

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

SUMMIT 6 LLC,	(	3: 11-CV-00367-0
Plaintiff,	(	
	(	
VERSUS	(	DALLAS, TEXAS
	(	
RESEARCH IN MOTION CORP.,	(	
Defendants.	(	APRIL 4, 2013

VOLUME 1

TRANSCRIPT OF TRIAL

BEFORE THE HONORABLE REED C. O'CONNOR  
UNITED STATES DISTRICT JUDGE, and a jury

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1 Mr. Nelson, did you rest in front of the jury?

2 MR. NELSON: Yes.

3 THE COURT: You did. Very good.

4 Samsung has rested and now we're in the rebuttal portion  
5 of the trial. And Summit 6 is calling Dr. Jones in the  
6 rebuttal phase of the trial.

7 And that -- that just means his testimony is limited to  
8 issues that Samsung raised in their portion of the trial that  
9 were not already addressed in Summit 6's case in chief.

10 So that -- it's just a technical way the process goes.  
11 We don't just keep it wide open, then we'd never end. It's --  
12 the trial narrows. And so he's only permitted to talk about  
13 things that were raised by Samsung in Samsung's defense. So  
14 it won't be a rehash of the earlier testimony.

15 DIRECT EXAMINATION

16 BY MS. MOORE:

17 Q. Good morning, Dr. Jones.

18 A. Good morning.

19 Q. Good to have you back.

20 I'd like to ask you about Samsung's validity challenge to  
21 the Summit 6 patent, the '482 patent.

22 A. Okay.

23 Q. What does Samsung have to show to prove invalidity of  
24 Summit 6's patent?

25 A. Well, they have to show by clear and convincing evidence

1 about.

2 Is there something in claim 38 that the Mattes patent  
3 just does not teach?

4 A. Yes.

5 In the Mattes patent what's -- what's really going on is  
6 the client, as I said, is shipping these photographs up. And  
7 this is over a -- at least portions of it, over a wireless  
8 network.

9 And what -- what happens is the server up at the -- the  
10 top end, it's looking at those images and -- and it describes  
11 them as analyzing the images.

12 So it get an image, it looks at it, it decides whether  
13 it's good enough, or too good, and then sends a message back  
14 something saying give me another one if it doesn't like what  
15 it's got

16 Q. So the server is controlling giving a thumbs-up or  
17 thumbs-down and then the server -- the phone just keeps  
18 retrying?

19 A. That's right.

20 What the server is doing it -- the server is looking at  
21 -- analyzing the image to see -- according to the  
22 specification it says, it's analyzing it to see if the image  
23 is of high enough quality and looking for things like noise in  
24 the image.

25 That's not something that is -- is -- well, that's a very

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