

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

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

-----x
APPLE INC., :
Petitioner, : Case IPR2014-00237
v. : Patent 8,504,697
VIRNETX, INC. AND SCIENCE :
APPLICATION INTERNATIONAL : Case IPR2014-00238
CORPORATION, : Patent 8,504,697
Patent Owner. :
-----x

Deposition of FABIAN NEWMAN MONROSE, Ph.D.
Washington, DC
Thursday, October 23, 2014
9:00 a.m.

Job No.: 68382
Pages: 1 - 296
Reported By: Lee Bursten, RMR, CRR



DEPOSITION OF FABIAN NEWMAN MONROSE, Ph.D.
CONDUCTED ON THURSDAY, OCTOBER 23, 2014

2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

Deposition of FABIAN NEWMAN MONROSE, Ph.D.,
held at the offices of:

PAUL HASTINGS LLP
875 15th Street, NW
Washington, DC 20005
(202) 551-1700

Pursuant to agreement, before Lee Bursten,
Registered Merit Reporter, Certified Realtime
Reporter, and Notary Public in and for the District
of Columbia, who officiated in administering the oath
to the witness.

DEPOSITION OF FABIAN NEWMAN MONROSE, Ph.D.
CONDUCTED ON THURSDAY, OCTOBER 23, 2014

3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

A P P E A R A N C E S

ON BEHALF OF PETITIONER:

JEFFREY P. KUSHAN, ESQUIRE

SCOTT M. BORDER, ESQUIRE

SIDLEY AUSTIN LLP

1501 K Street, NW

Washington, DC 20005

(202) 736-8000

ON BEHALF OF PATENT OWNER:

JOSEPH E. PALYS, ESQUIRE

PAUL HASTINGS LLP

875 15th Street, NW

Washington, DC 20005

(202) 551-1700

PLANET DEPOS

888.433.3767 | WWW.PLANETDEPOS.COM

Apple v. VirnetX, et al. IPR2014-00237 and IPR2014-00238

DEPOSITION OF FABIAN NEWMAN MONROSE, Ph.D.
CONDUCTED ON THURSDAY, OCTOBER 23, 2014

4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

A P P E A R A N C E S C O N T I N U E D

ON BEHALF OF PATENT OWNER:

JASON E. STACH, ESQUIRE
FINNEGAN HENDERSON FARABOW GARRETT
& DUNNER LLP
3500 SunTrust Plaza
303 Peachtree Street, NE
Atlanta, Georgia 30308
(404) 653-6400

ON BEHALF OF PATENT OWNER:

JAMES STEIN, ESQUIRE
FINNEGAN HENDERSON FARABOW GARRETT
& DUNNER LLP
3500 SunTrust Plaza
303 Peachtree Street, NE
Atlanta, Georgia 30308
(404) 653-6400
(Present via telephone)



DEPOSITION OF FABIAN NEWMAN MONROSE, Ph.D.
CONDUCTED ON THURSDAY, OCTOBER 23, 2014

5

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

C O N T E N T S

EXAMINATION OF FABIAN NEWMAN MONROSE, Ph.D.	PAGE
By Mr. Kushan	7

E X H I B I T S

(Exhibits retained by counsel)

(Exhibit 1082 attached to transcript)

PETITIONER APPLE INC. DEPOSITION EXHIBITS	PAGE
Exhibit 1082 RFC 2535	98

PETITIONER APPLE INC. PREVIOUSLY

MARKED DEPOSITION EXHIBITS	PAGE
Exhibit 1001 US Patent 8,504,697 to Larson et al.	9
Exhibit 1008 US Patent 5,898,830 to Wesinger, Jr. et al.	234
Exhibit 1009 US Patent 6,496,867 to Beser et al.	160

PLANET DEPOS

888.433.3767 | WWW.PLANETDEPOS.COM

Apple v. VirnetX, et al. IPR2014-00237 and IPR2014-00238



Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.