaration. Q. And is that your signature on the lost page of 20 and is that your signature on the lost page of 22 a. It is, yes. Q. And is that your signature on the lost page of 22 a. It is, yes. Q. And I understand that you may have a 24 diarification that we can get to in a bit relating to an 25 exhibit 1042? A. That's correct. Q. And That's correct. Q. Oxy, We will get to that one. Are there any other errors or clarifications in either your '692 oxy, we will get to that one. Are there any declaration that you would like to tell me about? A. Not that I'm aware of now, no, thank you. Q. If you could turn, please, in your '245 supplemental declaration to paragraph 7. A. Okay. Q. This relates generally to delineated active areas? Q. Oxy, We will get to that one of your '245 supplemental declaration to paragraph 7. A. Okay. Q. This relates generally to delineated active areas? Q. This relates generally to delineated active areas? Q. This relates generally to delineated active areas? Q. Q. Just for the benefit of the record, could you read in live, or out loud, the last sentence of that your grayreph. A. The lest sentence of paragraph 7 of 1042, B. Schibit 1042, is, Thus, Dr. MacLean's requirement that to to those statements and those words. BY MR. GILBERTSON: Q. And part of your understanding of her statements in that you would like to tell me about? A. That's correct. Q. A. Now they're configured or designated. Do you areas in pour yelds in the middle of paragraph 2, for example, and the top of your yelds declaration, when you use the term or the words of? A. Okay. Q. Just for the benefit of the record, could you read in live, or out loud, the last sentence of that your could turn to the second page of it toward the end. Q. A. The lest sentence of paragraph 7 of 1042, B. Schibit 1042, is, Thus, Dr. MacLean's requirement that	12	matter, is Exhibit 1041 your supplemental declaration?	12	paragraph 2, so it's really just in response to those
15 your signature? 16 A. Yes, it is. 17 Q. And in the '245 matter, is Exhibit 1042 your 18 supplemental declaration? 18 supplemental declaration? 18 we will see that your signature on the last page of 19 Q. And is that your signature on the last page of 20 Q. And is that your signature on the last page of 20 Q. And I understand that you may have a 21 daily interest of the exhibit that you referred to in your '245 declaration' 23 Q. And I understand that you may have a darrification that we can get to in a bit relating to an 25 exhibit that you referred to in your '245 declaration' 27 A. That's correct. 28 Q. Kay. We will get to that one. Are there any of cooker errors or clarifications or your '245 supplemental 38 declaration that you would like to tell me about? 39 A. Not that I'm aware of now, no, thank you. Q. If you could turn, please, in your '245 declaration to paragraph 7. 19 A. Nokay. Q. This relates senerally to delineated active 20 Q. Use for the benefit of the record, could you read in live, or out loud, the last sentence of that 20 20 20 20 20 20 20 2	13	A. Yes. That's correct.	13	specific comments.
a. Yes, it is. Q. And in the '245 matter, is Exhibit 1042 your supplemental declaration? A. Yes, it is. Q. And is that your signature on the last page of Exhibit 1042? A. It is, yes. Q. And I understand that you may have a classification that we can get to in a bit relating to an exhibit that you referred to in your '245 declaration; Page 6 is that right? A. That's correct. Q. Is that Exhibit 2023? A. That's correct. Q. Okay. We will get to that one. Are there any for cher errors or clarifications in either your '692 supplemental declaration to your '245 supplemental declaration that you would like to tell me about? A. Not that I'm aware of now, no, thank you. Q. If you could turn, please, in your '245 declaration to paragraph 7. A. Okay. Q. This relates generally to delineated active sareas? M. R. EARN: Objection. Form. THE WITNESS: So I'm it's in response to. for example, the statement at the top of page 3, which is in the middle of paragraph 2, where Dr. MacLean had said, quote, Disclosure of '245's Claim I clearly requires these delineations to be determined by the application and its specific requirements, not by the hardware or the operating system, close quote. Page 8 HWM. GILBERTSON: Q. In the sentence at the end of paragraph 0007 of your '245 declaration that you would like to tell me about? A. Not that I'm aware of now, no, thank you. Q. If you could turn, please, in your '245 declaration to paragraph 7. A. Okay. Q. This relates generally to delineated active areas? MR. REARN: Objection. Form. THE WITNESS: So I'm it's in response to. for example, the statement at the top of paragraph 0007 of your your '245 declaration with the post of paragraph 0007 of your declaration to paragraph 7. A. Not that I'm aware of now, no, thank you. Q. The would like to tell me about? A. Okay. Q. The would like to tell me about? A. Okay. Q. The would like to tell me about? A. Okay. Q. The would like to tell me about? A. Okay. Q. The would like to tell me about? A. Okay. Q. The would like to tell m	14	Q. And on the last page of that declaration, is that	14	Q. Part of your understanding of her view is that in
