

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

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BEFORE HONORABLE DANA M. SABRAW, JUDGE PRESIDING

_____		)	
QUALCOMM INCORPORATED,		)	
		)	
	PLAINTIFF,	)	CASE NO. 17CV1375-DMS
		)	
VS.		)	
		)	SAN DIEGO, CALIFORNIA
APPLE INC.,		)	
		)	
	DEFENDANT.	)	MONDAY, MARCH 11, 2019
_____		)	
AND RELATED COUNTERCLAIMS		)	
_____		)	

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
JURY TRIAL, DAY 6, VOLUME 6B  
PAGES 1135-1278

REPORTED BY STENOGRAPHY, TRANSCRIPT PRODUCED BY CAT SOFTWARE

MAURALEE RAMIREZ, RPR, CSR NO. 11674  
FEDERAL OFFICIAL COURT REPORTER  
ORDERTRANSCRIPT@GMAIL.COM

QUALCOMM EXHIBIT 2005

1 COUNSEL APPEARING:

2 FOR THE PLAINTIFF: QUINN EMANUEL URQHART & SULLIVAN, LLP  
3 DAVID A. NELSON  
4 500 WEST MADISON STREET, SUITE 2450  
5 CHICAGO, ILLINOIS 60661

6 SEAN S. PAK  
7 MICHELLE ANN CLARK  
8 50 CALIFORNIA STREET, 22ND FLOOR  
9 SAN FRANCISCO, CALIFORNIA 94111

10 VALERIE A. LOZANO  
11 SCOTT WATSON  
12 865 SOUTH FIGEUROA STREET, 10TH FLOOR  
13 LOS ANGELES, CALIFORNIA 90017

14 FOR THE DEFENDANT: FISH & RICHARDSON  
15 JUANITA R. BROOKS  
16 12390 EL CAMINO REAL  
17 SAN DIEGO, CALIFORNIA 92130

18 WILMER CUTLER PICKERING HALE & DORR LLP  
19 JOSEPH J. MUELLER  
20 SARAH FRAZIER  
21 CLAIRE SPECHT  
22 60 STATE STREET  
23 BOSTON, MASSACHUSETTS 02109

