5	APPLE INC.,	
6	Petitioner	
7	v.	CERTIFIED COPY
8	VIRNETX, INC.,	
9	Patent Owner	
10		
11	Case IPR2014-00237	
12	Case IPR2014-00238	
13	Patent No. 8,504,697	
14		-
15		
16		
17		
18	DEPOSITION OF MICHAEL FRATTO	
19	Washington, D.C.	
20	August 14, 2014	
21		
22		
23		
24	Reported by: Mary Ann Payonk	
25	Job No. 83382	
-		



5	Thursday, August 14, 2014
6	9:00 a.m.
7	
8	Deposition of MICHAEL FRATTO, held at
9	the offices of Sidley Austin, 1501 K Street,
10	NW, Washington, DC, pursuant to Notice
11	before Mary Ann Payonk, Nationally Certified
12	Realtime Reporter and Notary Public of the
13	District of Columbia, Commonwealth of Virginia,
14	States of Maryland and New York.
15	
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23	
24	
25	

4 JOSEPH PALYS	
5 DANIEL ZEILBERGE	R
6 PAUL HASTINGS	
7 875 15th Stree	et, NW
8 Washington, Do	C 20005
9	
ON BEHALF OF APPLE INC.	:
SCOTT BORDER	
12 JEFFREY KUSHAN	
13 SIDLEY AUSTIN	
14 1501 K Street	, NW
Washington, Do	C 20005
16	
17 ALSO PRESENT:	
Jason Stach (By )	phone)
19	
20	
21	
22	
23	
24	
25	

4	follows:		
5	EXAMINATION		
6	BY MR. MODI:		
7	Q.	Good morning, Mr. Fratto.	
8	A.	Good morning.	
9	Q.	How are you today?	
10	A.	Fine. Yourself?	
11	Q.	Good, thanks.	
12		Can you state your full name for the	
13	record?		
14	A.	It's Michael Fratto.	
15	Q.	What is your address?	
16	A.	105 Marion Avenue, Syracuse,	
17	New York.		
18	Q.	Have you ever been deposed before?	
19	A.	I have not.	
20	Q.	Have you testified in court before?	
21	A.	I have not.	
22	Q.	You understand you are under oath	
23	today?		
24	A.	Yes, I do.	
25	Q.	And you also understand that I'll be	

```
-- and the answers?
               We will be taking breaks
5
    periodically, but if there's a pending
6
7
     question, I would ask that you answer that
8
     before we take a break. Is that fair?
               Yes.
          Α.
               Your lawyer may object today.
          Q.
10
11
     have to answer anyway unless he instructs you
12
     not to answer.
13
               Do you understand that?
14
          Α.
               Yes.
15
               If you don't understand a question,
          Q.
     please let me know. I'll try my best to
16
     rephrase it. But if not, I'm going to assume
17
     you understand it. Is that fair?
18
19
          Α.
               Yes.
20
          Q.
               I'm really bad at this. I'll try my
21
     best. We will have to try our best not to
22
     speak over each other today. Is that --
23
          Α.
               Yes.
```

- 24 You understand that? Q.
- 25 Do you have any questions before we

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