

1 UNITED STATES PATENT AND TRADEMARK OFFICE
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD
3
4

5 -----
6 JUNIPER NETWORKS, INC.,) U.S. Patent No.
7) 8,942,107
8 Petitioner,) Case IPR2016-01391
9)
10 vs.) U.S. Patent No.
11) 8,155,012
12) Case IPR2016-01389
13 CHRIMAR SYSTEMS, INC.,)
14) U.S. Patent No.
15) 8,902,760
16 Patent Owner.) Case IPR2016-01399
17 -----

18
19 RUCKUS WIRELESS, INC., BROCADE) U.S. Patent No.
20 COMMUNICATION SYSTEMS, INC. AND) 8,942,107
21 NETGEAR, INC.,) Case IPR2017-00718
22)
23 Petitioner,) U.S. Patent No.
24) 8,155,012
25 vs.) Case IPR2017-00790
26)
27 CHRIMAR SYSTEMS, INC.,) U.S. Patent No.
28) 8,902,760
29 Patent Owner.) Case IPR2017-00719
30 -----

31
32 DEPOSITION OF IAN CRAYFORD
33 LOS ANGELES, CALIFORNIA
34 THURSDAY, MARCH 16, 2017
35

36 Job No. 2558546
37 Reported by:
38 RICKI Q. MELTON, RPR
39 CSR No. 9400
40 PAGES 1 - 219

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31 DEPOSITION of IAN CRAYFORD, taken at 1800 Avenue of
32 the Stars, Suite 900, Los Angeles, California,
33 commencing at 9:09 A.M., Thursday, March 16, 2017,
34 before Ricki Q. Melton, CSR 9400, RPR 45429.
35

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1 I N D E X

2
3 THURSDAY, MARCH 16, 2017

4
5 WITNESS: EXAMINATION

6
7 IAN CRAYFORD

8
9 (By Mr. Lewry) 8
10 (P.M. Session) 97
11 (By Ms. Gordnia) 215
12
13

14 UNANSWERED QUESTIONS
15 (None)

16 INFORMATION REQUESTED
17 (None)
18
19
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21
22
23
24
25

Ian Crayford
3/16/2017

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NUMBER	DESCRIPTION	IDENTIFIED
Exhibit 1002-107	Declaration of Ian Crayford Regarding U.S. Patent No. 8,942,107.	13
Exhibit 1010	Maximum Bandwidth A Serious Guide to High-Speed Networking.	23
Exhibit 1006-107	DocServ/WEB/Pull Slip.	61
Exhibit 1007-107	Archive IEEE Standard.	61
Exhibit 1008-107	IEEE Std 802.3u-1995, Supplement to 802.3.	61
Exhibit 1001-107	United States Patent No. US 8,942,107 B2.	69

Page 7

NUMBER	DESCRIPTION	IDENTIFIED
Exhibit 1003-107	International Application Published Under The Patent Cooperation Treaty (PCT).	98
Exhibit 1004-107	United States Patent Number 5,089,927.	99
Exhibit 1005-107	United States Patent 4,173,714.	165
Exhibit 1009-107	United States Patent 4,046,972.	165

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LOS ANGELES, CALIFORNIA, MARCH 16, 2017
9:09 A.M.
-00-

IAN CRAYFORD,
the witness, having been first administered
an oath in accordance with CCP section 2094,
testified as follows:

EXAMINATION

BY MR. LEWRY:

Q Good morning.
A Good morning.
Q Is it "Dr." or "Mr. Crayford"?
A "Mr."
Q Okay. Thank you, Mr. Crayford. I am Tom Lewry, and I'm here today. I'm a lawyer at the firm Brooks Kushman, and we're doing this today by video conference, as you know.
So to start out with, what I'd like to do is -- just for the court reporter's sake -- identify myself and the matters for which this deposition is being taken.
So there are -- again, I'm Thomas Lewry from

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Brooks Kushman. We represent Chrimar Systems, Inc., and Chrimar Systems, Inc., is the patent owner in a series of inter partes reviews in the United States Patent and Trademark Office.
We have sent the court reporter by e-mail the captions for eight different IPRs, which is the acronym we're using for inter partes review, and six of those are officially instituted and consolidated together in one form or another, I guess, and then there are two others which have not been officially consolidated but we're assuming they will be in the near future. So I'm proceeding on that assumption.
And, for the court reporter's sake, I'm not going to read off all the IPR numbers. If -- if -- Ricki, if you don't get the e-mail and don't have the numbers, we can certainly give those to you, but that would be a lengthy process to go through all the numbers.
In any event, Mr. Crayford, do you understand that you are here today to testify with respect to certain IPRs filed by Juniper Networks, Inc.?
A Yes, I do.
Q Okay. And there are -- there are four separate IPRs that were filed by Juniper to your

