

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

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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

16  
17  
18 DEPOSITION OF ROBERTO TAMASSIA  
19 Washington, D.C.  
20 Thursday, January 14, 2016  
21  
22  
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

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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.

1 -----

2 P R O C E E D I N G S

3 9:09 a.m.

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5 Whereupon,

6 ROBERTO TAMASSIA,

7 after having been first duly sworn or affirmed,

8 was examined and did testify under oath as

9 follows:

10 EXAMINATION

11 BY MR. ZEILBERGER: 09:09:30

12 Q. Good morning. 09:09:31

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

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

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

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

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

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

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

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