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BEFORE THE PATENT TRIAL AND APPEAL BOARD

- - - - -x

LG ELECTRONICS, INC.; LG :  
ELECTRONICS USA, INC.; LG :  
ELECTRONICS MOBILECOMM USA, INC. : Case No.  
vs. : IPR2015-01984

CORE WIRELESS : Patent No.  
- - - - -x 8,434,020

LG ELECTRONICS, INC.; LG :  
ELECTRONICS USA, INC.; LG :  
ELECTRONICS MOBILECOMMUSA, INC. : Case No.  
vs. : IPR2015-01985

CORE WIRELESS : Patent No.  
- - - - -x 8,713,476

Washington, D.C.  
Wednesday, September 7, 2016

Deposition of:

SCOTT DENNING

Called for oral examination by counsel for LG  
Electronics, pursuant to notice, at the law  
offices of Greenberg Trauig, 1750 Tysons  
Boulevard, Suite 1000, McLean, Virginia, before  
Denise M. Brunet, RPR, a Notary Public in and for  
the Commonwealth of Virginia, beginning at  
9:58 a.m., when were present on behalf of the  
respective parties:

Page 2	Page 4
<p>1 APPEARANCES</p> <p>2</p> <p>3 On behalf of LG Electronics:</p> <p>4 NICHOLAS A. BROWN, ESQUIRE</p> <p>5 Greenberg Trauig, LLP</p> <p>6 Four Embarcadero Center</p> <p>7 Suite 3000</p> <p>8 San Francisco, California 94111</p> <p>9 (415) 655-1271</p> <p>10 brownn@gtlaw.com</p> <p>11</p> <p>12 On behalf of Core Wireless:</p> <p>13 WAYNE HELGE, ESQUIRE</p> <p>14 WALTER D. DAVIS, JR., ESQUIRE</p> <p>15 Davidson Berquist Jackson &amp; Gowdey, LLP</p> <p>16 8300 Greensboro Drive</p> <p>17 Suite 500</p> <p>18 McLean, Virginia 22102</p> <p>19 (571) 765-7709</p> <p>20 whelge@dbjg.com</p> <p>21</p> <p>22</p>	<p>1 PROCEEDINGS</p> <p>2 WHEREUPON,</p> <p>3 SCOTT DENNING,</p> <p>4 called as a witness, and after having been first</p> <p>5 duly sworn, was examined and testified as follows:</p> <p>6 EXAMINATION BY COUNSEL FOR LG ELECTRONICS</p> <p>7 BY MR. BROWN:</p> <p>8 Q Good morning, Mr. Denning.</p> <p>9 A Good morning.</p> <p>10 Q Can you please state your full name for</p> <p>11 the record.</p> <p>12 A Scott Andrew Denning.</p> <p>13 Q And what is your current address?</p> <p>14 A 11855 Windmill Road, Colorado Springs,</p> <p>15 Colorado, 80908.</p> <p>16 MR. HELGE: Nick, just to jump in here,</p> <p>17 my understanding is we're here for deposition on</p> <p>18 LG Electronics, Inc., v. Core Wireless Licensing</p> <p>19 S.A.R.L., which is IPR 2015-01984 and 01985; is</p> <p>20 that correct?</p> <p>21 MR. BROWN: Yes.</p> <p>22 BY MR. BROWN:</p>
Page 3	Page 5
<p>1 CONTENTS</p> <p>2 EXAMINATION BY: PAGE:</p> <p>3 Counsel for LG Electronics 4</p> <p>4 Counsel for Core Wireless 179</p> <p>5 Counsel for LG Electronics 186</p> <p>6</p> <p>7 DEPOSITION EXHIBITS: PAGE:</p> <p>8 Exhibit A U.S. Patent 8,434,020 9</p> <p>9 Exhibit B U.S. Patent 6,415,164 10</p> <p>10 Exhibit 1010 Excerpt from 12/99 issue of Popular</p> <p>11 Science 130</p> <p>12 Exhibit 1011 User's guide from R380s</p> <p>13 smartphone 132</p> <p>14 Exhibit 1012 Press release dated 3/18/99 137</p> <p>15 Exhibit 1013 Press release from EE Times</p> <p>16 dated 3/18/99 139</p> <p>17</p> <p>18</p> <p>19 (*Exhibits attached to the transcript.)</p> <p>20</p> <p>21</p> <p>22</p>	<p>1 Q You understand you're here for a</p> <p>2 deposition in the two IPRs that your counsel just</p> <p>3 described; is that right?</p> <p>4 A Yes.</p> <p>5 Q And you submitted a declaration in each</p> <p>6 of those two IPRs?</p> <p>7 A Yes.</p> <p>8 Q And a copy of that declaration is in</p> <p>9 front of you?</p> <p>10 A Yes.</p> <p>11 Q And it's marked as Exhibit 2001 in those</p> <p>12 IPRs down in the bottom right-hand corner?</p> <p>13 A Yes.</p> <p>14 Q If you turn to page 40. That's your</p> <p>15 signature?</p> <p>16 A Yes.</p> <p>17 Q And you signed this declaration on</p> <p>18 June 30th, 2016?</p> <p>19 A Yes.</p> <p>20 Q Attached to the end of your declaration,</p> <p>21 after page 40, is what appears to be your CV. Is</p> <p>22 that, in fact, your CV?</p>

