

1

2

UNITED STATES PATENT AND TRADEMARK OFFICE

3

BEFORE THE PATENT TRIAL AND APPEAL BOARD

4

5

SONY COMPUTER )

6

ENTERTAINMENT AMERICA )

7

LLC, )

8

Petitioner, )

9

v. )

CASE NO.: IPR2015-0229

10

APLIX IP HOLDINGS )

IPR2015-00230

11

CORPORATION, )

12

Patent Owner. )

13

\_\_\_\_\_ )

14

15

16

17

DEPOSITION OF KARON MACLEAN

18

NOVEMBER 17, 2015

19

20

21

The discovery deposition of KARON MACLEAN, taken in

22

the above-entitled cause, before Spencer J. Charest, BCSRA

23

No. 429, Official reporter, on the 17th of November, 2015,

24

at 1253 Johnston Street, Vancouver, B.C.

25

1 APPEARANCES:

2 ERISE IP  
3 5600 Greenwood Plaza Blvd.  
4 Suite 200  
5 Greenwood Village, CO 80111  
6 (720) 689-5440

7 BY: MR. ABRAN KEAN.

8 On behalf of the Petitioner;

9 GREEN ESPEL PLLP  
10 222 SOUTH NINTH STREET  
11 SUITE 2200  
12 MINNEAPOLIS, MINNESOTA 55402

13 BY: ROBERT J. GILBERTSON,

14 On behalf of the Patent Owner.

15  
16 ALSO PRESENT: CALLIE PENDERGRASS,  
17 SENIOR TECHNICAL ADVISOR  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

INDEX OF EXAMINATIONS

EXAMINATION	PAGE
Examination of Karon Maclean by Mr. Kean	4

E X H I B I T S

NUMBER	DESCRIPTION	PAGE
Exhibit		
1037	Users guide for the Treo 270	22
Exhibit	Hand-drawn illustration of Liebenow	
1038	figure 7 and also Griffin figure 2	169
Exhibit		
1039	User manual for Flight Simulator	204

1 EXAMINATION

2 BY MR. KEAN:

3 Q. Good morning. Will you state your name for the  
4 record, please.

5 A. Karon MacLean.

6 Q. And, Dr. MacLean, have you been deposed before?

7 A. No, I have not.

8 Q. I'm going to give you just a few ground rules for  
9 a deposition. I'll ask questions. Please provide verbal  
10 answers. Obviously nodding is hard to get on the record,  
11 so please provide verbal answers to help the court  
12 reporter. Also I'll try not to talk over you, and if you  
13 would extend the same courtesy to me that would make the  
14 court reporter's job much easier.

15 We can take a break whenever you like so if you  
16 want to take a break just let me know. We can do that any  
17 time. It's not a marathon today.

18 If my question is unclear please ask for a  
19 clarification. If you answer my question I will assume  
20 that you understood it; is that fair?

21 A. Yes.

22 Q. Is there any reason why you'd be unable to  
23 testify accurately and truthfully today?

24 A. Not that I can think of.

25 Q. Today's deposition is going to cover declarations

1 you prepared and signed in two inter partes review  
2 proceedings. One is IPR2015-00229, and that involves US  
3 patent number 7667692. And the second proceeding will be  
4 discussing today is IPR2015-00230, and that concerns US  
5 patent number 7463245.

6 If I refer to those two proceedings today as the  
7 692 and the 245 proceeding will you understand what I'm  
8 referring to?

9 A. Yes.

10 Q. And I'm going to hand you the declarations that  
11 you've provided in these two proceedings.

12 First I'm going to hand you what has previously  
13 been marked as Exhibit 2003, and this is the declaration  
14 you provided in the 245 proceeding. And next I'm going to  
15 hand you what has also been marked Exhibit 2003, but this  
16 one is in the 692 proceeding. And this is the declaration  
17 you provided in that proceeding.

18 Dr. MacLean, I believe you said you've not been  
19 deposed before; is that right?

20 A. Correct.

21 Q. Have you been involved in any capacity in any  
22 previous litigation?

23 A. No, I have not.

24 Q. Have you been involved in any capacity in any  
25 previous patent office proceedings?

# 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.