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11 transcript has not been proofread, the court  
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15 to assist attorneys in their case preparation and  
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18 any pleading or for any other purpose and may not  
19 be filed with any court.

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1 P R O C E E D I N G S

2 whereupon,

4 being first duly sworn or affirmed to testify to  
5 the truth, the whole truth, and nothing but the  
6 truth, was examined and testified as follows:

7 BY MR. FLEMING:

8 Q. I'm Mike Fleming. I'm with Irell &  
9 Manella. And we represent the patent owner.

10 MR. MILKEY: This is Jim Milkey with  
11 Irell & Manella also on behalf of the patent  
12 owner.

13 MR. PANNO: Nick Panno with DLA Piper.  
14 Representing petitioner. And also here today is  
15 Rob Williams.

16 THE WITNESS: Patrick Baudisch.

17 BY MR. FLEMING:

18 Q. Can you state your home address, too?

19 A. My home address is orange 10178, Berlin,  
20 Germany.

21 Q. You understand you have taken an oath to  
22 tell the truth?

23 A. Yes.

24 Q. You understand that this oath is the same  
25 force and effect as if given in a court of law

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1 before a judge and jury?

2 A. Yes.

3 Q. Is there anything preventing you from  
4 giving full and accurate answers today?

5 A. No.

6 Q. Is there any reason you cannot give your  
7 best testimony today?

Page 2

8 A. No.

9 Q. If you do not ask me to clarify a  
10 question, I will assume you understood the  
11 question; is that fair?

12 A. Yes.

13 Q. Are you represented by counsel today?

14 A. Yes.

15 Q. Can you identify the counsel?

16 A. Counsel here from DLA Piper and --

17 MR. PANNO: Nick Panno.

18 BY MR. FLEMING:

19 Q. You understand that you're under oath  
20 even when we take a break?

21 A. Yes.

22 Q. You understand when you are under oath,  
23 you are not to discuss the case while on break or  
24 with anyone outside of this room?

25 A. Yes.

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UNCERTIFIED DRAFT TRANSCRIPT

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1 Q. You understand that when you are under  
2 oath, your counsel cannot coach you, act as an  
3 immediate, interpret the questions, or help you  
4 answer the questions?

5 A. Yes.

6 Q. You understand your counsel cannot  
7 instruct you not to answer the questions unless it  
8 is necessary to preserve privilege?

9 A. Yes.

10 Q. You understand that unless your counsel  
11 instructs you not to answer in order to preserve

Dr Baudisch deposition on May 18 2017 for IPR2016-001372 Draft.txt  
12 privilege, you must answer the question.

13 A. Yes.

14 Q. Did you do anything to prepare for this  
15 deposition?

16 A. Yes. I re-read my own report -- sorry,  
17 my own declaration, and as well as the relevant  
18 patents and applications. And then I also looked  
19 at the institution decision, the preliminary  
20 institution decision, and I looked at the  
21 declaration of the expert on patent owner's side.

22 Q. Were all these documents that you were  
23 reviewing part of the record for the IPR?

24 A. Oh, what you're asking is if I reviewed  
25 anything outside what's already listed in the -- I

5

1 guess in addition I might have looked things up on  
2 the internet, on -- that was yesterday. That was  
3 for the case yesterday, I guess.

4 Nothing comes to mind right now.

5 Q. Have you ever been deposed before?

6 A. Including yesterday, that would be my  
7 third deposition today.

8 Q. Or testified in a court case?

9 A. I testified a couple of years ago in  
10 court for Apple against HTC.

11 Q. Were there any other matters that you've  
12 been an expert witness on?

13 A. Only this case, Apple versus HTC.

14 Q. I want to present you a document, the  
15 doctor's declaration. I'm giving you

16 Exhibit 1002. It's already part of the record of

Page 4

17 the IPR.

18 (Previously marked Patent Owner  
19 Exhibit 1002 marked for identification  
20 and attached to the transcript.)

21 BY MR. FLEMING:

22 Q. Can you tell me what this document is?

23 A. It says declaration of Dr. Patrick  
24 Baudisch.

25 Q. Is this your declaration?

6

1 A. I think so.

2 Q. Would you just look at it and make sure  
3 it's complete and that I've given you everything  
4 that you've filed?

5 A. Sure looks like it.

6 Q. What claim constructions did you apply in  
7 your declaration?

8 A. So as I'm discussing in my report on  
9 pages 14, 15, and 16, several terms were construed  
10 including gesture signal, vector signal, onscreen  
11 signal, generating a dynamic and rational using a  
12 physical model, generating interaction parameter  
13 using animation and module.

14 Q. And for your opinion, you used these  
15 claim constructions to arrive at your opinion?

16 A. That is correct. And I've since also  
17 reviewed the institution decision and the report  
18 of the patent owner's expert; and in part, I  
19 formed an opinion about those constructions as  
20 well.

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