

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

UNILOC 2017 LLC,
Patent Owner

Case IPR2018-00282
U.S. Patent 7,092,671

**PATENT OWNER'S MOTION FOR OBSERVATIONS ON THE
CROSS-EXAMINATION DEPOSITION TESTIMONY
OF MARC BREVERMAN**

As authorized in the Board’s Scheduling Order entered June 8, 2018 (Paper 8) and the parties’ Joint Stipulation to Modify Due Dates filed February 1, 2019 (Paper 20), the Patent Owner Uniloc 2017 LLC hereby submits observations on the cross-examination deposition testimonies of Marc Breverman, whose declaration Petitioner cites in its Reply (Paper 14).

I. MR. BREVERMAN’S DEPOSITION TESTIMONY SHOWS HIS DECLARATION LACKS A PROPER FOUNDATION.

1. In his declaration, Mr. Breverman claims “Apple did not inform Unified Patents of Apple’s interest in the ’671 Patent, or of the prior art to be used in the Apple IPR, or of the grounds to be use in the Apple IPR.” APPL-1018 at 2. His deposition testimony reveals, however, that Mr. Breverman lacks personal knowledge to establish this allegation. Specifically, despite the striking similarities between the expert reports in this IPR (the “Apple IPR”) and the Unified IPR (IPR2018-2018-00199), Mr. Breverman has no personal knowledge concerning whether there was coordination between Apple’s expert (Dr. Medvidovic) and Unified’s expert (Mr. Cohen).

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[REDACTED]

[REDACTED]

The foregoing testimony demonstrates that Mr. Breverman lacks personal knowledge to support his declaration that there was no coordination between Apple and Unified in the preparation of the Apple IPR and the Unified IPR.

[REDACTED]

Date: February 12, 2019 /s/ Brett A. Mangrum
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing was served on the Petitioner's
counselors of record by electronic notification, as agreed to by the parties:

Date: February 12, 2019 /s/ Brett A. Mangrum
Brett A. Mangrum