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Sandy Ginoza
February 8, 2013

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1 Deposition of INTERNET ENGINEERING TASK FORCE,
2 THROUGH ITS DESIGNATED REPRESENTATIVE SANDY GINOZA,
3 taken on behalf of Respondent APPLE INC., commencing at
4 8:57 a.m., Friday, February 8, 2013, at 750 North Nash
5 Street, El Segundo, California 90245, before LINDSAY
6 PINKHAM, CSR 3716, CCCR.
7
8 APPEARANCES OF COUNSEL:
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14 PHIL MAZO, VIDEOGRAPHER
15
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RESPONDENT'S EXHIBITS

No. 1	Subpoena Ad Testificandum	14
No. 2	Subpoena Duces Tecum	15
No. 3	Document entitled "Declaration of the RFC Publisher for the Internet Engineering Task Force, an Organized Activity of the Internet Society"	16
No. 4	Document entitled "The Tao of IETF: A Novice's Guide to the Internet Engineering Task Force"	18
No. 5	RFC 1034, 337-TA-858-IETF00022 thru 00073	20
No. 6	RFC 1035, 337-TA-858-IETF00074 thru 00125	22
No. 7	RFC 1123, 337-TA-858-IETF00241 thru 00337	23
No. 8	RFC 1631, 337-TA-858-IETF00345 thru 00354	25
No. 9	RFC 1889, 337-TA-858-IETF00541 thru 00611	27
No. 10	RFC 2052, 337-TA-858-IETF00715 thru 00724	29

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No. 11	RFC 2065, 337-TA-858-IETF00725 thru 00763	30
No. 12	RFC 2131, 337-TA-858-IETF00764 thru 00806	32
No. 13	RFC 2167, 337-TA-858-IETF02137 thru 02196	34
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No. 21	RFC 883, 337-TA-858-IETF02064 thru 02136	48

INFORMATION REQUESTED
(None)

QUESTIONS WITNESS INSTRUCTED NOT TO ANSWER
(None)

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1 EL SEGUNDO, CALIFORNIA; FRIDAY, FEBRUARY 8, 2013 2 8:57 A.M. 3 4 THE VIDEOGRAPHER: We are on the record at 8:57 5 a.m. This is the videotaped deposition of Sandy Ginoza, 6 representing the Internet Engineering Task Force in the 7 matter of Certain Devices With Security Communication 8 Capabilities, Components Thereof, and Products 9 Containing the Same, in Investigation No. 337-TA-858. 10 This deposition is being held at Hyatt Place, 750 11 North Nash Street, El Segundo, California, 90245, on 12 February 8, 2013. 13 My name is Phil Mazo, and I am the 14 videographer. I am present on behalf of Stratos Legal. 15 The court reporter is Lindsay Pinkham, also present on 16 behalf of the Stratos Legal. 17 Counsel will now state their appearances and 18 firm affiliation for the record. 19 MS. PESCHEL: Leisa Talbert Peschel, Williams, 20 Morgan & Amerson, on behalf of Apple Inc. 21 MS. PETREDIS: Lara Petredis, Urrabazo Law, 22 P.C., on behalf of SAIC. 23 MR. RIDINGS: Matt Ridings from Thompson Hine 24 on behalf of IETF. 25 And I'd also like to note before we get started	1 EXAMINATION 2 BY MS. PESCHEL: 3 Q Ms. Ginoza, have you ever had your deposition 4 taken before? 5 A No. 6 MS. GRESKOWIAK: I'm sorry. Could you speak 7 up? It's hard to hear. 8 MS. PESCHEL: Sure. 9 Q Have you ever had your deposition taken before? 10 A No. 11 Q So in the beginning, I'm just going to go 12 through a series of questions to kind of get us on the 13 same page about the deposition. 14 A Okay. 15 Q You understand that the court reporter's here 16 to take down what you say? 17 A Yes. 18 Q And that any answers that you give need to be 19 spoken out loud rather than a nod? 20 A Okay. 21 Q So that she can take that down? 22 A Yes. 23 Q I'm going to try my best not to talk over you, 24 and I would ask you to agree not to do the same. 25 A Okay.
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1 for the record that about an hour ago I received a 2 number of exhibits from counsel for VirnetX, including 3 some exhibits that IETF has not produced in respond to 4 the subpoena. 5 I have not had a chance to review these 6 exhibits, the deponent has not had a chance to review 7 these exhibits, and frankly, as a matter of professional 8 courtesy, I really don't appreciate receiving these an 9 hour before the deposition. I don't think it's 10 appropriate. And we'll deal with those when we get 11 there. But I just want to note that for the record. 12 THE VIDEOGRAPHER: Counsel on the phone? 13 MS. GRESKOWIAK: This is Stacie Greskowiak on 14 behalf of complainant VirnetX, Inc. 15 THE VIDEOGRAPHER: Will the court reporter 16 please swear in the witness. 17 18 INTERNET ENGINEERING TASK FORCE, THROUGH 19 ITS DESIGNATED REPRESENTATIVE, SANDY GINOZA 20 having been first duly sworn, 21 was examined and testified as follows: 22 23 THE VIDEOGRAPHER: We may proceed. 24 /// 25 ///	1 Q I try to ask very clear questions, but 2 sometimes I don't succeed. Will you agree to let me 3 know if you don't understand what I'm asking? 4 A Yes. 5 Q Will you also agree to let me know if the 6 answer you're giving is a guess or an estimate? 7 A Yes. 8 Q And can I assume that if you don't qualify your 9 answer as a guess or an estimate, that it is not a guess 10 or an estimate? 11 A Yes. 12 Q Will you agree to let me know if later in the 13 deposition you need to change an answer you gave 14 previously, if you think of something additional? 15 A Sure. 16 Q About every hour we'll probably take a short 17 break. If for any reason you need a break sooner than 18 that, will you just let me know? 19 A Sure. 20 Q And are you feeling okay today? 21 A Yes. 22 Q There's nothing physically that would prevent 23 you from giving truthful and accurate testimony? 24 A No. 25 Q And you're not on any medication that would

