1	UNITED STATES PATENT AND TRADEMARK OFFICE	
2	BEFORE THE PATENT TRIAL AND APPEAL BOARD	
3		
4		
5	x	
6	FACEBOOK, INC., INSTAGRAM, LLC, and	
7	WHATSAPP INC.,	
8	Petitioners,	
9	v.	
10	BLACKBERRY LIMITED,	
11	Patent Owner	
12	x	
13	IPR2019-00516	
14	IPR2019-00528	
15		
16		
17	DEPOSITION OF RAJEEV J. SURATI, Ph.D.	
18	Thursday, January 16, 2020	
19	Boston, Massachusetts	
20		
21		
22	Reported by: Michael D. O'Connor, RMR, CRR,	
23	CRC	
24	Job No. 3840974	
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Veritext Legal Solutions

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4	4 By Mr. Liang 6
5	5
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11 Ph.D., held at Cooley, LLP, 500 Boylston	11 Exhibit 3 Rothmuller application 6
12 Street, Boston, Massachusetts, pursuant to	12 Exhibit 4 U.S. Patent 7,831,913 6
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10 BY: YUAN LIANG, ESQ.	10 of Its Motion For Partial
11 yliang@cooley.com	11 Summary Judgment of
12	12 Infringement of U.S. Patent
13	13 Nos. 8,677,250, 8,279,173
14 ATTORNEYS FOR PATENT OWNER:	14 and 9,349,120 125
14 ATTORNEYS FOR PATENT OWNER:	
<ul><li>14 ATTORNEYS FOR PATENT OWNER:</li><li>15 QUINN EMANUEL URQUHART &amp; SULLIVAN, LLP</li></ul>	15 Exhibit 19 Sketch 201
<ul> <li>14 ATTORNEYS FOR PATENT OWNER:</li> <li>15 QUINN EMANUEL URQUHART &amp; SULLIVAN, LLP</li> <li>16 50 California Street, 22nd Floor</li> </ul>	15 Exhibit 19 Sketch 201 16
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1PROCEEDINGS1Q. And is there any reason why you10:0523(Document marked as Exhibit 13testimony today?10:06:044for identification)09:56:534A. No such reason.10:06:055(Document marked as Exhibit 209:56:535Q. So you mentioned that you had been 10:6for identification)09:57:196deposed around 20 times now. In those 20107(Document marked as Exhibit 309:57:467proceedings, about how many were you testifying8for identification)09:58:239MR. STAKE: Objection to form. Do 10:10for identification)09:58:5010you mean patent owner BlackBerry in this 1011(Document marked as Exhibit 509:58:5011case?10:06:3212for identification)09:59:4812MR. LIANG: No. Just patent10:06:3514for identification)10:59:4813owners in general.10:06:351514A. I think that's what I took you to 10:06:3514A. I think that's what I took you to 10:06:3616RAJEEV J. SURATI, Ph.D.16proceeding?10:06:48	5:02 06:08 :06:10 10:06:19 1 06:27 :06:30
3(Document marked as Exhibit 13 testimony today?10:06:044for identification)09:56:534A. No such reason.10:06:055(Document marked as Exhibit 209:56:535Q. So you mentioned that you had been 10:6for identification)09:57:196 deposed around 20 times now. In those 20107(Document marked as Exhibit 309:57:467 proceedings, about how many were you testifying8for identification)09:58:239MR. STAKE: Objection to form. Do 10:9(Document marked as Exhibit 409:58:239MR. STAKE: Objection to form. Do 10:10for identification)09:58:5010you mean patent owner BlackBerry in this 1011(Document marked as Exhibit 509:58:5011case?10:06:3212for identification)09:59:4812MR. LIANG: No. Just patent10:06:3514for identification)11A. I think that's what I took you to 10:06:3514A. I think that's what I took you to 10:06:351515mean. So in terms of IPRs or just any10:06:35	06:08 :06:10 10:06:19 1 06:27 :06:30
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11       (Document marked as Exhibit 5       09:58:50       11       case?       10:06:32         12       for identification)       09:59:48       12       MR. LIANG: No. Just patent       10:06:35         13       (Document marked as Exhibit 6       09:59:48       13       owners in general.       10:06:35         14       for identification)       14       A. I think that's what I took you to       10:06:36         15       15       mean. So in terms of IPRs or just any       10:06	
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14for identification)14A. I think that's what I took you to 10:06:301515mean. So in terms of IPRs or just any 10:06	
15 15 mean. So in terms of IPRs or just any 10:06	
	6
16 RAJEEV J. SURATL Ph D 16 proceeding? 10:06:48	:39
10 $10$ proceeding: $10.00.40$	
17 Q. Any proceeding, IPR or District 10:06	:48
