

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

4
5
6 APPLE INC.
7 Petitioner
8 v.
9 VIRNETX INC. AND APPLICATION
INTERNATIONAL CORPORATION
Patent Owner

10
11 Case No. IPR2015-00866
Case No. IPR2015-00867
Case No. IPR2015-00868
12 Case No. IPR2015-00869
Case No. IPR2015-00870
13 Case No. IPR2015-00871
14 Patent No. 8,458,341
Patent No. 8,516,131
15 Patent No. 8,560,705

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17
18 DEPOSITION OF ROBERTO TAMASSIA
19 Washington, D.C.
20 Thursday, January 14, 2016
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23

24 Reported by: John L. Harmonson, RPR
25 Job No. 99553

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January 14, 2016

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9:09 a.m.

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Deposition of ROBERTO TAMASSIA, held at the
offices of Sidley Austin, LLP, 1501 K Street,
N.W., Washington, D.C., before John L. Harmonson,
a Registered Professional Reporter and Notary
Public of the District of Columbia, who
officiated in administering the oath to the
witness.

A P P E A R A N C E S

On Behalf of Petitioner, Apple Inc.:

SIDLEY AUSTIN

1501 K Street, N.W.

Washington, D.C. 20005

BY: THOMAS BROUGHAN III, ESQ.

SCOTT BORDER, ESQ.

On Behalf of Patent Owner, VirnetX Inc.:

PAUL HASTINGS

875 15th Street, N.W.

Washington, D.C. 20005

BY: JOSEPH PALYS, ESQ.

DANIEL ZEILBERGER, ESQ.

CHETAN BANSAL, ESQ.

P R O C E E D I N G S

9:09 a.m.

Whereupon,

ROBERTO TAMASSIA,

after having been first duly sworn or affirmed,
was examined and did testify under oath as
follows:

EXAMINATION

BY MR. ZEILBERGER: 09:09:30

Q. Good morning. 09:09:31

A. Hello. Good morning. 09:09:33

Q. Can you please state your name and
spell it for the record. 09:09:35
09:09:37

A. Yes. Roberto Tamassia, R-o-b-e-r-t-o,
T-a-m-a-s-s-i-a. 09:09:38
09:09:44

Q. And you've been deposed before,
correct? 09:09:47
09:09:49

A. That's right. 09:09:52

Q. When were you deposed? 09:09:53

A. So I was deposed back in mid-November
on the Apple v. VirnetX case by Joe, who is here. 09:09:54
09:09:58

Q. Is that the only time you've been
deposed? 09:10:05
09:10:08

1 A. I was deposed also a second time on a 09:10:09
2 different matter on Dunstan v. ComScore. That 09:10:12
3 was in December -- 09:10:24
4 MR. ZEILBERGER: Can we take a quick 09:10:26
5 break, please. 09:10:28
6 (Off the record.)
7 BY MR. ZEILBERGER: 09:12:19
8 Q. You understand you're here today for 09:12:33
9 the deposition in IPR2013-00866, IPR2015-00868, 09:12:35
10 IPR2015-00870, and IPR2015-00871, correct? 09:12:42
11 A. I guess so. I don't remember exactly 09:12:52
12 the numbers, but if you show me my declaration, I 09:12:54
13 can confirm. 09:12:58
14 Q. So without your declaration, you won't 09:13:02
15 know which proceedings your declaration is 09:13:04
16 relative to? 09:13:08
17 A. I remember which patents they are 09:13:09
18 about. I don't remember the exact string of the 09:13:12
19 proceedings. 09:13:15
20 Q. So I'm handing you what's already been 09:13:34
21 labeled as Exhibit 1005. 09:13:38
22 So with having the declaration in 09:14:03
23 front of you now, I'll ask you the question 09:14:05
24 again. Do you understand you're here today for 09:14:08
25 the deposition in IPR2015-00866, IPR2015-00868, 09:14:09

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