delineated active areas? A. Yes, it is. O. And is that your signature on the last page of 20	15	your signature?	15	her way of looking at it, there's a requirement that
18 supplemental declaration? 18 MR. KEAN: Objection. Form.	16	A. Yes, it is.	16	each application must redefine spatial boundaries of the
THE WITNESS: SO I'm it's in response to, A. Te is, yes. A. Te is, yes. O. And is that your signature on the last page of I will inderstand that you may have a Considerable of the search of t	17	Q. And in the '245 matter, is Exhibit 1042 your	17	delineated active areas?
0. And is that your signature on the last page of Exhibit 1042? 20. An I tis, yes. 21. 22. A. It is, yes. 22. O. And I understand that you may have a clarification that we can get to in a bit relating to an 25. exhibit that you referred to in your '245 declaration: 22. Page 6 23. O. And I understand that you may have a clarification that we can get to in a bit relating to an 25. exhibit that you referred to in your '245 declaration: 24. Page 6 25. Is that right? 26. A. That's correct. 27. O. Use will get to that one. Are there any other errors or clarifications in either your '692 28. A. Not that I'm aware of now, no, thank you. 29. A. Not that I'm aware of now, no, thank you. 20. If you could turn, please, in your '245 21. A. Okay. 22. A. Okay. 23. O. This relates generally to delineated active areas, how they're configured or designated. Do you could turn to the second page of it toward the end. 29. O. Just for the benefit of the record, could you 121 read in live, or out loud, the last sentence of that 222 paragraph. 29. A. The last sentence of paragraph 7 of 1042, 242. Exhibit 1042, is, Thus, Dr. Naclean is aid, quote, Disclosure of '245's Claim I clearly 22 requirement at the top of page 3, which is in the middle of paragraph 2, where Dr. Maclean had said, quote, Disclosure of '245's Claim I clearly 22 requirements at the end of paragraph 2, the statements which that clearly 24 requirements and those said, quote, Disclosure of '245's Claim I clearly 24 requirements, and said, quote, Disclosure of '245's Claim I clearly 24 requirements, and said, quote, Disclosure of '245's Claim I clearly 24 requirements, on the year application and its specific requirements, not by the hardware or the operating system, close quote. 18	18	supplemental declaration?	18	MR. KEAN: Objection. Form.
Exhibit 10427 A. Tris, yes. Q. And I understand that you may have a clarification that we can get to in a bit relating to an exhibit that you referred to in your '245 declaration'. Page 6 1 is that right? A. That's correct. Q. Is that Exhibit 20237 A. That's correct. Q. Okay. We will get to that one. Are there any other errors or clarifications in either your '692 supplemental declaration that you would like to tell me about? A. Not that I'm aware of now, no, thank you. Q. If you could turn, please, in your '245 or example, as I outlined in declaration to paragraph 7. A. Okay. Q. This relates generally to delineated active areas, how they're configured or designated. Do you could turn to the second page of it toward the end. A. Okay. Q. Just for the benefit of the record, could you read in live, or out loud, the last sentence of that paragraph 2. A. The last sentence of paragraph 7 of 1042, Exhibit 1042, is, Thus, Dr. MacLean's requirement that 21 is in the middle of paragraph ? Jisclosure of '245's Claim I clearly requires these delineations to be determined by the application and its specific requirements, not by the hardware or the operating system, close quote. Page 8 BY MR. GILBERTSON: Q. In the sentence at the end of paragraph 0007 of your '245 declaration, when you use the term or the words Dr. MacLean's requirement, what are you speaking of? A. So, again, I'm referring back to just the statements is that it would require that each application must redefine apacital boundaries of the delineated active areas? MR. XEAN: Objection. Form. THE WINISS: I don't know about redefined. I mean, ''m referring back to the statements that I cited exactly as in paragraph 2, for example, so just to those statements and those words. BY MR. GILBERTSON: Q. And part of your understanding of her statements is that it would require that each application must redefine in your last sentence of paragraph 0007 of your '245 declaration? Page 8 BY MR. GILBERTSON: Q. And paragraph 2, for example, of ith	19	A. Yes, it is.	19	THE WITNESS: So I'm it's in response to,
