

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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M2M SOLUTIONS LLC,

Civil Action No. 12-30-RGA

Plaintiff,

v.

SIERRA WIRELESS AMERICA, INC.,  
and SIERRA WIRELESS, INC.,

Defendants.

M2M SOLUTIONS LLC,

Civil Action No. 12-32-RGA

Plaintiff,

v.

ENFORA, INC., NOVATEL WIRELESS  
SOLUTIONS, INC., and NOVATEL  
WIRELESS, INC.,

Defendants.

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VOLUME I of II

VIDEOTAPED DEPOSITION OF KEVIN J. NEGUS, Ph.D.

Taken at:

Comfort Inn

75 Baxter Lane

Butte, Montana

May 21, 2015

9:10 a.m.

1 (A brief record was taken.)

2 VIDEOGRAPHER: This is Tape 8 of the  
3 videotaped deposition of Kevin Negus.

4 The time is 5:38 p.m. We're on the record.

5 BY MR. HENSCHKE:

6 Q. In May of 2000, would a person of ordinary  
7 skill have been familiar with the infrared data  
8 association, IrDA specification, that cover serial  
9 infrared optical communication links?

10 A. I would certainly include it. I knew it very  
11 well. I was involved with it. And it was actually  
12 written at my division at Hewlett Packard.

13 Q. And a person of ordinary skill would have  
14 understood that the data transmissions that are made over  
15 a serial infrared link did not involve any packet  
16 switching, correct?

17 A. No, I don't believe that would be their  
18 understanding. There was nothing in IrDA that would  
19 preclude packet-switched messages from traversing over the  
20 link. I've certainly used IrDA back at that time frame to  
21 pass information that would include packet-switched  
22 messages.

23 Q. But there was -- there would have been no  
24 packet switching occurring over the infrared link,  
25 correct?

1           A. Packet switching doesn't occur over any link  
2           in any media. That's not what packet switching is.  
3           Packet switching is a reference to routing. Routing  
4           occurs at routers, not over a link. So routing, routing  
5           has nothing to do with the link.

6           Perhaps you don't understand the difference between  
7           Layer 2 and Layer 3 and the protocol. Packet switching is  
8           a reference to Layer 3 and to routing; a link is a  
9           reference to Layer 2, so which Layer 2 is the link layer.  
10          And so IrDA, you're taxing my memory a little, but I  
11          believe IrDA like, for example, 802.11, Wi-Fi, everybody  
12          knows Wi-Fi is wireless.

13          Everybody knows Wi-Fi with their router and being  
14          packet switched, but Wi-Fi, like IrDA, is just a Layer 2  
15          and Layer 1 protocol. There is no Layer 3 described in  
16          any of the IEEE standards that we call "Wi-Fi," or in  
17          IrDA. So just as you can do packet-switch stuff over  
18          Wi-Fi, you can equally do it over IrDA, or GSM, or IS-54,  
19          or CDPD, or any number of link-layer standards.

20          Q. Do the GPRS standards that you cite in your  
21          expert report, those would be the GSM 03.60 and the GSM  
22          07.60, do those, in your opinion, teach a mobile equipment  
23          device that has the capability to process the data content  
24          of a GPRS data message?

25                   MS. BRANN: Objection; form.