

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MOBILE TELECOMMUNICATIONS)
TECHNOLOGIES, LLC)
Plaintiff,)
vs.) No. 2:12-cv-832
SPRINT NEXTEL CORPORATION) JRG-RSP
Defendant.)

_____)

MOBILE TELECOMMUNICATIONS)
TECHNOLOGIES, LLC,)
Plaintiff)
vs.) No. 2:13-cv-259
SAMSUNG TELECOMMUNICATIONS) JRG-RSP
AMERICA, LLC,)
Defendant.)

_____)

MOBILE TELECOMMUNICATIONS)
TECHNOLOGIES, LLC,)
Plaintiff)
vs.) No. 2:13-cv-258
APPLE INC.,) JRG-RSP
Defendant.)

_____)

JOB No. 1830207
PAGES 1 - 159



<p>1 VIDEOTAPED DEPOSITION OF GREGORY PINTER 2 Pleasanton, California 3 Wednesday, April 23, 2014 4 Volume I 5 6 7 8 9 10 11 REPORTED BY: 12 REBECCA L. ROMANO, RPR, CSR No. 12546 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 2</p>	<p>1 VIDEOTAPED DEPOSITION OF GREGORY PINTER, 2 taken on behalf of the Defendant - Apple Inc. at 3 807 Main Street, Pleasanton, California, commencing 4 at 9:21 a.m., Wednesday, April 23, 2014, before 5 Rebecca L. Romano, Certified Shorthand Reporter 6 No. 12546. 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 4</p>
<p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE EASTERN DISTRICT OF TEXAS 3 MARSHALL DIVISION 4 5 MOBILE TELECOMMUNICATIONS) 6 TECHNOLOGIES, LLC) 7 Plaintiff,) 8 vs.) No. 2:12-cv-832 9 SPRINT NEXTEL CORPORATION) JRG-RSP 10 Defendant.) 11 _____) 12 MOBILE TELECOMMUNICATIONS) 13 TECHNOLOGIES, LLC,) 14 Plaintiff) 15 vs.) No. 2:13-cv-259 16 SAMSUNG TELECOMMUNICATIONS) JRG-RSP 17 AMERICA, LLC,) 18 Defendant.) 19 _____) 20 MOBILE TELECOMMUNICATIONS) 21 TECHNOLOGIES, LLC,) 22 Plaintiff) 23 vs.) No. 2:13-cv-258 24 APPLE INC.,) JRG-RSP 25 Defendant.) 26 _____)</p> <p style="text-align: right;">Page 3</p>	<p>1 APPEARANCES OF COUNSEL 2 3 For the Plaintiff: 4 REED & SCARDINO 5 BY: NICHOLAS WYSS 6 Attorney at Law 7 301 Congress Avenue, Suite 1250 8 Austin, Texas 78701 9 (512) 615-5493 10 EMAIL: Nwyss@reedscardino.com 11 12 For the Defendant - Apple Inc.: 13 WEIL GOTSHAL & MANGES 14 BY: ANISH DESAI 15 Attorney at Law 16 1300 Eye Street, N.W., Suite 900 17 Washington, D.C. 20005 18 (202) 682-7103 19 EMAIL: Anish.desai@weil.com 20 21 22 23 24 25</p> <p style="text-align: right;">Page 5</p>

2 (Pages 2 - 5)

Veritext National Deposition & Litigation Services



Find authenticated court documents without watermarks at docketalarm.com.

<p>1 APPEARANCES OF COUNSEL (CONTINUED): 2 3 For the Defendant - Samsung Telecommunications 4 America, LLC: 5 GREENBERG TRAURIG 6 BY: J. RICK TACHE 7 Attorney at Law 8 3161 Michelson Drive, Suite 1000 9 Irvine, California 92612 10 (949) 732-6600 11 EMAIL: Tacher@gtlaw.com 12 13 ALSO PRESENT: 14 Cassia Leet, Videographer 15 Erik Squier 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 6</p>	<p>1 EXHIBITS(con't) 2 NUMBER PAGE 3 DESCRIPTION 4 Exhibit 42 US Patent 5,850,594, 5 Bates APL-MTEL-00292325 6 - APL-MTEL-00292341; 55 7 8 Exhibit 43 US Patent 5,588,009, 9 Bates APL-MTEL-00285300 10 - APL-MTEL-00285348; 61 11 12 13 14 PREVIOUSLY MARKED EXHIBITS 15 Exhibit 3 69 16 17 Exhibit 22 52 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 8</p>
<p>1 INDEX 2 DEPONENT EXAMINATION 3 GREGORY PINTER PAGE 4 VOLUME I 5 BY MR. DESAI 11 6 BY MR. TACHE 84 7 8 9 EXHIBITS 10 NUMBER PAGE 11 DESCRIPTION 12 Exhibit 38 Subpoena to Testify at a 13 Deposition in a Civil 14 Action, 21 Pages; 12 15 16 Exhibit 39 US Patent 5,894,506, 17 Bates MTEL1201859 - 18 MTEL201873; 22 19 20 Exhibit 40 ANSI, Coded Character 21 Sets, 16 Pages; 33 22 23 Exhibit 41 Emoticons Handout, 24 Bates APL-MTEL-00281144 25 - APL-MTEL-00281146; 38</p> <p style="text-align: right;">Page 7</p>	<p>1 Pleasanton, California, Wednesday, April 23, 2013 08:50:57 2 9:21 a.m. 3 ---o0o--- 4 THE VIDEOGRAPHER: Good morning. We are 5 on the record at 9:21 a.m. on April 23rd, 2014. 09:21:53 6 This is the video-recorded deposition of Gregory 7 Pinter. 8 My name is Cassia Leet, here with our 9 court reporter, Rebecca Romano. We are here from 10 Veritext Legal Solutions at the request of counsel 09:22:08 11 for defendant. 12 This deposition is being held at the 13 Rose Hotel, 807 Main Street in Pleasanton, 14 California 94566. The caption of this case is 15 Mobile Telecommunications Technologies, LLC, versus 09:22:22 16 Sprint Nextel Corporation, Lead Case 17 No. 2:12-cv-832 JRG-RSP and related cases. 18 Please note that the audio and video 19 recording will take place unless all parties agree 20 to go off the record. Microphones are sensitive 09:22:42 21 and they pick up whispers, private conversations, 22 and cell phone interference. 23 I am not related to any party in this 24 action, nor am I financially interested in the 25 outcome in any way. 09:22:55</p> <p style="text-align: right;">Page 9</p>