1 understanding; is that correct?
2 A That's correct.
3 Q Okay. And you are also -- you were also
4 retained, I understand, by Ruckus and Brocade with
5 respect to four IPRs that they filed; is that
6 correct?
7 A That's correct.
8 Q And so you're here today with respect to
9 those IPRs as well; is that right?
10 A Yes, I am.
11 Q Okay.
12 MS. GORDNIA: Tom, can -- should we just
13 state our names for the record?
14 MR. LEWRY: Yeah. That's a good point. I
15 skipped that part. Thank you.
16 MS. GORDNIA: So Talin Gordnia for
17 petitioner Juniper Networks, Inc.
18 MR. TYSON: And Chris Tyson with Duane
19 Morris, and I'm here for Ruckus Wireless, Brocade
20 Communication, and Netgear, Inc.
21 MS. GORDNIA: And before we continue, Tom,
22 so you mentioned a number of IPRs you were referring
23 to. You said six and then eight.
24 You are referring to the joinder IPRs --
25 correct? -- those additional numbers --

1 MR. LEWRY: That's correct.
2 MS. GORDNIA: -- beyond the four?
3 And because we have a number of IPRs and a
4 number of patents here, to the extent it makes sense,
5 I think it would be good if you could identify if you
6 are talking about a particular petition or particular
7 patent or declaration just to make things clearer
8 throughout the day for Mr. Crayford.
9 MR. LEWRY: I will do that. Thank you, yes.
10 MS. GORDNIA: Thank you.
11 MR. LEWRY: And so we can be on the same
12 page for at least most of this, I'm going to focus
13 primarily on the IPR that deals with the '107 patent.
14 Q And if I use that phrase "'107 patent,"
15 Mr. Crayford, you know what I'm referring to?
16 A Yes, I do.
17 Q Okay. And just for the record, that is
18 U.S. patent No. 8,942,107, and the IPR number that's
19 associated with that -- I'll have to get that
20 apparently -- is IPR2016-01391. That's the Juniper
21 version of it. There's also a Ruckus, Brocade,
22 et cetera, version of the same thing.
23 So if I don't specify otherwise, my
24 questions are focused on that particular patent and
25 the IPR related to that.

1 Is that okay if we have that understanding?
2 A Yes, thank you.
3 MS. GORDNIA: Yes.
4 BY MR. LEWRY:
5 Q Thanks.
6 All right. And then if you'd diverge from
7 that, I'll try to make sure I -- I let you know.
8 And then in terms of exhibits -- more of the
9 housekeeping stuff here.
10 In terms of exhibits, we have a set of
11 exhibits that Talin was kind enough to bring that are
12 copies of the exhibits that were filed in the various
13 IPRs, and then we also have a few additional exhibits
14 that the court reporter has that I will be having
15 marked, and then we'll deal with those as those come
16 up as well.
17 So as a starting point, can we start with
18 Mr. Crayford's declaration. I think we asked you to,
19 you know, give us one copy of that, and I know they
20 were -- they were filed in each of the different
21 cases, but if we have the 107 version of
22 Mr. Crayford's declaration.
23 MS. GORDNIA: Sure.
24 THE REPORTER: Do I have that or you
25 have that?

1 MS. GORDNIA: I'm going to give it to you --
2 THE REPORTER: Okay. Very good.
3 MS. GORDNIA: -- so you can mark it, and
4 then you can give it to Mr. Crayford.
5 MR. LEWRY: So we're going to have that
6 called Exhibit 1002-107, if you would.
7 (Exhibit 1002-107 was marked for
8 identification by the reporter
9 and is attached hereto.)
10 BY MR. LEWRY:
11 Q Mr. Crayford, as we proceed through this, if
12 at any time I ask a question and either you can't
13 hear me or you don't understand me for whatever
14 reason or if you just don't understand the question,
15 please let me know and I'll try to clarify as best I
16 can.
17 A Sure. Thank you.
18 Q Okay. And before we get started into the
19 exhibit there, can you just tell me briefly what have
20 you done to prepare for your deposition today.
21 A I met with counsel yesterday, and we spent
22 some time reviewing material. I've also on my own
23 reviewed the -- the -- and you'll excuse me if I use
24 this terminology. I actually know there's four
25 instituted. It was, kind of, new news to me that the