A. It is, yes. Q. And I understand that you may have a 2d clarification that we can get to in a bit relating to an 2d clarification that we can get to in a bit relating to an 2d clarification that we can get to in a bit relating to an 2d clarification that we can get to in a bit relating to an 2d clarification that we can get to in a bit relating to an 2d clarification that we can get to in a bit relating to an 2d clarification that we can get to in a bit relating to an 2d clarification that we can get to in a bit relating to an 2d clarification that you referred to in your '245 declaration. Page 6 1 is that right? A. That's correct. Q. Is the sentence at the end of paragraph 0007 of 3 your '245 declaration, when you use the term or the 4 words Dr. MacLean's requirement, what are you speaking 3 of? A. Not that I'm aware of now, no, thank you. 3 of If you could turn, please, in your '245 3 declaration that you would like to tell me about? 4 areas, how they're configured or designated. Do you 3 declaration to paragraph 7 in front of you? 4 a. Okay. Q. If you could turn it's a long paragraph if 3 you could turn to the second page of it toward the end. 4 a. Okay. Q. Just for the benefit of the record, could you 21 read in live, or out loud, the last sentence of that 22 paragraph. 23 A. The last sentence of paragraph 7 of 1042, 24 Exhibit 1042, is, Thus, Dr. MacLean's requirement that 25 said, quote, Disclarifications to be determined by the application and its specific requirements, not by the bardware or the operating system, close quote. Page 8 PAMR. GLEBERTSON: Q. In the sentence at the end of paragraph 0007 of 2 of The sentence at the end of paragraph 0007 of 2 of The sentence at the end of paragraph out of 4 2 of The sentence at the end of paragraph 0007 of 3 or Take declaration, when you use the term or the words by MR. GLEBERTSON: Q. And I understand that you requirement, not by the application and its application and its application and its application when you use the term or the	20	Q. And is that your signature on the last page of	20	for example, the statement at the top of page 3, which
Q. And I understand that you may have a clarification that we can get to in a bit relating to an 24 clarification that we can get to in a bit relating to an 25 exhibit that you referred to in your '245 declaration' 25 hardware or the operating system, close quote. Page 6 1 is that right? 2 A. That's correct. Q. Is that Exhibit 2023? A. That's correct. Q. Okay. We will get to that one. Are there any other errors or clarifications in either your '692 supplemental declaration or your '245 supplemental declaration that you would like to tell me about? A. Not that I'm aware of now, no, thank you. Q. If you could turn, please, in your '245 declaration to paragraph 7. A. Okay. Q. This relates generally to delineated active areas, how they're configured or designated. Do you have paragraph 7 in front of you? A. Okay. Q. Jif you could turn it's a long paragraph if you could turn to the second page of it toward the end. A. Okay. Q. Just for the benefit of the record, could you read in live, or out loud, the last sentence of that 22 paragraph. A. That's correct. 2 A. That's correct. 9 A. Not that Exhibit 2023? A. Not that I'm aware of now, no, thank you. 9 A. Not that I'm aware of now, no, thank you. 10 Q. If you could turn read in live, or out loud, the last sentence of that 22 paragraph. 2 A. Okay. 2 A. That's correct. 9 A. Okay. 9 A. Okay. 10 Graph Paragraph 7 in front of you? 11 Graph Paragraph 7 in front of you? 12 A. Okay. 13 A. Okay. 14 A. Okay. 15 A. Okay. 16 A. I do, yes. 17 You could turn to the second page of it toward the end. 18 BY MR. GILBERTSON: 19 A. Okay. 20 And part of your understanding of her statements is that it would require that each application must redefine spatial boundaries of the delineated active areas? 18 YMR. KEAN: Objection. Form. 19 A. Okay. 10 Jif you could turn to the second page of it toward the end. 10 Jif you could turn to the second page of it toward the end. 11 Sep MR. GILBERTSON: 12 A. Okay. 23 A. That's correct. 24 Okay. 25 A. Tha	21	Exhibit 1042?	21	is in the middle of paragraph 2, where Dr. MacLean had
clarification that we can get to in a bit relating to an exhibit that you referred to in your '245 declaration: Page 6 is that right? A. That's correct. O. Is that Exhibit 2023? A. That's correct. O. Okay. We will get to that one. Are there any other errors or clarifications in either your '692 other errors or clarifications in either your '245 supplemental declaration that you would like to tell me about? A. Not that I'm aware of now, no, thank you. O. If you could turn, please, in your '245 load eclaration to paragraph 7. A. Okay. O. This relates generally to delineated active areas, how they're configured or designated. Do you list have paragraph 7 in front of you? A. I do, yes. O. If you could turn it's a long paragraph if you could turn to the second page of it toward the end. A. Okay. O. Just for the benefit of the record, could you read in live, or out loud, the last sentence of that paragraph 2, in could be that I was just collectively referring to where Dr. MacLean says that	22	A. It is, yes.	22	said, quote, Disclosure of '245's Claim 1 clearly
