

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

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4 \_\_\_\_\_  
5 APPLE INC.

6 Petitioner

7 v.

8 VIRNETX, INC.

9 Patent Owner

10 \_\_\_\_\_  
11 Case No. IPR2015-00810

12 Patent No. 8,868,705

13 Case Nos. IPR2015-00811

14 and IPR-2015-00812

15 Patent No. 8,850,009  
16 \_\_\_\_\_

17  
18 DEPOSITION OF DR. ROBERTO TAMASSIA

19 Volume One

20 Washington, D.C.

21 November 12, 2015  
22  
23

24 Reported by: Mary Ann Payonk

25 Job No. 99551

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November 12, 2015  
9:00 a.m.

Deposition of DR. ROBERTO TAMASSIA,  
Volume One, held at the offices of Sidley  
Austin, 1501 K Street, N.W., Washington, D.C.,  
pursuant to Notice before Mary Ann Payonk,  
Nationally Certified Realtime Reporter and  
Notary Public of the District of Columbia,  
Commonwealth of Virginia, States of Maryland  
and New York.

1 APPEARANCES:

2 ON BEHALF OF VIRNETX INC.:

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1 DR. ROBERTO TAMASSIA,  
2 called as a witness, having been duly  
3 sworn, was examined and testified as  
4 follows:

5 EXAMINATION

6 BY MR. PALYS:

7 Q. Good morning.

8 A. Yes, good morning.

9 Q. Can you please state your name and  
10 spell it for the record.

11 A. Yes. Roberto Tamassia.

12 R-O-B-E-R-T-O T-A-M-A-S-S-I-A.

13 Q. And, Mr. Tamassia -- or Dr. Tamassia?

14 A. Yeah, Roberto, as you please.

15 Q. You are here to provide  
16 cross-examination with respect to your direct  
17 testimony that you provided in some IPR matters  
18 involving VirnetX patents. Is that accurate?

19 A. Yes.

20 Q. Okay. And you submitted a  
21 declaration in a few matters relating to  
22 VirnetX patents; correct?

23 A. Yes, it's correct.

24 MR. PALYS: Okay. I'm going to  
25 hand you a copy of a document that's

1           been previously labeled Exhibit 1005,  
2           and it's entitled "Declaration of  
3           Roberto Tamassia regarding u.S. Patent  
4           numbers 8,868,705 and 8,850,009."  
5           (Exhibit No. 1005, previously marked, was  
6           referenced and indexed.)

7   BY MR. PALYS:

8           Q.    I'll just hand this to you.

9           A.    Thank you.

10          Q.    Do you recognize Exhibit 1005, sir?

11          A.    So scanning through it, I seem to  
12          recognize. I've not check all the pages. I  
13          trust you gave me what this is meant to be.

14          Q.    Okay. Now, Exhibit 1005, as you can  
15          see on the first page, relates to the two  
16          patent numbers that I identified. And I'm  
17          going to refer to those patents today as the  
18          '705 and the '009 patents.

19                    Do you understand?

20          A.    Yes, I do.

21          Q.    Can you turn to page 174 of  
22          Exhibit 1005, please. And is that your  
23          signature on page 174?

24          A.    Yes.

25          Q.    Okay. So this Exhibit 1005 is a

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