

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

3 INTEL CORPORATION, ) Case No.  
 ) IPR2019-00047  
4 Petitioner, ) IPR2019-00048  
 ) IPR2019-00049  
5 vs. ) IPR2019-00128  
 ) IPR2019-00129  
6 QUALCOMM INCORPORATED, )  
 ) U.S. Patent No.  
7 Patent Owner. ) 9,154,356

8  
9  
10 DEPOSITION OF PATRICK FAY, PH.D.  
11 South Bend, Indiana  
12 Wednesday, August 7, 2019  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

23 Reported by:  
24 RACHEL F. GARD, CSR, RPR, CLR, CRR  
25 JOB NO. 165197

1 P. FAY, PH.D.

2

3

4

August 7, 2019

5

9:30 a.m.

6

7

Deposition of PATRICK FAY, PH.D., at

8

Morris Inn, 1399 North Notre Dame Avenue,

9

South Bend, Indiana, pursuant to notice before

10

Rachel F. Gard, Illinois Certified Shorthand

11

Reporter, Registered Professional Reporter,

12

Certified LiveNote Reporter, Certified Realtime

13

Reporter, Indiana Notary Public.

14

15

16

17

18

19

20

21

22

23

24

25

1 P. FAY, PH.D.

2 A P P E A R A N C E S:

3 WILMERHALE

4 Attorneys for Petitioner

5 1225 17th Street

6 Denver, Colorado 80202

7 BY: BENJAMIN FERNANDEZ, ESQ.

8  
9 JONES DAY

10 Attorneys for Patent Owner

11 77 West Wacker Drive

12 Chicago, Illinois 60601

13 BY: THOMAS RITCHIE, ESQ.

14

15

16

17

18

19

20

21

22

23

24

25

P. FAY, PH.D.

## I N D E X

WITNESS	PAGE
PATRICK FAY, PH.D.	
Cross-examination by Mr. Ritchie	5

## E X H I B I T S

INTEL EXHIBIT	PAGE
Exhibit 1002 Declaration in IPR2019-00047	7
Exhibit 1102 Declaration in IPR2019-00048	11
Exhibit 1202 Declaration in IPR2019-00049	13
Exhibit 1302 Declaration in IPR2019-00128	15
Exhibit 1402 Declaration in IPR2019-00129	18
Exhibit 1001 '356 Patent	26
Exhibit 1003 U.S. Patent Application Publication Number US 2011/0217945	33
Exhibit 1106 U.S. Patent Application Publication Number US 2010/0237947	47
Exhibit 1004 3GPP TR 36.912 Version 9.1.0, (2009-12)	53
QUALCOMM EXHIBIT	
Exhibit 2013 U.S. Patent 9,161,254	78

1 P. FAY, PH.D.

2 (Witness sworn.)

3 WHEREUPON:

4 PATRICK FAY, PH.D.,

5 called as a witness herein, having been first  
6 duly sworn, was examined and testified as  
7 follows:

8 CROSS-EXAMINATION

9 BY MR. RITCHIE:

10 Q. Would you state and spell your name  
11 for the record, please.

12 A. Yes. I'm Patrick Fay.

13 P A T R I C K. Surname is Fay, F A Y.

14 Q. And what is your current address?

15 A. My home address is 16045 Baywood  
16 Lane, Granger, Indiana.

17 Q. You've been deposed before?

18 A. I have.

19 Q. So is it fair to say that you  
20 understand the deposition process?

21 A. At some level, yeah.

22 Q. You understand that you're  
23 testifying under oath today?

24 A. I do.

25 Q. And is there any reason you cannot

# 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.