

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2  
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4 APPLE, INC.,  
5  
6 Petitioner,  
7  
8 vs.  
9 QUALCOMM INCORPORATED,  
10  
11 Patent Owner.

Case IPR2018-01281  
U.S. Patent No.  
8,768,865

12 DEPOSITION OF

13 JAMES F. ALLEN, PH.D.

14 Thursday, April 25, 2019

15 9:00 a.m.

16 Suite 2100  
17 1180 Peachtree Street, NE  
18 Atlanta, Georgia

19 Tammy G. Mozley, CCR-B-1032, RPR  
20  
21  
22  
23  
24  
25

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2  
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

4 APPLE, INC.,

5 Petitioner,

6 vs.

7 QUALCOMM INCORPORATED,

8 Patent Owner.

Case IPR2018-01281

U.S. Patent No.  
8,768,865

---

9  
10  
11 DEPOSITION OF

12 JAMES F. ALLEN, PH.D.

13 Thursday, April 25, 2019

14 9:00 a.m.

15  
16 Suite 2100  
17 1180 Peachtree Street, NE  
18 Atlanta, Georgia

19 Tammy G. Mozley, CCR-B-1032, RPR  
20  
21  
22  
23  
24  
25

## APPEARANCES OF COUNSEL

On behalf of the Petitioner:

NOAH G. GRAUBART, Esq.  
Fish & Richardson, P.C.  
Suite 2100  
1180 Peachtree Street  
Atlanta, Georgia 30309  
404 892-5005  
graubart@fr.com

BAILE XIE, PH.D., Esq.  
Fish & Richardson, P.C.  
Suite 5000  
1717 Main Street  
Dallas, Texas 75201  
214 760-6139  
xie@fr.com

On behalf of the Patent Owner:

DANIEL LEVENTHAL, Esq.  
Norton Rose Fulbright US, LLP  
Suite 5100  
1301 McKenney  
Houston, Texas 77010-3095  
713 651-5151  
daniel.leventhal@nortonrosefulbright.com

EAGLE ROBINSON, Esq.  
Norton Rose Fulbright US LLP  
Suite 1100  
98 San Jacinto Boulevard  
Austin, Texas 78701-4255  
512 474-5201  
eagle.robinson@nortonrosefulbright.com

- - -

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

TABLE OF CONTENTS

EXAMINATION	PAGE
Examination by Mr. Leventhal	4
Examination by Mr. Graubart	141

- - -

EXHIBIT	DESCRIPTION	PAGE
Exhibit 1023	Declaration of Dr. James F. Allen	137
Exhibit 2001	U.S. Patent Office Confirmation No. 1445	13
Exhibit 2002	Declaration of Dr. Earl Sacerdoti	43

(Original Exhibits 2001, 2002, and 1023 have been attached to the original transcript. Copies of prior marked Exhibits 1001, 1003, 1005, 1011, and 1021 have been attached to the original transcript)

1 (Reporter disclosure made pursuant to  
2 Article 10.B of the Rules and Regulations of the  
3 Board of Court Reporting of the Judicial Council  
4 of Georgia.)

5 JAMES F. ALLEN, PH.D.,  
6 having been first duly sworn, was examined and  
7 testified as follows:

8 EXAMINATION

9 BY MR. LEVENTHAL:

10 Q. Good morning, Dr. Allen.

11 A. Good morning.

12 Q. Dr. Allen, in front of you, you have five  
13 exhibits. Exhibit 1001 is the '865 patent. Do you  
14 see that?

15 A. Yes.

16 Q. Exhibit 1003 is your declaration in  
17 IPR 2018-01281. Do you see that?

18 A. 01281, I don't see this on this page.

19 Q. Okay. That may not be on there, but  
20 that's fine. Okay.

21 So that is your declaration, correct,  
22 that's marked?

23 A. Declaration regarding what?

24 Q. That's your declaration in this case  
25 that's been marked Exhibit 1003 in the IPRs we're here

# 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.