		Page 1
1	UNITED STATES PATENT AND TRADEMARK OFFICE	
2		
3	BEFORE THE PATENT TRIAL AND APPEAL BOARD	
4		
5		
	APPLE INC.	
6	Petitioner	
7	v.	
8	VIRNETX INC. AND APPLICATION	
	INTERNATIONAL CORPORATION	
9	Patent Owner	
10		
	Case No. IPR2015-00810 (Patent 8,868,705 B2)	
11	Case No. IPR2015-00811 (Patent 8,868,705 B2)	
	Case No. IPR2015-00812 (Patent 8,850,009 B2)	
12		
13		
14		
15	DEPOSITION OF FABIAN MONROSE, Ph.D.	
16	Washington, D.C.	
17	Thursday, March 3, 2016	
18		
19		
20		
21		
22		
23		
24	Reported by: John L. Harmonson, RPR	



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Page 2
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2
5
                                 March 3, 2016
                                 9:32 a.m.
7
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9
          Deposition of FABIAN MONROSE, Ph.D., held at
     the offices of Paul Hastings LLP, 875 15th
10
     Street, N.W., Washington, D.C., before John L.
11
12
     Harmonson, a Registered Professional Reporter and
13
     Notary Public of the District of Columbia, who
14
     officiated in administering the oath to the
15
     witness.
16
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Page 3
1
                    APPEARANCES
2
     On Behalf of Petitioner, Apple Inc.:
3
          SIDLEY AUSTIN
          1501 K Street, N.W.
          Washington, D.C. 20005
7
          BY:
               SCOTT BORDER, ESQ.
8
               THOMAS BROUGHAN III, ESQ.
9
10
     On Behalf of Patent Owner, VirnetX Inc.:
11
          PAUL HASTINGS
12
          875 Fifteenth Street
13
          Washington, D.C. 20005
14
               DANIEL ZEILBERGER, ESQ.
          BY:
15
               JOSEPH PALYS, ESQ.
16
17
18
19
20
21
22
23
24
25
```



	Page 4
1	
2	PROCEEDINGS
3	9:32 a.m.
4	
5	Whereupon,
6	FABIAN MONROSE, Ph.D.,
7	after having been first duly sworn or affirmed,
8	was examined and did testify under oath as
9	follows:
10	
11	EXAMINATION
12	BY MR. BORDER:
13	Q. Good morning, Dr. Monrose.
14	A. Good morning.
15	Q. This is not the first time you've been
16	deposed in this series of proceedings, correct?
17	A. That is correct.
18	Q. So as you know, if you need to take a
19	break, please let me know. If you don't mind,
20	let me finish my line of questioning, but if you
21	need a break, again just let me know.
22	Give your counsel time to object. To
23	the extent that he does not instruct you not to
24	answer, please answer my question.
25	All right. Let's start with your



Page 5

- declaration in -- So there's three declarations
- you've filed, as you might recall, the 810, 811
- $^3$  and the 812 proceedings. Is it okay if we just
- <sup>4</sup> refer to them as 810, 811, 812?
- 5 A. That will be fine.
- 6 Q. There's two that involve Beser and
- <sup>7</sup> there's one that involves Aventail. Do you have
- 8 copies of them already?
- <sup>9</sup> A. I do.
- Q. So let's start with the 811. I'll
- just hand your counsel -- this is Exhibit 216 in
- the 811 proceeding.
- All right. Why don't we -- why don't
- we turn to Paragraph 30. Do you have it?
- A. I do. Paragraph 30.
- Q. Why did you bold "in the connection
- request in Paragraph 30?
- 18 A. As stated here in my declaration, I
- believe that the petitioner points to the
- connection request, and I'm responding to that
- 21 alleged as meeting the limitations. And
- furthermore, during the deposition of
- Dr. Tamassia, he in fact indicated that what he
- was pointing to is in fact the connection
- <sup>25</sup> request.



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