18 having been satisfactorily identified by the 18 Court. 10:06:56	
19 production of his driver's license, and duly 19 A. Of the cases where I'm doing 10:06:5	56
20 sworn by the Notary Public, was examined and 20 patent litigation stuff, whether it be inter 10:07:0	
21 testified as follows: 21 partes review, I think it's half and half. I 10:07:1	
22 can't recall off the top of my head, whether it 10:07	
1 5 /	
	.14
24 BY MR. LIANG:         10:04:30         24 range.         10:07:19           25         0	07.10
25 Q. Good morning, Dr. Surati. 10:04:57 25 Q. Okay. Obviously you've worked on 10:	
Page 6	Page 8
1       A. Good morning.       10:05:05       1 cases for both IPR and District Court, right?       10:05	07:23
2Q.I'm going to ask you some10:05:062A.Depositions, have I done10:07:26	
3 questions about your deposition experience to 10:05:15 3 depositions for both of those? 10:07:31	
4 kind of get your sense of familiarity with 10:05:20 4 Q. Yes. 10:07:32	
5 depositions. 10:05:22 5 A. Yes. 10:07:33	
6 How many times have you been 10:05:23 6 Q. What's the approximate breakdown 10:	07:33
	:07:37
8 A. Probably something around 20 10:05:25 8 Court? 10:07:41	
9 times. 10:05:30 9 A. I would say it's more IPRs, 10:07:41	
9 times.10.05.309 A. 1 would say it's more if Ks,10.07.4110Q. So you're obviously familiar with 10:05:3010 because they tend to be more common. Probably	
	.4/
12         A. Generally.         10:05:35         12 see.         10:07:57           12         O         1         10:07:57         12 see.         10:07:57	
13     Q. And you are under oath, so     10:05:37     13     Q. And in front of you are a number     10:07	
14 everything you say here today has the same 10:05:38 14 of exhibits that are already in the record for 10:08	
	08:04
16 court, or in this case, open hearing; you10:05:4416 refer to them at any time you'd like during10:0	8:07
17 understand that, right? 10:05:46 17 today's deposition. I'll ask you some 10:08:0	09
17 understand that, right: $10.03.40$ $17$ today's deposition. Th ask you sollie $10.03.4$	
17Inderstand that, right?10:05:401717today's deposition. Th ask you some10:08:418A.I do understand that.10:05:4718questions about those as we go on.10:08:4	12
18A.I do understand that.10:05:4718 questions about those as we go on.10:08:19Q.And you can ask me to clarify my10:05:4719You understand that you're here10:08:	8
18A.I do understand that.10:05:4718 questions about those as we go on.10:08:19Q.And you can ask me to clarify my10:05:4719You understand that you're here10:08:120questions at any time.10:05:5120 for two related IPR proceedings, right?10:08	8 3:23
18A.I do understand that.10:05:4718 questions about those as we go on.10:08:19Q.And you can ask me to clarify my10:05:4719You understand that you're here10:08:120questions at any time.10:05:5120 for two related IPR proceedings, right?10:08:221Do you understand that?10:05:5321A.The '516 and '528 IPRs.10:08:26	8 3:23
18A.I do understand that.10:05:4718 questions about those as we go on.10:08:19Q.And you can ask me to clarify my10:05:4719You understand that you're here10:08:20questions at any time.10:05:5120for two related IPR proceedings, right?10:08:21Do you understand that?10:05:5321A.The '516 and '528 IPRs.10:08:2622A.I understand that.10:05:5322Q.Correct.And both of those relate 10:08:	18 3:23 33
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18A.I do understand that.10:05:4719Q.And you can ask me to clarify my10:05:4720questions at any time.10:05:5121Do you understand that?10:05:5322A.I understand that.10:05:5323Q.And are you under any medications10:05:5424today that can affect your testimony?10:05:56	18 3:23 33 35 1
18A.I do understand that.10:05:4718questions about those as we go on.10:08:19Q.And you can ask me to clarify my10:05:4719You understand that you're here10:08:20questions at any time.10:05:5120for two related IPR proceedings, right?10:08:21Do you understand that?10:05:5321A.The '516 and '528 IPRs.10:08:2622A.I understand that.10:05:5322Q.Correct.And both of those relate10:08:23Q.And are you under any medications10:05:5423to U.S.Patent No. 8,279,173, right?10:08:	18 3:23 33 35 1

