

1 Michael Mitzenmacher, PhD
2 IN THE UNITED STATES PATENT AND TRADEMARK
3 OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD
4 APPLE INC.,
5 PETITIONER
6 v.
7 CALIFORNIA INSTITUTE OF TECHNOLOGY
8 PATENT OWNER

9
10 IPR2017-00210
11 IPR2017-00700
12 IPR2017-00219
13 IPR2017-00728
14 IPR2017-00701
15 IPR2017-00297

16 DEPOSITION OF
17 MICHAEL MITZENMACHER, PhD, Volume I
18 Portland, Oregon
19 Wednesday, December 20, 2017

20
21 Reported by:
22 LISA TRONCOSO, RPR, CSR, CLR
23 JOB NO. 135227

24 Apple v. Caltech
25 IPR2017-00297
Apple 1045

1 Michael Mitzenmacher, PhD

2 December 20, 2017

3 9:00 a.m.

4
5 Deposition of MICHAEL MITZENMACHER,
6 PhD, Volume I, held at the offices of Wilson,
7 Sonsini, Goodrich & Rosati, 701 Fifth Avenue,
8 Suite 5100, Seattle, Washington, before
9 Lisa Troncoso, a Registered Professional
10 Reporter, Certified Livenote Reporter, and
11 Oregon Certified Shorthand Reporter
12 Number 14-0429.

13
14
15
16
17
18
19
20
21
22
23
24
25

1 Michael Mitzenmacher, PhD

2 A P P E A R A N C E S

3 WILMERHALE

4 Attorneys for Petitioner

5 60 State Street

6 Boston, MA 02109

7 BY: RICHARD GOLDENBERG, ESQ.

8 - AND -

9 MICHAEL SMITH, ESQ.

10

11 Wilson Sonsini Goodrich & Rosati

12 Attorneys for Patent Owner

13 701 Fifth Avenue

14 Seattle, Washington 98104

15 BY: MICHAEL ROSATO, ESQ.

16 - AND -

17 QUINCY LU, ESQ.

18 - AND -

19 MATTHEW ARGENTI, ESQ. (via telephone)

20

21

22

23

24

25

1 Michael Mitzenmacher, PhD

2 -000-

3 MICHAEL MITZENMACHER, PhD,

4 called as a witness, having first been sworn by
5 the Certified Shorthand Reporter, was examined
6 and testified as follows:

7 MR. ROSATO: Before you start, just
8 so you -- I'm just organizing stuff and
9 noticed this. I think these are just --
10 looks like just clean copies of his
11 declaration, if you want to take a look.

12 MR. GOLDENBERG: Let me just take a
13 peak. That's fine, that will spare us some
14 exhibits.

15 (Michael Mitzenmacher's folder of
16 Declarations, marked.)

17 MR. GOLDENBERG: So, sorry, we did
18 that on the record, right?

19 MR. ROSATO: It looks like we did
20 actually.

21 EXAMINATION BY:

22 MR. GOLDENBERG:

23 Q. Dr. Mitzenmacher, good morning.

24 A. Good morning.

25 Q. My name is Richard Goldenberg and

1 Michael Mitzenmacher, PhD

2 I'll be taking your deposition today.

3 A. Okay.

4 Q. Have you been deposed before?

5 A. Yes.

6 Q. How many times?

7 A. Many. Like, I don't recall, but
8 probably more than twenty.

9 Q. All for patent cases?

10 A. Some of the cases involved like
11 trade secrets or copyright, most of them have
12 been patent cases.

13 Q. And where are you presently
14 employed?

15 A. Harvard University.

16 Q. And are you doing a post in Seattle?
17 I'm just curious why the deposition is in
18 Seattle and not Boston.

19 A. The lawyer sort of said, you know,
20 where would you like to do it and I really
21 didn't have a preference. You know, my parents
22 lived in L.A. on the west coast, so I said I'd
23 be more than happy to come out on the west
24 coast given the cold weather in Boston, and
25 then give me a chance -- I stopped and saw my

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.