<p style="text-align: right;">Page 6</p> <p>1 A Yeah. That is a version of my CV.  2 Q Is that a current version of your CV?  3 A No.  4 Q Was this the current version of your CV  5 as of June 30th, 2016?  6 A Yes.  7 Q What has changed about your CV since  8 then?  9 A On the first page, under inter partes  10 review declarations, there are a couple more that  11 have been added. Also under the expert services  12 retainers, there's some additional listings there.  13 Q The first one you identified was the IPR  14 declarations; is that right?  15 A Yes.  16 Q What has been added there?  17 A I'm sorry. I've been thinking about this  18 case for so long now, I'm not able to think of the  19 others that I've been working on before.  20 Q Okay. So there are some other IPRs other  21 than this case that you've added here, but you  22 can't remember them right now?</p>	<p style="text-align: right;">Page 8</p> <p>1 MR. HELGE: Okay.  2 THE WITNESS: Yeah. I wasn't allowed to  3 post them on my CV until they had been.  4 MR. HELGE: Okay. Just wanted to make  5 sure.  6 BY MR. BROWN:  7 Q So you filed declarations in a matter  8 involving Alarm.com and Vivant; is that right?  9 A That's correct.  10 Q And in that -- was it a single IPR?  11 Several IPRs?  12 A There are several.  13 Q And on behalf of which party did you  14 submit a declaration?  15 A Vivant.  16 Q Other than these Vivant IPRs, are there  17 any other additional matters that are added to  18 your CV in comparison to the one that we have  19 attached to your declaration here?  20 A I don't recall any others.  21 Q I've handed you a copy of U.S. patent  22 8,434,020. Do you recognize this -- and you</p>
<p style="text-align: right;">Page 7</p> <p>1 A That's correct.  2 Q Okay. And you said there were some  3 things added to expert services retainers. Do you  4 remember what those are?  5 A They go together.  6 Q Oh, they go together?  7 A Yeah.  8 Q Do you remember anything about the IPR  9 declarations, for example, the area of technology  10 or anything like that?  11 A Yes, I do. It's alarm-related.  12 Q Alarm-related?  13 A Yes. Actually, that gave me the clue  14 there. So the case is actually Alarm.com versus  15 Vivant, V-I-V-A-N-T.  16 Q Which party --  17 MR. HELGE: Nick, can I jump in real  18 quick?  19 MR. BROWN: Sure.  20 MR. HELGE: Just because I'm not sure if  21 those declarations had actually been filed.  22 THE WITNESS: They have.</p>	<p style="text-align: right;">Page 9</p> <p>1 understand that patents are typically referred to  2 by their last three digits?  3 A Yes.  4 MR. HELGE: I note that this one is not  5 marked with an exhibit number. There should have  6 been an Exhibit 1001 already of record in the  7 case.  8 MR. BROWN: I'll stipulate that this  9 patent is Exhibit 1001 in each case. I think you  10 might remember that there are two different -- the  11 reason I'm using the one without the exhibit  12 number is that it applies in each case.  13 MR. HELGE: Do we need to have the  14 reporter mark this?  15 MR. BROWN: Sure, we can mark it as  16 Exhibit 1001.  17 MR. HELGE: Well, I would not use the  18 same number that's already a record in the case.  19 Maybe Exhibit A or something like that.  20 MR. BROWN: That's fine. Can we mark  21 this as Exhibit A?  22 (Deposition Exhibit Letter A was marked</p>