3 (Pages 6 - 9)

Veritext National Deposition & Litigation Services

<p>1 If there any objections to the 09:22:57 2 proceeding, please state them at the time of your 3 appearance, beginning with the noticing attorney. 4 MR. DESAI: Anish Desai, here on behalf 5 of Apple. 09:23:07 6 MR. TACHE: Rick Tache and Erik Squier on 7 behalf of Samsung. 8 MR. WYSS: My name is Nicholas Wyss. I'm 9 here on behalf of MTel. 10 THE VIDEOGRAPHER: Thank you. 09:23:17 11 The witness will be sworn in and counsel 12 may begin the examination. 13 THE REPORTER: If you could raise your 14 right hand for me, please. 15 THE DEPONENT: (Complies.) 12:22:22 16 THE REPORTER: You do solemnly state, 17 under penalty of perjury, that the testimony you're 18 about to give in this deposition shall be the 19 truth, the whole truth, and nothing but the truth? 20 THE VIDEOGRAPHER: Please begin. 12:22:22 21 22 23 24 25 //// 09:23:21</p> <p style="text-align: right;">Page 10</p>	<p>1 Q. I'm going to hand you what's been marked 09:24:06 2 as Exhibit 38. And this is the subpoena to you in 3 this case. 4 (Exhibit 38 was marked for identification 5 by the court reporter and is attached hereto.) 09:24:29 6 Q. (By Mr. Desai) I just have one question 7 about this subpoena, and it's, what did you do, if 8 anything, to search for documents in your 9 possession that were requested in the subpoena? 10 A. Actually, not much. I -- I looked up on 09:24:44 11 the Web the -- the specific patents that were 12 called out here. That's it, just to refresh my 13 memory what they were. 14 Q. Okay. Do you have any documents relating 15 to your work at MTel in your possession? 09:25:05 16 A. I don't believe so. 17 Q. Would you mind just giving me a brief 18 rundown of your education. 19 A. Sure. I went to University of California 20 at Irvine. I graduated in 1977. 09:25:25 21 Q. And after that, were you employed 22 immediately after obtaining your -- 23 A. I was -- 24 Q. -- degree? 25 A. Right. Employed by McDonald Douglas for 09:25:37</p> <p style="text-align: right;">Page 12</p>
<p>1 GREGORY PINTER, 09:23:21 2 having been administered an oath, was examined and 3 testified as follows: 4 EXAMINATION 5 BY MR. DESAI: 08:50:58 6 Q. Good morning, Mr. Pinter. 7 A. Good morning. 8 Q. Could you please state your full name and 9 address for the record. 10 A. Gregory John Pinter, 1288 Lakeland Drive, 09:23:37 11 Livermore, California 94551. 12 Q. Mr. Pinter, have you ever been deposed 13 before? 14 A. Yes. 15 Q. Okay. So you are somewhat familiar with 09:23:48 16 the process? 17 A. Uh-huh. 18 Q. If you need a break while we are going 19 today, just let me know and we will obviously take 20 a break. 09:23:58 21 A. Okay. 22 Q. If you don't understand a question of 23 mine, please let me know and I'll do my best to 24 rephrase the question. 25 A. Okay. 09:24:06</p> <p style="text-align: right;">Page 11</p>	<p>1 eight years, Honeywell for eight years, and then 09:25:39 2 MTel at that point. 3 Q. And what -- when did you join MTel? 4 A. It should have been 1993. 5 Q. All right. And how long were you at 09:25:52 6 MTel? 7 A. About three years, I believe. Somewhere 8 in that ballpark. 9 Q. Why did you leave? 10 A. We had worked on two-way pagers and I was 09:26:03 11 offered a position out here with the -- with the 12 company, Wireless Access, that was making the 13 pagers. So after we finished development of the 14 pagers, I went -- I went to that company and joined 15 them. 09:26:23 16 Q. Okay. And since leaving MTel, could you 17 just give me a brief description of your employment 18 activities. 19 A. So I went to work for Wireless Access for 20 another -- about three years or so. Then I went to 09:26:29 21 work for a company called JP Systems out of Dallas. 22 I was their representative here in the Bay -- 23 representative here in the Bay Area in the -- in 24 the context of business development, VP of business 25 development. 09:26:51</p> <p style="text-align: right;">Page 13</p>

