

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2  
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD  
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5  
6 GOOGLE LLC,  
7 Petitioner,

8 v.

9 BLACKBERRY LTD.,  
10 Patent Owner.

11  
12 Case No. IPR2017-01619  
Patent 8,489,868 B2

13  
14 Case No. IPR2017-01620  
15 Patent 8,489,868 B2  
16

17 DEPOSITION OF DR. PATRICK DREW McDANIEL  
18 Washington, D.C.  
19 Wednesday, February 21, 2018  
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23  
24 Reported by: John L. Harmonson, RPR  
25 Job No. 137655

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February 21, 2018  
9:37 a.m.

Deposition of DR. PATRICK DREW McDANIEL,  
held at the offices of Paul Hastings LLP, 875  
Fifteenth Street, N.W. Washington, D.C., pursuant  
to Notice, before John L. Harmonson, a Registered  
Professional Reporter and Notary Public of the  
Commonwealth of Virginia, who officiated in  
administering the oath to the witness.

A P P E A R A N C E S

On Behalf of the Petitioner:

PAUL HASTINGS

875 15th Street, N.W.

Washington, D.C. 20005

BY: PHILLIP CITROEN, ESQ.

JOSEPH PALYS, ESQ.

On Behalf of Patent Owner:

SIDLEY AUSTIN

1501 K Street, N.W.

Washington, D.C. 20005

BY: SAMUEL DILLON, ESQ.

SHARON LEE, ESQ.

CHING-LEE FUKUDA, ESQ.

1 P. McDANIEL

2 -----  
3 P R O C E E D I N G S

4 9:37 a.m.  
5 -----

6 Whereupon,

7 PATRICK DREW McDANIEL,

8 after having been first duly sworn or affirmed,

9 was examined and did testify under oath as

10 follows:

11 MR. CITROEN: Just quickly for the  
12 record. This morning, counsel for  
13 BlackBerry approached counsel for Google for  
14 the first time with a proposal that there be  
15 two different questioners splitting up the  
16 deposition of Dr. McDaniel this morning. So  
17 after conferring, the parties have agreed to  
18 the following:

19 So there will be one depo, one  
20 transcript. The parties have agreed that  
21 counsel for BlackBerry can split up the  
22 questioners for the transcript that  
23 corresponds to IPR2017-01619 and  
24 IPR2017-01620.

25 The condition to that is that the

1 P. McDANIEL

2 deposition end at 7:00 p.m. and that the  
3 examiners do not cover the same subject  
4 matter with the deponent. So one  
5 questioner, Sam I believe, will ask  
6 questions related to the Garst declaration,  
7 which is IPR2017-01619, and Ms. Lee will ask  
8 questions related to IPR2017-01620.

9 MR. DILLON: This is Sam for patent  
10 owner. Just the only clarification I would  
11 add to that is clearly there is certain  
12 overlapping subject matter between the two  
13 proceedings. But we understand and we'll  
14 attempt to abide by the agreement with not  
15 going over the same subject matter twice to  
16 the extent it's possible with the  
17 overlapping subject matter of the two  
18 proceedings.

19 MR. CITROEN: That's fair.

20 EXAMINATION

21 BY MR. DILLON:

22 Q. Good morning, Dr. McDaniel.

23 A. Good morning.

24 Q. Have you ever been deposed before?

25 A. I have.

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