<p style="text-align: right;">Page 10</p> <p>1 for identification.)  2 BY MR. BROWN:  3 Q Do you recognize this as a copy of the  4 '020 patent?  5 A Yes.  6 Q I also have a copy of U.S. patent  7 6,415,164 to Blanchard.  8 MR. HELGE: And let's do the same --  9 MR. BROWN: Do you want to do the same  10 thing?  11 MR. HELGE: Please. Let's do the same  12 thing.  13 MR. BROWN: Okay. Could we mark this as  14 Exhibit B.  15 (Deposition Exhibit Letter B was marked  16 for identification.)  17 BY MR. BROWN:  18 Q Mr. Denning, do you recognize this as a  19 copy of the Blanchard patent that you have offered  20 opinions about in your declaration?  21 A Yes.  22 Q If you could turn to your declaration at</p>	<p style="text-align: right;">Page 12</p> <p>1 software is implemented with monolithic  2 instructions, or an operating program as discussed  3 by Oommen, and that these instructions would  4 include subroutines, perhaps dynamically linked as  5 Oommen describes, that can be called to perform  6 various features of the operating program."  7 Correct?  8 A Yes.  9 Q Let me give you a copy of what has been  10 previously marked as Exhibit 2009 in both IPRs.  11 This is a copy of U.S. patent 6,993,328 to Oommen,  12 and that is the Oommen that you're referring to in  13 your declaration, correct?  14 A Yes.  15 Q So in your opinion, Blanchard is  16 describing a phone that would use the type of  17 software that's described in Oommen as opposed to  18 applications; is that correct?  19 MR. HELGE: Object to form.  20 THE WITNESS: Yes.  21 BY MR. BROWN:  22 Q What is the difference between the type</p>
<p style="text-align: right;">Page 11</p> <p>1 page 24. Actually, why don't we go back to  2 page 22, paragraph 43. You state near the bottom  3 of that paragraph, starting four lines from the  4 bottom, "Blanchard never discloses that the  5 features shown in these screens are implemented  6 with applications."  7 Do you see that?  8 A Yes.  9 Q So it's your opinion that Blanchard  10 doesn't describe the use of applications, correct?  11 A Yes.  12 Q If you turn to paragraph 46 on page 24,  13 you produced figure 1 from Blanchard at the top of  14 that page, correct?  15 A Yes.  16 Q Then near the bottom of page 24, you  17 state, "If any conclusion could be reached by a  18 POSITA" -- let's stop there for a second. That's  19 an acronym that refers to a person of ordinary  20 skill in the art; is that correct?  21 A That is correct.  22 Q Go on -- "it would be that Blanchard</p>	<p style="text-align: right;">Page 13</p> <p>1 of software that's described in Oommen and the  2 applications that you say are not present in  3 Blanchard or Oommen?  4 A Oommen describes a software architecture  5 that would be considered as monolithic by one  6 skilled in the art, that meaning -- monolithic  7 being an all-inclusive, one application, meaning  8 that there are various levels of subroutines and  9 functions that are all included in a single large  10 executable program.  11 This monolithic program in the case of  12 Blanchard includes functions for contacts. It  13 includes functions for text or dialing a phone,  14 various things like that, that are all included  15 within this same program.  16 The other way of designing software is to  17 use application operating system type architecture  18 where the operating system manages the lower level  19 functions of the phone and various applications  20 sit on top of that. The applications can each be  21 launched individually. They're executed and  22 loaded one by one. An operating system is capable</p>