Page 6 1 is that right? 2 A. That's correct. 3 Q. Is that Exhibit 2023? 4 A. That's correct. 5 Q. Okay. We will get to that one. Are there any 6 other errors or clarifications in either your '692 7 supplemental declaration or your '245 supplemental 8 declaration that you would like to tell me about? 9 A. Not that I'm aware of now, no, thank you. 10 Q. If you could turn, please, in your '245 declaration to paragraph 7. 11 declaration to paragraph 7. 12 A. Okay. 13 Q. This relates generally to delineated active 13 areas, how they're configured or designated. Do you 14 have paragraph 7 in front of you? 15 A. I do, yes. 16 Q. Jif you could turn it's a long paragraph if 18 you could turn to the second page of it toward the end. 19 A. Okay. 20 Q. Just for the benefit of the record, could you 21 read in live, or out loud, the last sentence of that 22 paragraph. 22 A. The last sentence of paragraph 7 of 1042, 23 Exhibit 1042, is, Thus, Dr. MacLean's requirement that 25 paragraph 2. It could be that I was just collectively referring to where Dr. MacLean says that	23	Q. And I understand that you may have a	23	requires these delineations to be determined by the
Page 6 1 is that right? 2 A. That's correct. 3 Q. Is that Exhibit 2023? 4 A. That's correct. 5 Q. Okay. We will get to that one. Are there any other errors or clarifications in either your '692 for supplemental declaration or your '245 supplemental declaration that you would like to tell me about? 9 A. Not that I'm aware of now, no, thank you. 10 Q. If you could turn, please, in your '245 declaration prior to that. 11 A. Okay. 12 A. Okay. 13 Q. If you could turn - it's a long paragraph - if you could turn to the second page of it toward the end. 14 A. Okay. 15 A. Okay. 16 A. Okay. 17 Q. If you could turn to the second page of it toward the end. 18 YMR. GILBERTSON: 19 Q. If we will get to that one. Are there any other errors or clarifications in either your '692 for? A. So, again, I'm referring back to just the statements that she made, for example, as I outlined in paragraph 2 of my declaration prior to that. Q. And part of your understanding of her statements is that it would require that each application must redefine spatial boundaries of the delineated active areas? MR. KEAN: Objection. Form. THE WITNESS: I don't know about redefined. I mean, I'm referring back to the statements that I redefine syatial boundaries of the delineated active areas? MR. GILBERTSON: Q. If you could turn - it's a long paragraph - if you could turn to the second page of it toward the end. A. Okay. Q. Just for the benefit of the record, could you read in live, or out loud, the last sentence of that paragraph. A. The last sentence of paragraph 7 of 1042, Exhibit 1042, is, Thus, Dr. MacLean's requirement that 20 A. The last sentence of paragraph 7 of 1042, Exhibit 1042, is, Thus, Dr. MacLean's requirement that 21 Candot refering to where Dr. MacLean says that	24	clarification that we can get to in a bit relating to an	24	application and its specific requirements, not by the
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1 is that right? 2 A. That's correct. 3 O. Is that Exhibit 2023? 4 A. That's correct. 5 O. Okay. We will get to that one. Are there any 6 other errors or clarifications in either your '692 7 supplemental declaration or your '245 supplemental 8 declaration that you would like to tell me about? 9 A. Not that I'm aware of now, no, thank you. 10 O. If you could turn, please, in your '245 1d declaration to paragraph 7. 11 A. Okay. 12 A. Okay. 13 O. This relates generally to delineated active 1 areas, how they're configured or designated. Do you 1 save paragraph 7 in front of you? 16 A. I do, yes. 17 O. If you could turn it's a long paragraph if 18 you could turn to the second page of it toward the end. 18 O. Okay. 19 O. Just for the benefit of the record, could you 12 read in live, or out loud, the last sentence of that 22 Exhibit 1042, is, Thus, Dr. MacLean's requirement that 2		Page 6		Page 8
Q. Is that Exhibit 2023? A. That's correct. Q. Okay. We will get to that one. Are there any other errors or clarifications in either your '692 of the errors or clarifications in either your '692 of the errors or clarification or your '245 supplemental declaration that you would like to tell me about? A. Not that I'm aware of now, no, thank you. Q. If you could turn, please, in your '245 declaration prior to that. Q. And part of your understanding of her statements is that it would require that each application must redefine spatial boundaries of the delineated active areas? A. I do, yes. Q. If you could turn - it's a long paragraph if you could turn to the second page of it toward the end. A. Okay. Q. Just for the benefit of the record, could you read in live, or out loud, the last sentence of that paragraph 2, it could be that I was just collectively referring to where Dr. MacLean says that	1		1	BY MR. GILBERTSON:
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spatial demarcations of the delineations according to the application's specific needs. And then she also says -- and that's from paragraph 87 of Exhibit 2003. And then in the same exhibit, paragraph 90, where she says, Claim 1 requires these delineations to be determined by the application.

