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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION

PARUS HOLDINGS INC. \* August 21, 2020  
\*  
VS. \* CIVIL ACTION NOS.  
\*  
APPLE INC. \* W-19-CV-432  
GOOGLE LLC \* W-19-CV-433  
SAMSUNG ELECTRONICS ET AL \* W-19-CV-438  
AMAZON.COM, INC. \* W-19-CV-454

BEFORE THE HONORABLE ALAN D ALBRIGHT, JUDGE PRESIDING  
MARKMAN HEARING (VIA ZOOM)

APPEARANCES:

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25

1 (August 21, 2020, 10:05 a.m.)

2 MS. MILES: Markman hearing in Civil Action 6:19-CV-432,  
3 styled Parus Holdings Incorporated versus Apple Incorporated  
4 and others.

5 THE COURT: If I could hear announcements from counsel  
6 starting with the plaintiff, please.

7 MS. HENRY: Good morning, Your Honor. Claire Henry of  
8 Ward, Smith and Hill on behalf of the plaintiff. I'm joined  
9 today by my co-counsel from Mintz Levin Mr. Drew DeVoogd and  
10 Mike McNamara. Mr. DeVoogd -- excuse me, Your Honor.

11 THE COURT: You took the words out of my mouth. Who will  
12 be speaking?

13 MS. HENRY: Mr. DeVoogd and Mr. McNamara will be handling  
14 the arguments today.

15 THE COURT: Okay. Thank you, ma'am.

16 MS. HENRY: Thank you.

17 THE COURT: And next up -- I'm just going to do this in  
18 the order of people I can see on the screen.

19 Mr. Jones, who are you representing?

20 MR. JONES: Your Honor, I represent Samsung, together with  
21 Ms. Victoria Maroulis, Mr. Kevin Johnson, Marissa Ducca and  
22 Joshua Scheufler. And also on the phone from Samsung itself is  
23 Mr. Jong Choi, and, Your Honor, the argument for Samsung will  
24 be made by Mr. Kevin Johnson.

25 THE COURT: Mr. Johnson, good morning. I haven't seen you

1 in forever, but welcome virtually to my court, and I want to  
2 thank the person from Samsung for making time to be with us. I  
3 appreciate that very much.

4 Mr. Ravel?

5 MR. RAVEL: Your Honor, Steve Ravel for Apple. With us  
6 this morning from our client are Natalie Pous and Ben Huh.  
7 From Morrison and Foerster are Bitra Rahebi, Hector Gallegos,  
8 Rose Lee and Matt Callahan, and Mr. Gallegos will be taking the  
9 lead today.

10 THE COURT: Okay. Give me one second to write that down.

11 Ms. Amstutz?

12 MS. AMSTUTZ: Good morning, Your Honor. Paige Amstutz for  
13 Google. With me are Darin Snyder and Bill Trac from O'Melveny  
14 and Myers. We are also joined by our client representative  
15 from Google Mr. Timur Engin, and Mr. Snyder will lead the  
16 argument for Google.

17 THE COURT: Always a great day when I hear from my friend  
18 Darin Snyder.

19 MR. SNYDER: Thank you, Your Honor.

20 THE COURT: And Mr. Shelton?

21 MR. SHELTON: Good morning, Your Honor. Barry Shelton for  
22 Amazon. Mr. David Hadden will be arguing on behalf of Amazon  
23 today, and he will introduce the other members for Amazon.

24 THE COURT: Okay.

25 MR. HADDEN: Good morning, Your Honor. Dave Hadden.

1 Dargaye Churnet from my office of Fenwick will be joining as  
2 will Scott Sanford, in-house counsel at Amazon.

3 THE COURT: Okay. And thanks to everyone who is in-house  
4 counsel or a corporate representative. I think that gets  
5 everyone, but if there's anyone who's appearing that I have not  
6 heard from, please let me know at this time.

7 Okay. I'm starting to like this Zoom stuff. I'm starting  
8 to figure it out.

9 Okay. It is my understanding that the first claim term  
10 that we are to take up this morning is "voice enabled device."  
11 The Court's preliminary construction is plain and ordinary  
12 meaning, where the plain and ordinary meaning is not limited to  
13 wireline or wireless telephone, IP phone, wireless PDA, or  
14 other wireless device and where the voice enabled device  
15 contains an audio input, e.g., a microphone.

16 Let me hear from counsel for plaintiff, I'm going to guess  
17 Mr. McNamara, but I might be wrong, about what plaintiff's  
18 position is with respect to the Court's preliminary  
19 construction.

20 MR. DEVOOGD: Good morning, Your Honor. Drew DeVoogd from  
21 Mintz Levin. Can you hear me okay?

22 THE COURT: I can hear you fine. Thank you for asking.

23 MR. DEVOOGD: Thank you, Your Honor.

24 It's Parus' position that the Court's preliminary  
25 instruction is acceptable and we're happy to live with it.

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