```
 1            UNITED STATES PATENT AND TRADEMARK OFFICE

 2            BEFORE THE PATENT TRIAL AND APPEAL BOARD

 3

 4      APPLE INC.                    )

 5                    Petitioner,     )

 6                    v.              )   CASE NO.: IPR2016-01198

 7      VOIP-PAL.COM, INC.            )   Patent 9,179,005

 8                    Patent Owner.   )

 9      _____      )

10

11

12

13          The discovery deposition of DAVID TERRY, taken in

14      the above-entitled cause, before Alyssa Fontaine, official

15      reporter, on the 24th of March, 2017, 1055 W Georgia St,

16      Vancouver, BC V6C 2L1

17

18

19

20

21

22

23

24

25
```

```
 1   APPEARANCES:

 2            ERISE IP

 3            5600 Greenwood Plaza Blvd.

 4            Suite 200

 5            Greenwood Village, CO  80111

 6            (720) 689-5441

 7            BY:  MR. PAUL HART

 8                 On behalf of the Petitioner;

 9            KNOBBE, MARTENS, OLSEN & BEAR, LLP

10            2040 Main Street, 14th Floor

11            Irvine, CA  92614

12            (858) 707-4000

13            BY:  MR. KERRY TAYLOR (by phone)

14                 On behalf of the Patent Owner.

15

16   ALSO PRESENT:

17            David Gileff

18

19

20

21

22

23

24

25
```

```
 1                      I N D E X

 2

 3    INDEX OF EXAMINATIONS

 4

 5    EXAMINATION                                        PAGE

 6         By Mr. Hart                                   4

 7         By Mr. Taylor                                 73

 8         By Mr. Hart                                   79

 9

10                      E X H I B I T S

11

12    NUMBER                 DESCRIPTION                 PAGE

13    Exhibit 2003:    Technical review of Digifonica    15

14                     VoIP system

15    Exhibit 2017:    System architecture diagram       17

16    Exhibit 2014:    Source code for the RBR server    24

17    Exhibit 2015:    SVN log messages                  30

18    Exhibit 2018:    Mr. Terry's declaration           36

19    Exhibit 225:     Email                             41

20    Exhibit 226:     Email                             43

21

22

23

24

25
```

```
 1                VANCOUVER, BRITISH COLUMBIA, CANADA

 2                      MARCH 24, 2017

 3                          *****

 4                       DAVID TERRY,

 5    called as a witness, having been first affirmed, was

 6    examined and testified as follows:

 7

 8                       EXAMINATION

 9    BY MR. HART:

10        Q.  Can you please state your name for the record?

11        A.  David Terry.

12        Q.  And, Mr. Terry, have you been deposed before?

13        A.  No.

14        Q.  Okay.  I'll go through just a few ground rules to

15    kind of get you up to speed.  It is my job to ask good

16    questions.  If you don't understand any part of my

17    question, please ask for clarification.  And if you answer

18    my question, I'm going to assume that you understood it;

19    is that fair?

20        A.  Fair enough.

21        Q.  Two major rules that are important for the court

22    reporter:  Number one is we can't talk over each other;

23    she can only take one person speaking at a time.  Number

24    2, audible answers only, instead of -- "yes" or "no"

25    instead of head nod or shake.
```

1   A.   Okay.

2   **Q.   And with that, let's get started.**

3   A.   M'mm-hmm.

4   **Q.   Can you describe your post high school education?**

5   A.   Yes. I did a bachelors degree in computer

6   science, University of Victoria, and I have done other

7   course work at UBC and BCIT.

8   **Q.   Okay. And the University of Victoria is the only**

9   **degree?**

10   A.   Yes.

11   **Q.   Can you give me a brief work history after**

12   **college, after your degree, up to Digifonica?**

13   A.   Yes. I started off working at a startup and

14   moved on from there to Nortel Networks, moved from there

15   to Motorola, moved from Motorola to another startup, and

16   then to Digifonica.

17   **Q.   Okay. Can we break those down with general times**

18   **and your titles or responsibilities in each of those?**

19   A.   Yeah, software engineer basically throughout.

20   **Q.   Okay.**

21   A.   The longest was at Motorola. I worked for about

22   three years at Motorola. I don't know if you want exact

23   dates, I don't have them off the top of my head, but the

24   longest is Motorola; and Nortel, I think, was two years;

25   Bycast Systems was another two years; and my first job at

DOCKET ALARM

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

fastcase®
Smarter legal research.