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1	to that as the '173 patent? 10:08:46	1 A. Yeah, that I cofounded with Philip 10:15:17
2	A. That's fine. 10:08:48	2 Greenspun. 10:15:23
3	Q. With respect to the two related 10:08:56	3 Q. Did Photo.net have a photo tagging 10:15:30
4	IPR proceedings, would you understand if I 10:08:57	4 feature? 10:15:34
5	refer to one as the '516 IPR or the '516 10:08:59	5 A. In a very general sense we had a 10:15:34
6	proceeding, and the other as the '528 IPR or 10:09:03	6 way to associate tags with photos and, you 10:15:37
7	'528 proceeding? 10:09:07	7 know, put key words and describing certain 10:16:24
8	A. Sure. 10:09:08	8 properties or characteristics pertaining to the 10:16:27
9	Q. You've obviously rendered opinions 10:09:09	9 photographs, like locations, equipment, or 10:16:29
10	in both proceedings, right? 10:09:22	10 things like that. 10:16:31
11	A. I have. 10:09:24	11 Q. And with respect to Photo.net, how 10:16:32
12	Q. What did you do to prepare for 10:09:34	12 would a user associate tags with photos? 10:16:39
13	today's deposition? 10:09:37	13 A. So as I recall, the way you do it 10:16:48
14	A. Well, post having submitted the 10:09:37	14 is you would upload a photo and you would 10:16:51
	signed IPRs, I've looked over 10:09:41	15 either have an opportunity at the time you were 10:16:56
16	MR. STAKE: Here I'll just caution 10:09:44	16 uploading or subsequently once it was uploaded 10:16:58
17	you not to reveal the substance of 10:09:46	17 you could edit a photo and you could affiliate 10:17:02
18	preparations, but it's fine to generally 10:09:48	18 things like, oh, there's an equipment field, so 10:17:04
19	explain when you meant and who you met, 10:09:54	19 there's equipment that's got a camera field. 10:17:09
20	that sort of thing. 10:10:02	20 Let's put a camera of a certain type that may 10:17:12
20	A. I read through a number of patents 10:10:02	21 already be entered or one that you can add to 10:17:16
	and different documents that were used to 10:10:05	· · · · · · · · · · · · · · · · · · ·
	construct the IPRs. I met with Counsel Stake 10:10:07	23 particular photo image number that was unique 10:17:21
	here yesterday. I think I spoke to another 10:10:17	24 to that photo. 10:17:24
25	counsel on the phone, Ogi. I forgot his last 10:10:26 Page 10	25 Q. Once the user inputs the tags, 10:17:25 Page 12
	Tage 10	l age 12
1	name. It's quite a mouthful. And I looked at 10:10:35	1 those tags would get saved into the system, 10:17:43
	other documents, like the petition. 10:10:44	1 those tags would get saved into the system,10:17:432 right?10:17:46
	-	
2 3	other documents, like the petition. 10:10:44	2 right? 10:17:46
2 3	other documents, like the petition.10:10:44Q.Okay. And approximately how long10:10:46	2 right?10:17:463A.Yeah. The tags would get saved10:17:46
2 3 4	other documents, like the petition.10:10:44Q.Okay. And approximately how long10:10:46did you meet with Mr. Stake?10:10:49	2 right?10:17:463A. Yeah. The tags would get saved10:17:464 into this database, the photo DB, and there was10:17:53
2 3 4 5 6	other documents, like the petition.10:10:44Q.Okay. And approximately how long10:10:46did you meet with Mr. Stake?10:10:49A.Oh, like seven hours maybe.10:10:52	2 right?10:17:463A. Yeah. The tags would get saved10:17:464 into this database, the photo DB, and there was10:17:535 some structure behind that.10:17:58
2 3 4 5 6 7	other documents, like the petition.10:10:44Q.Okay. And approximately how long10:10:46did you meet with Mr. Stake?10:10:49A.Oh, like seven hours maybe.10:10:52Q.Okay. And approximately how long10:10:57	2 right?10:17:463A. Yeah. The tags would get saved 10:17:464 into this database, the photo DB, and there was 10:17:535 some structure behind that.10:17:586Q. Could you generally describe the 10:18:03
2 3 4 5 6 7	other documents, like the petition.10:10:44Q.Okay. And approximately how long10:10:46did you meet with Mr. Stake?10:10:49A.Oh, like seven hours maybe.10:10:52Q.Okay. And approximately how long10:10:57did you meet with the counsel, the other one,10:11:00on the phone?10:11:08	2 right?10:17:463A. Yeah. The tags would get saved10:17:464 into this database, the photo DB, and there was10:17:535 some structure behind that.10:17:586Q. Could you generally describe the10:18:037 structure?10:18:04