So sitting here right now, what I'm reading, and again, I don't remember what I was thinking, but she says the application has to determine it, the demarcations, and has to specify them. And so I think that's probably what I was referring to when I say redefine.

Q. Part of what you're doing in the '245 declaration is responding to opinions that Dr. MacLean has expressed; is that right?

MR. KEAN: Objection to the form.

THE WITNESS: Basically, the declaration is a response to only what the other experts had said, so

MacLean and -- Dr. MacLean and Mr. Lim, also, as I recall.

21 BY MR. GILBERTSON:

2.5

Q. And as part of responding to opinions that they expressed, did you feel it was important to try to understand what their opinions were?

A. I think it was important to understand what the

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statements were implying or saying, literally or implying that I refer to, for example, in paragraph 2 of my declaration.

Q. Let me ask you about paragraph 8 of your '245 declaration. Can you turn to that, please.

A. Yes

Q. The second sentence of that paragraph reads, quote, However, the '245 patent does not include any requirement that the spatial boundaries of the delineated active areas themselves must change from application to application, close quote. And the word must is in italics and underlined. Did I read that correctly?

A. I believe so, yes.

Q. And what significance does that point have, in your view?

A. Well, again, it's, I think, referring back to the quotes, the specific statements made by Dr. MacLean that, for example, in the ones that I quote -- or cite in paragraph 2. And as I recall, and I believe this is simply -- what I'm saying here is that applications may; and I believe just from memory, the language of the patent for specifications is always might or may or allowing for it, but not stating that that has to happen, that that must happen.

Q. Would you turn, please, to paragraph 10 of your '245 declaration.

A. Okav.

Q. This paragraph, you address how the '245 patent specification discusses configuring delineated active areas among other things; is that right?

A. Roughly, yes, I'd say that's correct.

Q. And if you could turn to your '692 declaration, paragraph 10. And could you just confirm for me that that's substantively the same paragraph as paragraph 10 in your '245 supplemental declaration?

A. From memory and from just looking at it briefly here, I believe they are the -- substantively the same.

Q. In paragraph 10 of these supplemental
declarations in the '245 and '692 matter, you note that
the patent specification refers several times to
software and other times to application software; is
that right?

A. That's correct.

Q. Are you able to point to any reference in the specification explicitly saying that active areas are defined by system-level software?

A. I don't recall whether I say that in my declaration or not; so just sitting here right now from memory, I don't recall. My recollection of the

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specification is that it just uses the general term
software and enumerates some things in software that -or some computational aspects that generally could not
be written by the application, among other things, as I
describe in paragraph 10. So my sense is that a person
of ordinary skill reading this would understand that
that's a very reasonable place for those delineations to
be specified or managed, either -- by anything running
on the system. So I think a person of ordinary skill
would walk away realizing there's just great flexibility
described there.