1 other ones have been instituted. So I'm stuck with
2 the thing -- I keep thinking there's four. So if
3 you'll excuse my phraseology there, but --
4 So I reviewed the four declarations. I've
5 reviewed the supporting material for them. Pretty
6 much -- yeah, the materials surrounding the IPRs.
7 Q Okay. And you say you met with counsel.
8 Who in particular did you meet with?
9 A Talin Gordnia, Chris Tyson, who are both
10 present here, and Mike Fleming was also on the phone
11 yesterday.
12 Q Okay. Thanks.
13 And I don't have any problem with calling
14 them four IPRs. My understanding is -- and it's not
15 really relevant here, but my understanding is the
16 other four IPRs are mirrors of the Juniper four IPRs.
17 So either way, four is good for me too.
18 A Okay. Thank you.
19 Q All right. So starting with the exhibit
20 we've identified here as 1002-1007, is that the
21 declaration that you prepared for the '107 patent in
22 the Juniper IPR process?
23 A Yes, it is.
24 Q Okay. And I'd like to start with paragraph
25 50, if you could turn to that paragraph, please.

1 It's on page 17.
2 And -- and paragraph 50 is in a section
3 that's labeled "Level of Ordinary Skill."
4 Do you see that?
5 A Yes.
6 Q And paragraph 50, you're identifying what
7 you believe to be a person of ordinary skill in the
8 art; is that correct?
9 A That's correct.
10 Q And how did you come to this definition of
11 the person of ordinary skill?
12 A Well, having worked in the industry for
13 quite a number of years -- and I believe this is a
14 reasonable expectation -- I don't think there's any
15 dispute between Chrimar and our own opinion in
16 roughly the same terms, if I'm not mistaken.
17 Q Okay. As you sit here today, do you
18 consider yourself to be someone who is -- who has
19 more than ordinary skill?
20 A What I would say is I tried to apply my
21 opinions to the -- to the related art of someone of
22 my skill at that point in time, in around the '98
23 time frame. So I tried to, kind of, transport myself
24 back to there.
25 Q Okay. And so your opinions, as I understand

1 it, are based on what you would believe a person of
2 ordinary skill in the art would think putting
3 yourself in that person's shoes; is that fair?
4 A That's fair.
5 Q But in real life, you are somebody of more
6 than ordinary skill in the art; is that true?
7 A I mean it's a very subjective opinion, but
8 certainly I've got a lot of industry experience.
9 Q All right. A lot more than three years; is
10 that fair?
11 A Yes, I would say that's fair.
12 Q Okay. And you have a B.S. degree in
13 electrical engineering or computer science; correct?
14 A Yes.
15 Q Okay. Do you have any other degrees?
16 A No, I do not.
17 Q One of the items that you have in paragraph
18 50 that you say a person of ordinary skill in the art
19 would have in terms of their experience and education
20 was -- would be knowledge of the behavior of data
21 communication products available on the market.
22 Do you see that? It's the last part of the
23 paragraph there.
24 A Yes, I see it.
25 Q And why was that important to include in

1 the -- as part of the person of ordinary skill in the
2 art's knowledge?
3 A I believe it would be important because --
4 well, obviously for prior art reason, if something
5 was already available in the market, it was -- and
6 what was not available as much as anything. So we
7 could establish what things were being developed
8 versus what things were readily available, if -- if
9 that makes sense.
10 Q Sure.
11 Is part of it that there was -- we'll put
12 time frames on this.
13 I think, in your declaration here, you
14 indicate that the relevant time frame is either '97
15 or '98, but it really does not matter which of the
16 two; is that right?
17 A I don't think it makes much material
18 difference, but it's -- I can't be precise. I
19 wouldn't want to be held down to something that says,
20 if it didn't happen by '98, that it was irrelevant,
21 but yeah, in that time frame.
22 Q Okay. If you want to be more precise, I'm
23 happy to be more precise. You can tell me which date
24 you would like to use. That's fine with me, but I'm
25 happy with the '97/'98 too, if that works for you.

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