3 (Pages 6 to 9)

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Sandy Ginoza
February 8, 2013

<p style="text-align: right;">Page 10</p> <p>1 prevent you from giving truthful or accurate testimony? 2 A No. 3 Q Do you have any questions so far? 4 A No. 5 Q And you understand that you're here today 6 testifying on behalf of the Internet Engineering Task 7 Force? 8 A Yes. 9 Q And that your answers are given on behalf of 10 the IETF? 11 A Yes. 12 Q And you understand when I refer to "IETF," that 13 I'm referring to the Internet Engineering Task Force? 14 A Yes. 15 Q If you need to give an answer on a personal 16 basis, please qualify your answer as such. 17 A Okay. 18 Q And you understand that if I ask a question, 19 I'm really asking a question to the IETF and not to you 20 personally, unless I specifically address it to you 21 personally. 22 A Okay. 23 Q Now, I do want to talk a little bit with you 24 about your personal background and history. What is 25 your current relationship with the IETF?</p>	<p style="text-align: right;">Page 12</p> <p>1 the IETF. But I was a project assistant. 2 Q And what was your next position? 3 A I believe it was a -- weird titles -- 4 administrative assistant to the senior editor after 5 that, and I left that, ISI, as senior editor. 6 Q And when did you leave ISI? 7 A January of 2010. 8 Q And what happened in January of 2010? 9 A The contract to provide the RFC Editor services 10 was transferred over to AMS, and... 11 Q Did you go with -- 12 A Yes, I did. 13 Q You went with the functionality. So what are 14 the current responsibilities that you have? 15 A It's very similar to what I was doing 16 previously. It's tracking the documents through the 17 publication process once they've been approved for 18 publication. 19 Q And does that involve maintaining any of the 20 records? 21 A Yes. 22 Q What functions would you -- do you perform for 23 maintaining the records? 24 A So once -- I don't personally input the initial 25 information into our database, but one of our staff</p>
<p style="text-align: right;">Page 11</p> <p>1 A I am responsible -- I'm the RFC Director, so 2 the RFC Publication Director, and so we publish the IETF 3 documents that come out as RFCs. 4 Q And how long have you been involved in the 5 IETF? 6 A Thirteen-ish years. 7 Q And what was your position when you started 8 with the IETF? 9 A Similar to what I am doing now, but I probably 10 started as a project assistant. 11 Q Okay. So what would have been your 12 responsibilities at that time? 13 A The documents that were approved for 14 publication, it would be to enter them into a queue, 15 track them through the process, format them, edit the 16 documents, interact with the authors to make sure that 17 the documents say what they wanted to say, and then 18 publish the documents on the website. 19 Q Okay. And have you been publishing the 20 documents, the RFC documents, for that whole time 21 period, the 13 years? 22 A Yes. 23 Q What was your first position with the IETF? 24 A Well, I really worked for ISI, which is part of 25 USC, but the contract included receiving documents from</p>	<p style="text-align: right;">Page 13</p> <p>1 people does. And we track the documents, make sure they 2 get edited, interact with the authors, get author 3 approval to publish the documents, and then when the 4 authors sign off on it, I would then go input the 5 correct -- any corrected data into the database, update 6 the indexes, place the document online, and send out an 7 announcement that the document is available. 8 Q When is the document considered published by 9 the IETF? 10 A The IETF considers it published on the date the 11 announcement is sent. It's possible that it may be in a 12 public repository a day or two before that, but it's 13 considered when the announcement is sent, because that's 14 when people know it's there. 15 Q And who has access to the repository? 16 A Everyone. Anyone who has access to the 17 Internet. 18 Q So a member of the public could go on the 19 Internet and search for a particular RFC and be able to 20 see that? 21 A Yes. 22 Q Do you know how far back the records go? 23 A Records for? 24 Q The RFCs. 25 A The records that are online?</p>

4 (Pages 10 to 13)

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