24 NINA S. TALLON  
25 1875 PENNSYLVANIA AVENUE NORTHWEST  
WASHINGTON, DC 20006

JOSEPH FRANCIS HAAG  
950 PAGE MILL ROAD  
PALO ALTO, CALIFORNIA 94304

20

21

22

23

24

25

1 SAN DIEGO, CALIFORNIA; MONDAY, MARCH 11, 2019; 11:00 A.M.

2 THE COURT: WE'RE BACK ON THE RECORD WITH ALL PRESENT.

3 WE'LL RESUME THE CROSS-EXAMINATION, MR. PAK.

4 MR. PAK: YES, MAY I RESUME?

5 THE COURT: YES.

6 MR. PAK: YOUR HONOR, CAN I APPROACH AND PUT UP A

7 DEMONSTRATIVE?

8 THE COURT: YES.

9 MR. PAK: YOUR HONOR, I'VE PUT ON THE BOARD THERE

10 PDX42.3, WHICH IS A PLAINTIFF DEMONSTRATIVE.

11 BY MR. PAK:

12 Q MR. SIVA, DO YOU SEE THE DEMONSTRATIVE IN FRONT OF YOU?

13 A YEAH.

14 Q ON THE LEFT-HAND SIDE, I REPRODUCED THE TESTIMONY WHEN YOU

15 WERE TESTIFYING AS APPLE'S WITNESS ON THE GOBI PROTOCOL. DO

16 YOU SEE THAT?

17 MS. BROOKS: YOUR HONOR, IT'S SO FAR AWAY. COULD WE

18 HAVE JUST THE CITATION?

19 THE COURT: YES.

20 MR. PAK: ARJUNA SIVA DEPOSITION AT PAGE 116, LINE 9

21 THROUGH 17 ON THE LEFT-HAND SIDE.

22 MS. BROOKS: THANK YOU.

23 BY MR. PAK:

24 Q DO YOU SEE THAT IS YOUR SWORN TESTIMONY ABOUT THE GOBI

25 PROTOCOL?

1 A YES.

2 Q AND YOU STAND BY THAT SWORN TESTIMONY, RIGHT, SIR?

3 A TO THE EXTENT I WAS TALKING ABOUT MY UNDERSTANDING OF THE  
4 GOBI PROTOCOL AT THE TIME, I DO.

5 Q AND TO THE RIGHT, I'VE REPRODUCED YOUR UNDERSTANDING OF THE  
6 FLASHLESS BOOT INVENTION THAT YOU BELIEVE IS IN THE '949  
7 PATENT. AND THE THIS IS AT PAGE 77, LINE 14 THROUGH 19. DO  
8 YOU SEE THAT TESTIMONY?

9 MS. BROOKS: OBJECTION. MISCHARACTERIZES THE  
10 TESTIMONY.

11 THE COURT: OVERRULED.

12 YOU CAN CLARIFY ON REDIRECT, IF NECESSARY.

13 YOU CAN ANSWER.

14 THE WITNESS: YEAH. SO TO PROVIDE A BETTER CONTEXT,  
15 I'M TALKING ABOUT MY DESIGN HERE, WHERE TO BE ABLE TO LOAD IN  
16 PLACE, YOU COULDN'T HAVE HEADERS AND, HENCE, WHY I WAS EVEN  
17 SAYING THAT LIKE THE STANDARD. MY UNDERSTANDING OF THE  
18 STANDARD OF GOBI WOULDN'T FIT THAT.

19 BY MR. PAK:

20 Q SO THAT'S THE TESTIMONY THAT YOU'VE STATED IN YOUR  
21 DEPOSITION AT PAGE 77, LINES 14 THROUGH 19, CORRECT?

22 A YES.

23 Q YOU STAND BY THAT TESTIMONY AS WELL, RIGHT?

24 A SO IN THE CONTEXT OF THE PATENT, OR YOU MEAN IN THE CONTEXT  
25 OF MY --

1 Q YOUR DESIGN.

2 A SO IN THE CONTEXT OF MY DESIGN, YES, THERE HAD TO BE NO  
3 HEADERS IN THE ACTUAL LOADING OF THE SEGMENTS.

4 Q AND JUST TO BE -- BECAUSE WE'VE HEARD ABOUT SOMETHING  
5 CALLED IMAGE HEADERS, YOU'RE NOT TALKING ABOUT IMAGE HEADERS IN  
6 EITHER OF THESE TWO PIECES OF TESTIMONY, CORRECT?

7 A I AM NOT.

8 Q YOU'RE TALKING ABOUT HEADERS ABOVE THE USB PROTOCOL, RIGHT?

9 A YEAH.

10 Q AND THOSE WOULD BE SOMETIMES CALLED "PACKET HEADERS"?

11 A YES.

12 Q OKAY. AND, SIR, SO THE GOBI PROTOCOL AS YOU UNDERSTOOD IT  
13 WOULD BE INCOMPATIBLE WITH WHAT YOU BELIEVE IS YOUR DESIGN FOR  
14 THE FLASHLESS BOOT, CORRECT?

15 A THAT IS NOT CORRECT.

16 Q YOU SAY: GOBI PROTOCOL USES HEADERS ABOVE USB. YOUR  
17 DESIGN, NO HEADERS ABOVE USB. THAT'S WHAT YOU TESTIFIED UNDER  
18 OATH, CORRECT?

19 A WHAT I SAID IS MY UNDERSTANDING OF THE GOBI PROTOCOL HAD  
20 HEADERS AND, THEREFORE, IT WOULDN'T HAVE -- IT WOULDN'T HAVE  
21 BEEN COMPATIBLE WITH MY DESIGN.

22 Q OKAY. I THINK YOU USED THE WORD "APPLES AND ORANGES" IN  
23 YOUR DIRECT EXAMINATION?

24 A THE GOBI PROTOCOL OPERATES AT THE PROTOCOL LAYER; WHEREAS,  
25 MY DESIGN WAS AT SYSTEM LAYER, THE FLOW OF THINGS.

# 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.