

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 PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIDEO DEPOSITION OF JON HUPPENTHAL October 8, 2019

MICROSOFT CORPORATION,

Petitioner,

v.

DIRECTSTREAM, LLC,

Patent Owner.

IPR2018-01594 (Patent 6,434,687 B1)

IPR2018-01599 (Patent 6,076,152)

IPR2018-01600 (Patent 6,247,110 B1)

IPR2018-01601 (Patent 7,225,324 B2)

IPR2018-01602 (Patent 7,225,324 B2)

IPR2018-01603 (Patent 7,225,324 B2)

IPR2018-01604 (Patent 7,421,524 B2)

IPR2018-01605 (Patent 7,620,800 B2)

IPR2018-01606 (Patent 7,620,800 B2)

IPR2018-01607 (Patent 7,620,800 B2)

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

APPEARANCES:

SIDLEY AUSTIN, LLP

By Joseph Micallef, Esquire

By Scott M. Border, Esquire

1501 K Street Northwest

Washington, DC 20005

Appearing on behalf of Microsoft.

JANIK VINNAKOTA, LLP

By Rajkumar Vinnakota, Esquire

By Donald Puckett, Esquire

8111 LBJ Freeway, Suite 790

Dallas, Texas 75251

Appearing on behalf of DirectStream.

SHORE CHAN DePUMPO, LLP

By Christopher L. Evans, Esquire

901 Main Street, Suite 3300

Dallas, Texas 75202

Appearing on behalf of DirectStream.

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

Pursuant to Notice, the video deposition of
JON HUPPENTHAL, called by the Petitioner, was taken on
Tuesday, October 8, 2019, commencing at 9:20 a.m. at 121
South Tejon Street, Suite 900, Denver, Colorado, before Anne
Marie Sager, Court Reporter and Notary Public within and for
the State of Colorado.

I N D E X

VIDEO DEPOSITION OF JON HUPPENTHAL

EXAMINATION BY:	PAGE
Mr. Micallef	5, 116
Mr. Vinnakota	111

NO EXHIBITS MARKED

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

P R O C E E D I N G S

THE VIDEOGRAPHER: Good morning. We are on the record. My name is Walt Mathern for Veritext. The date today is October 8th, 2019 and the time is approximately 9:20 a.m.

This deposition is being held in the office of Agren Blando Court Reporting located at 121 South Tejon Street, Colorado Springs, Colorado.

The caption of this case is Microsoft Corporation v. DirectStream, LLC, in the United States Patent and Trademark Office. The name of the witness is John Huppenthal.

At this time the attorneys will identify themselves and the parties they represent after which our court reporter, Anne Sager, will swear in the witness and we can proceed.

MR. MICALLEF: Joe Micallef with Sidley Austin for Petitioner Microsoft.

MR. BORDER: Scott Border also with Sidley Austin for Petitioner Microsoft.

MR. VINNAKOTA: Rajkumar Vinnakota with Janik Vinnakota for Patent Owner DirectStream, and also appearing telephonically, Donald Puckett with Janik Vinnakota also for Patent

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

Owner DirectStream.

(witness sworn in under oath.)

JON HUPPENTHAL,

being first duly sworn in the above cause, was examined and testified as follows:

EXAMINATION

BY MR. MICALLEF:

Q Just for the record, this testimony is being taken in the following Inter Partes Review Proceedings in the PTO, IPR 2018-01594, 01599, 01600, 01601, 01602, 01603, 01604, 01605, 01606 and 01607.

Good morning, Mr. Huppenthal.

A Good morning.

Q Have you ever testified before?

A Yes, about twenty years ago.

Q Twenty years ago? In what context?

A It was in a HR deposition.

Q Did you testify in a deposition or was it in court or both?

A No, it was a deposition.

Q That's the only time you have testified?

A Yes.

Q Okay. So you at least have a general idea of what we're doing here. You understand you need to answer all of my questions as best you can?

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.