Q. And I do understand your view of what a person of ordinary skill would have understood. My question for the moment is whether you are able to point to anything in the specification that explicitly says that the active areas are defined by system-level software.

A. I'm sorry. As I was looking, I lost track of the exact question.

THE WITNESS: Could you read the question back to me.

(The record was read back as requested by the court reporter.)

THE WITNESS: I'm not aware of a place that says that they are. Again, as I stated in my declaration, they could be, and I don't think I cite



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this passage in my declaration, but I'll -- I'm looking at column 14 around -- starting at maybe around 48 down through 54, where it says, Where appropriate, aspects of these systems and techniques can be implemented in a computer program product tangibly embodied in a machine readable storage device for execution by a programmable processor, and method steps can be performed by programmable processor executing a program of instructions to perform functions by operating on input data and generating

So that and the preceding statements that I cite in 1445 through 48 to me leave open very generally where any of the computational aspects that are described in the specifications, because these statements are at the very end, could; so I'm not aware of a place that says, either way, must be done by the application or must be done by the system. As I say in my declaration, I think it could be either.

BY MR. GILBERTSON:

- Q. You have your declaration -- your supplemental declarations and the '245 and '692 patents in front of you; is that right?
- A. That's correct.

 ${\tt Q.}\,$ And in answering my questions about this, you've

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had an opportunity to refer to all of those?

- A. I have not referred to the entirety of the '245 or the '692 patent. I don't have them memorized. So what I'm saying here is, based on my -- what I said in my declaration, and then I went and looked at that same area, so that's really all I've looked at here. So sitting here right now, just from memory, I couldn't tell you beyond that.
- Q. And you don't see anything in your declaration identifying some part of the '245 or '692 patents specification that says that the active areas are defined by system-level software, specifically?
- A. I do not recall, and I do not see any place where I say that the -- those operations must be done by the system software. Again, I think, as I stated in here, they could be done by the system or by an application or by the system on behalf of the application, any variety of those. There's no specification that I recall either way, and I don't see anything in my declaration here in front of me that makes that sort of a statement.
- Q. And the material you quoted a little earlier from column 14, starting at around line 48, you're not suggesting that that passage is specific to system-level software, as opposed to application-level, are you?

 MR. KEAN: Objection. Form.

THE WITNESS: I haven't given that passage great consideration, so, you know, I don't -- I'm not sure. But I think my intent, when I was reciting that a moment ago, was simply to say -- or to provide some other evidence that the patent is very nonspecific about who or what exactly does anything described in the patent. It's just very general. It says, you know, on a -- in a computer program product tangibly embodied and so forth and so on, execution by a programmable processor. So that's very general. That describes any software running on such a device.

- Q. And would you agree that the '245 and '692 specification does, on at least one occasion, specifically refer to areas being definable by an application developer?
- A. I don't recall that offhand, sitting here. If I said that and you want to point me to it in my declaration, I'd be happy to refresh my memory, but I just don't remember.
- Q. Could you take a look at the '245 patent in front of you and turn to column 12, starting at line 26. Let me know when you're there.
 - A. Okay. I'm there.

BY MR. GILBERTSON:

Q. And that last sentence, starting at line 26

1 reads, quote, For example, a game developer could set up
2 control configurations for novice users differently than
3 for advanced users such as mapping different numbers or
4 sizes of delineated active areas in order to reduce the
5 learning time to be proficient and make game control

Did I read that correctly?

easier for first-time players, close quote.

- A. I believe you did, yes.
- Q. And that's a specific reference to application-level configuration; would you agree?

 MR. KEAN: Objection. Form.

THE WITNESS: It clearly is describing how a game developer could set up control. So it doesn't say, you know, the game developer must; but I think that comports with everything I've said in my declaration, which is that certainly applications running could, if they desire -- so desired set up control configurations for anything, for example, novice users, it says here. So I think -- you read it correctly; I read this as could, not must.

- 21 BY MR. GILBERTSON:
- Q. And that passage at column 12, lines 26 through 30, you'd agree is specific to application-level configuration, as opposed to system level configuration; is that right?