<p>1 And then I went to -- to work for a 09:26:51 2 company -- actually, SAP bought them. What's the 3 name of that company? It escapes me. But they 4 were doing text messaging delivery work, and I was 5 the VP of business development and general manager 09:27:05 6 for that company. And it was subsequently bought 7 by SAP. 8 From there, in 2001, I left, and in 9 200- -- later in 2001, I started a company with a 10 couple other fellows called Net Informer that 09:27:22 11 lasted for eight years. 12 That was, again, starting with the text 13 messaging, and we developed mobile couponing, 14 mobile systems for newspapers and such. And in 15 2008 that was purchased by a newspaper company out 09:27:44 16 of the East Coast. 17 I worked for them for a couple more 18 years. And then since then I have gone to work for 19 a company called JLOOP. And then now I'm currently 20 employed as VP of technology for Virgin's 09:27:57 21 Entertainment. 22 Q. Thank you. 23 Going back to your three years at MTel -- 24 A. Uh-huh. 25 Q. -- what was your role? 09:28:08</p> <p style="text-align: right;">Page 14</p>	<p>1 today. 09:29:41 2 Q. How about Dennis Cameron and William 3 Hays; did they report to you? 4 A. No. 5 Q. What was their relationship with you at 09:29:49 6 MTel? 7 A. They were senior to me. They had offices 8 down the hall. Bill Hays was sort of -- I don't 9 know what his real role was, but kind of chief of 10 technology or something like that, I would say. I 09:30:05 11 wouldn't say chief, but director of technology, 12 let's say. And Dennis was more in the RF side, 13 head of the RF side. 14 Q. Okay. Did you ever work with Rade 15 Petrovic while you were at MTel? 09:30:21 16 A. The name is sort of familiar, but I don't 17 remember. 18 Q. Okay. When did you first learn about 19 this lawsuit that was filed by MTel, LLC, against 20 Samsung and Apple? 09:30:44 21 A. When I received this deposition. 22 Q. When you received the subpoena? 23 A. The subpoena. I'm sorry. Yeah. 24 Q. Okay. Have you had any relationship with 25 the plaintiff in this case, MTel, LLC, prior to 09:30:57</p> <p style="text-align: right;">Page 16</p>
<p>1 A. I was starting off as a -- I don't 09:28:10 2 remember my titles exactly, but something akin to 3 an engineer, engineering manager, and then rose up 4 to director of engineering, if I remember right. 5 Q. Were there any specific aspects of what 09:28:31 6 MTel was doing that you were working on? 7 A. The two-way -- the two-way messaging 8 network is what I was working on. 9 Q. Were you working on the network or on the 10 devices, the handheld devices, or both? 09:28:44 11 A. Both. Both. So I had different 12 responsibilities. I worked directly for the -- 13 the -- I guess he was a VP of technology, 14 Masood Garahi. 15 Q. So Mr. Garahi was your superior? 09:28:58 16 A. Correct. 17 Q. Okay. And as the engineering manager and 18 director of engineering, did you have engineers who 19 reported to you? 20 A. Yes. 09:29:10 21 Q. And who were they? To the extent you can 22 remember. 23 A. Yeah. 24 John Mayes was one. There's another 25 fellow, too. It will probably come to me later 09:29:34</p> <p style="text-align: right;">Page 15</p>	<p>1 receiving your deposition notice? 09:31:03 2 A. They had called me a year, year and a 3 half ago, asking me if I would help them out. And 4 I basically really just had a one- or two-minute 5 conversation; said sure, whenever something comes 09:31:18 6 up, I would be more than happy to help them, so... 7 Q. Aside from that conversation, did you 8 have any other follow-up conversations with 9 MTel, LLC, prior to receiving the subpoena? 10 A. No. 09:31:37 11 Q. Okay. So did you have any involvement in 12 assisting MTel, LLC, with preparing its case 13 against Apple and Samsung? 14 A. No. 15 Q. Do you know either Andrew Fitton or 09:31:50 16 Michael Karper? 17 A. No. 18 Q. Who did you speak to when you -- when you 19 had that conversation? Do you remember? 20 A. I don't remember. I'm sure you can tell 09:32:06 21 me, but I don't remember his name. It's in my 22 phone, but I can't remember his name. 23 Q. Was it an attorney? 24 A. Yes. 25 Q. Was it an attorney at Reed & Scardino? 09:32:16</p> <p style="text-align: right;">Page 17</p>

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.