

**Samsung Petitioners' Submission in
Response to Proposed Supplemental
Information from Patent Owner Pursuant to
Motion filed Under 37 C.F.R. § 42.123(b).**

PROFFERED BY PATENT OWNER

John David Villasenor - CONFIDENTIAL - OUTSIDE ATTORNEYS' EYES ONLY - 8/25/2017
Evolved Wireless, LLC vs. Samsung Electronics Co. Ltd., et al.

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UNITED STATES DISTRICT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

EVOLVED WIRELESS, LLC,)
)
Plaintiff,)
)
vs.) Case No.
) C.A. 15-545-SLR-SRF
SAMSUNG ELECTRONICS CO.)
LTD., and SAMSUNG ELECTRONICS)
AMERICA, INC.,)
)
Defendants.)
_____)

CONFIDENTIAL -- OUTSIDE ATTORNEYS' EYES ONLY
SOURCE CODE

VIDEO DEPOSITION OF JOHN DAVID VILLASENOR,
taken on behalf of STRAIGHT PATH IP GROUP, INC., at
QUINN EMANUEL URQUHART & SULLIVAN, LLP, 555 Twin
Dolphin Drive, Suite 560, Redwood Shores,
California, beginning at 9:02 A.M., Friday,
August 25, 2017, before QUYEN N. DO, Certified
Shorthand Reporter No. 12447.

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1 **A** **I'm sorry. Which page?**

2 **Q** You -- page 7, I believe, is the summary
3 of your opinions.

4 **A** **Oh, I see.**

5 **Q** If you want to refer to that or the table
6 of contents, whatever you want to refer to, to
7 answer these questions. I was just trying to give
8 you a road map.

9 **A** **That's correct. I haven't -- I have not**
10 **opined on the noninfringing alternatives.**

11 **Q** Okay. And I think we testified earlier
12 you're not offering opinions on invalidity, right?

13 **A** **Correct.**

14 **Q** And you're not offering opinions as to the
15 benefits of LTE, correct?

16 **A** **I have not offered those opinions.**

17 **Q** And you're not offering opinions in
18 rebuttal to Dr. Cooklev's opinions as to the
19 correlation between the LTE benefits and the
20 asserted patents, right?

21 **A** **I don't believe I've addressed that.**

22 MR. SCHULTZ: Okay. We've been going
23 about an hour. Why don't we take a short break?

24 THE VIDEOGRAPHER: Going off the record at

25 10:02 a.m.

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1 **I have addressed.**

2 Q The first transmitting element is the one
3 that you opine as a basis of noninfringement, right?

4 A **I focus my -- my discussion on that, but**
5 **that element, of course, relates to several of the**
6 **prior elements.**

7 Q Are you opining that the accused Samsung
8 products do not determine whether there is data
9 stored in the Msg3 buffer when the uplink grant
10 signal is on the specific message?

11 A **I'm not sure I understand the question.**

12 Q I'm just asking, are you opining that this
13 determination step does not occur in the Samsung
14 accused products?

15 A **I'd have to look at exactly what I said.**
16 **I -- I framed my response in light of the first**
17 **transmitting element. But, again, there are --**
18 **there are implications in that element relating to**
19 **some of the other elements.**

20 Q Okay. And what about the second
21 determination step in Claim 1; are you opining that
22 the accused Samsung products do not infringe,
23 because they do not perform that determination step?

24 A **Same answer.**

25 Q What about the last, transmitting new data

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1 limitation; do you opine that the accused Samsung
2 products do not perform that transmission of new
3 data?

4 **A I don't believe I addressed the -- that**
5 **"transmitting new data" claim element in my report.**

6 **Q Now, you do not offer any opinions that**
7 **the accused Samsung products do not infringe**
8 **dependent Claims 2 through 6 for independent reasons**
9 **beyond the one you provided for Claim 1, right?**

10 **A That's correct. In -- in other words,**
11 **just to make sure there's no misunderstanding, I**
12 **believe those claims are not infringed. But -- but**
13 **the reason that I've expressed is that the**
14 **independent claim does not infringe, and so, of**
15 **course, that means the associated dependent claims**
16 **cannot be infringed.**

17 **Q Right. But you don't have any independent**
18 **opinions of noninfringement on any of the dependent**
19 **claims, right?**

20 **A It's confusing to use the word**
21 **"independent" in that question.**

22 **Q Okay.**

23 **A So I -- I don't have any distinct opinions**
24 **that apply only to any of the dependent claims.**

25 **Q Okay. All right. And the same would be**

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