12/17/2015 Page $\overline{17}$ Page 19 MR. KEAN: Objection. Form. Q. Do you have those in front of you? 1 THE WITNESS: I think I would agree a game A. I do. 2 2 developer would be developing a game, which would be Q. Back to your supplemental declaration, let's use 3 considered an application. And again, it's -- the the '245 one, paragraph 11, on the -- paragraph 11 has 4 5 word here is could set up; could, not must, but could. 5 three lines and then spills over to another page. And BY MR. GILBERTSON: seven lines down from that, your supplemental 6 6 Q. If you could turn, please, in your '245 7 declaration says, quote, Indeed, the section titled A 7 supplemental declaration to paragraph 11. Taxonomy of Tablets in Exhibit 2023 cited by Mr. Lim R 8 states, unquote. And then you go on and quote A. Okay. 9 9 Q. And in this paragraph in general, you address 10 something, right? 10 Mr. Lim's opinions or some of them relating to tablet A. Correct. 11 11 12 devices; is that right? 12 The material that you're quoting is not in A. That's generally -- generally correct, yes. Exhibit 2023; is that correct? 13 13 14 Q. I'm not going to do this too often, but I would 14 A. That's correct. like to show you one of your supplemental declarations Q. And it's not in Exhibit 2036 from the 00533 15 15 from the '313 patent. 16 16 matter? MR. GILBERTSON: Off the record for a second. A. Right. Correct. That's one of the 17 17 (A discussion off the record was held.) clarifications we meant -- that is the clarification 18 BY MR GILBERTSON: that I wanted to make, as we discussed early on. 19 19 20 O. I'm handing you what has been marked as 20 Q. The material you're quoting relating to A Exhibit 1042 in IPR2015-00533. Is this your Taxonomy of Tablets is from an article online that 21 21 supplemental declaration in the 00533 matter? linked to the exhibit Mr. Lim referred to; is that 22 22 A. It is, I believe, one of three for the '313, and right? 23 23 yes, it would be the 00533 matter. A. It's from the article that -- from which the 2023 24 24 comes from. It's the article that that's associated O. And is that your signature on the last page of 25 2.5 Page 18 Page 20 Exhibit 1042 of the 00533 matter? with, and it's the article that Dr. Lim refers to. In 1 A. Yes, it is. fact, I believe, from memory, he refers to it as 2023 in 2 Q. If you could turn in that declaration to his declaration in two different places. I made notes 3 paragraph 35. here, paragraph 37 and 43 in Mr. Lim's declaration on 4 A. Okay. the '245, I believe he states the name, the full name of 5 Q. Thank you. And just for the benefit of those the article, and then in parentheses after that says 6 reading the transcript, the point here is to -- well, Exhibit 2023. So I inadvertently conflated the article let's start with, am I right that your paragraph 11 in with the exhibit number. So, for example, here, in the your supplemental declaration in the '245 matter is paragraph where you're pointing me to, it would more substantively the same as your paragraph 35 in your correctly read, or I would like to change it to -supplemental declaration in the 00533 matter; do you Q. When you say the paragraph I'm pointing you to, 11 11 agree with that? are you talking about paragraph 11 of your '245 12 12 A. I believe that is correct, both from memory and supplemental declaration? 13 13 from looking at the two documents right now in front of A. My apologies. Yes, that's correct. 14 14 Q. Sorry to interrupt; I just wanted it to be clear. 15 me. 15 Q. And those paragraphs refer in part to an exhibit A. That's okay. So, yes, in my declaration for 16 16 discussed by Mr. Lim, which is Exhibit 1023 -- excuse the -- supplemental declaration for the '245, which is 17 17 me, 2023 in the '245 matter and Exhibit 2036 in the Exhibit 1042, paragraph 11, midway on page 11, which I 18 18 00533 matter; is that right? guess is exhibit page 12, I refer to Exhibit 23. 19 19 A. I believe that is correct, yes. would more clearly say in the article that associated 20 20 with Exhibit 23, or something like that. That's --And I'm handing you those two exhibits, 2023 from 21 21 the '245 matter and 2036 from the 00533 matter. Exhibit 23 is a figure that is included in that article, 22 22 MR. GILBERTSON: Off the record. and it's -- what I intended was the same article that 23 23



BY MR. GILBERTSON:

24

(A discussion off the record was held.)

24

and 43.

Mr. Lim refers to in his declaration in paragraphs 37

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