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4 (Pages 10 - 13)

1 names, and you could then later on use the 10:19:34	1 A. Which is the IDs from these two 10:23:35
2 existing names or enter a new one, but they 10:19:38	2 things would be matched up. 10:23:40
3 would all be unique they'd have unique 10:19:41	3 Q. Okay. So let's take these one at 10:23:46
4 identifiers with them. 10:19:45	4 a time. So you said there would be a photo 10:23:47
5 What I'm trying to say is like, in 10:19:47	5 table? 10:23:53
6 other words, it wasn't like, oh, there's a key 10:19:49	6 A. Yes. 10:23:54
7 word field for this photo and we'd put like ten 10:19:51	7 Q. And could you describe what the 10:23:55
8 different key words in there. There would be, 10:19:54	8 photo table was like? 10:24:01
9 oh, it's a it has this field associated with 10:19:57	9 A. Yeah. It would have things like 10:24:02
10 this spot. Like there would be a table that 10:20:02	10 who the photographer was, and other information 10:24:06
11 had a photo_ID in it, and then there would be a 10:20:04	11 like that, and a photo_ID associated with it, 10:24:10
12 camera a camera_ID associated with that 10:20:08	12 as well as a pointer to the photo in the photo 10:24:13
13 photo, and that camera_ID would come from an 10:20:11	13 database oh, in the file system. There 10:24:18
14 equipment camera table, and the camera in 10:20:15	14 would be a unique photo_ID in it. 10:24:22
15 other words, there were sort of like multiple 10:20:22	15 Then there would be subsequent 10:24:25
16 tables. It wasn't like we threw a lot of bits 10:20:25	16 tables that, like location or equipment, that 10:24:27
17 into it. 10:20:27	17 would tie into that photo_ID. It might be 10:24:35
17         18         Does that help you?         10:20:28	18 camera equipment or film and media equipment or 10:24:40
19 Q. Well 10:20:29	19 lens equipment. Then there would be 10:24:42
20 A. Break it down a little bit? 10:20:33	20 potentially custom fields associated with that, 10:24:44
21 Q. Let's break it down a little bit. 10:20:35	21 and custom tables associated with that photo. 10:24:48
-	22 So in other words, you could add 10:24:52
22         A.         Okay.         10:20:36           23         Q.         So let's use one example, I guess.         10:20:37	22 So in other words, you could add 10.24.32 23 a user could add their own kind of thing, 10:24:56
24 So is it accurate to say that for any 10:20:58	24 you know, in the same way that you have a 10:24:59
25 particular photo that was uploaded, you could 10:21:01 Page 14	25 camera table that could be affiliated with that 10:25:01 Page 16
146011	1 450 10
1 apply a tag for the particular camera that was 10:21:05	1 thing, you could have another table that might 10:25:04
2 used to take that photo? 10:21:11	2 be like flash, like the flash table, and you 10:25:06
3 A. That's right. 10:21:14	3 could add stuff like that to it. 10:25:12
4 Q. For example, the particular camera 10:21:16	4 So I guess the distinction I was 10:25:14
5 could be a Canon EOS Digital Rebel? That's the 10:21:53	5 trying to make was, we were trying to make it 10:25:16
6 example, I think you listed in Paragraph 36 of 10:22:00	6 so that you could add tables with unique 10:25:18
7 your declaration. 10:22:03	7 like so you wouldn't just type in a name, like 10:25:25
8 A. That's right. 10:22:04	
	8 Canon Flash and then that would be affiliated 10:25:27
9 Q. Obviously there were other models 10:22:05	<ul><li>8 Canon Flash and then that would be affiliated 10:25:27</li><li>9 with it. You would be able to have a unique ID 10:25:30</li></ul>
9Q.Obviously there were other models10:22:0510 of cameras as well; is that right?10:22:17	
	9 with it. You would be able to have a unique ID 10:25:30
10 of cameras as well; is that right? 10:22:17	<ul><li>9 with it. You would be able to have a unique ID 10:25:30</li><li>10 associated with that particular type of Canon 10:25:35</li></ul>
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