<p style="text-align: right;">Page 14</p> <p>1 of executing multiple applications simultaneously,  2 typically. In a monolithic software architecture,  3 there is only one program running ever.  4 Q I believe you said in Blanchard there are  5 functions for contacts, dialing a phone and text  6 messages; is that accurate?  7 A I believe that's what I said.  8 Q And do you believe it's accurate that a  9 person of ordinary skill in the art would  10 understand that the phone in Blanchard had  11 functions for dialing the phone, sending text  12 messages and displaying contacts?  13 MR. HELGE: Object to form.  14 THE WITNESS: Well, Blanchard itself  15 never goes into details of exactly what is  16 implemented where. You can just kind of look at  17 the figures and determine some of the things that  18 he had in mind that would be implemented with this  19 invention.  20 BY MR. BROWN:  21 Q Well, if you look at figure 3, for  22 example -- actually, let's back up. Let's start</p>	<p style="text-align: right;">Page 16</p> <p>1 Do you see that one?  2 A Yes.  3 Q And it has a book icon highlighted in the  4 top row. Do you see that?  5 A Yes.  6 Q And then the first line of text says,  7 "Phone book"?  8 A Yes.  9 Q And then there's another line of text  10 with a filled-in oval next to it that says, "View  11 all." Do you see that?  12 A Yes.  13 Q A person of ordinary skill in the art  14 would understand that selecting that "view all"  15 option would show you the entries in the phone  16 book, right?  17 MR. HELGE: Object to form.  18 THE WITNESS: You know, I don't know that  19 you can say that.  20 BY MR. BROWN:  21 Q In your opinion, what would a person of  22 ordinary skill in the art understand would happen</p>
<p style="text-align: right;">Page 15</p> <p>1 with figure 2. Figure 2 shows a phone, correct?  2 A Yes.  3 Q And using the phone shown in figure 2, a  4 person of ordinary skill in the art would  5 understand that you could call a phone number.  6 A Yes.  7 Q And you could receive a phone call,  8 correct?  9 A Yes.  10 Q So those would be functions available  11 within the phone in Blanchard?  12 MR. HELGE: Object to form.  13 THE WITNESS: That is correct.  14 BY MR. BROWN:  15 Q To address your counsel's objection, is  16 it correct that dialing a phone number is a  17 function available within the phone in Blanchard?  18 MR. HELGE: Object to form.  19 THE WITNESS: Yes.  20 BY MR. BROWN:  21 Q And if you look at figure 3, there's a  22 series of screens, and one of them is marked 320.</p>	<p style="text-align: right;">Page 17</p> <p>1 if you selected this "view all" option that's  2 highlighted in screen 320?  3 MR. HELGE: Objection.  4 THE WITNESS: I just don't know that I'm  5 given enough information to make assumptions about  6 what the menu items on this does. For example,  7 there could be multiple phone books. Maybe I'm  8 going to view all the phone books. I mean, I  9 don't know. I can't say what this particular  10 function does.  11 BY MR. BROWN:  12 Q I think you said before that Blanchard  13 describes a function for contacts. Do you  14 remember that?  15 MR. HELGE: Object to form.  16 THE WITNESS: Yes.  17 BY MR. BROWN:  18 Q Can you point out in Blanchard what the  19 function is for contacts that you were thinking  20 of?  21 A No, I can't.  22 Q In your opinion, could a person of</p>

5 (Pages 14 - 17)

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