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Sumit Roy, PH.D.

December 6, 2021

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Qualcomm Incorporated and Zyxel  
Communications Corporation

vs.

UNM Rainforest Inn

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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QUALCOMM INCORPORATED and  
ZYXEL COMMUNICATIONS CORPORATION,

Petitioners,

v.

UNM RAINFOREST INNOVATIONS,

Patent Owner.

---

PTAB Case No. IPR2021-00375

Patent No. 8,265,096 B2

-and-

PTAB Case No. IPR2021-00377

Patent No. 8,249,204 B2

-and-

PTAB Case No. IPR2021-00582

Patent No. 8,565,326 B2

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REMOTE DEPOSITION OF SUMIT ROY, PH.D.

Monday, December 6, 2021

7:14 a.m. PST/10:14 a.m. CST

Reported by: Cindy L. Sebo, RMR, CRR, RPR, CSR, CCR,  
CLR, RSA, California Shorthand Reporter #14409, NYRCR,  
NYACR, Remote Counsel Reporter, LiveDeposition  
Authorized Reporter

Job Number: 258664

PohlmanUSA Court Reporting

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1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2  
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD  
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5 QUALCOMM INCORPORATED and  
6 ZYXEL COMMUNICATIONS CORPORATION,  
7  
8 Petitioners,  
9  
10 v.  
11 UNM RAINFOREST INNOVATIONS,  
12  
13 Patent Owner.
14  
15 PTAB Case No. IPR2021-00375  
16 Patent No. 8,265,096 B2  
17  
18 -and-  
19  
20 PTAB Case No. IPR2021-00377  
21 Patent No. 8,249,204 B2  
22 -and-  
23 PTAB Case No. IPR2021-00582  
24 Patent No. 8,565,326 B2  
25  
Remote Deposition of SUMIT ROY, PH.D., taken by  
Counsel for Patent Owner, held remotely before  
Cindy L. Sebo, Registered Merit Court Reporter,  
Certified Real-Time Reporter, Registered  
Professional Reporter, Certified Shorthand Reporter,  
Certified Court Reporter, Certified LiveNote  
Reporter, Real-Time Systems Administrator, California  
Shorthand Reporter #14409, New York Realtime  
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Reporter, Remote Counsel Reporter, LiveDeposition  
Authorized Reporter, Notary Public, stenographic  
reporter located in Bowie, Maryland, on Monday,  
December 6, 2021, from 7:14 a.m. PST/10:14 a.m. CST  
to 10:48 a.m. PST/1:48 p.m. CST when were present on  
behalf of the respective parties:

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4	Monday, December 6, 2021	
5	CINDY L. SEBO, RMR, CRR, RPR, CSR, CCR, CLR,	
6	RSA, California Shorthand Reporter #14409,	
7	NYRCR, NYACR, Remote Counsel Reporter,	
8	LiveDeposition Authorized Reporter	
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1 APPEARANCES:  
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 23  
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1           --oOo--  
 2           P R O C E E D I N G S  
 3           --oOo--  
 4   Monday, December 6, 2021 7:14 a.m. PST/10:14 a.m. CST  
 5           -oOo-  
 6           SUMIT ROY, PH.D.,  
 7   after having been first duly sworn remotely  
 8   by the certified stenographer to tell the  
 9   truth, the whole truth, and nothing but the  
 10   truth, testified remotely as follows:  
 11           -oOo-  
 12           CERTIFIED STENOGRAPHER: Thank you.  
 13           The witness is sworn, and I'll go  
 14   on mute now.  
 15           MR. SCHMIDT: So this is  
 16   Henning Schmidt with UNM Rainforest  
 17   Innovations representing -- and the law  
 18   firm DiMuroGinsberg.  
 19           Jonathan, do you want to announce  
 20   yourself and whoever is with you?  
 21           MR. DETRIXHE: Sure. This is  
 22   Jonathan Detrixhe from Reed Smith,  
 23   representing Petitioners, Qualcomm  
 24   Incorporated and Zyxel Communications  
 25   Corporation.

1           S T I P U L A T I O N S  
 2  
 3           IT IS HEREBY STIPULATED AND  
 4   AGREED by and between counsel no party to the  
 5   litigation will object to the remote  
 6   deposition on the grounds that the certified  
 7   stenographer may not have the legal authority  
 8   to swear in the witness.  
 9  
 10           FURTHER STIPULATED AND AGREED  
 11   that in lieu of the oath administered in  
 12   person, the witness declares the testimony in  
 13   this matter under the penalty of perjury.  
 14  
 15           FURTHER STIPULATED AND AGREED  
 16   that the certified stenographer is not  
 17   physically present in the deposition room and  
 18   will be reporting this deposition remotely.  
 19  
 20           FURTHER STIPULATED AND AGREED  
 21   all parties and their counsel consent to this  
 22   arrangement and waive any objections to this  
 23   manner of reporting.  
 24  
 25

1           Joining me is my colleague  
 2   Pete Chassman, and also attending is  
 3   Victoria Hao of Zyxel.  
 4           --oOo--  
 5           EXAMINATION BY COUNSEL FOR PATENT OWNER  
 6           --oOo--  
 7   BY MR. SCHMIDT:  
 8   Q. Good morning, Dr. Roy.  
 9   How are you?  
 10   A. **Good morning. I'm fine. Thanks,**  
 11   **Henning.**  
 12   Q. Would you please state your whole  
 13   name for the record?  
 14   A. **It's Sumit Roy.**  
 15   Q. And where are you located?  
 16   A. **I'm in Seattle, Washington.**  
 17   Q. Do you understand that you're  
 18   testifying under oath today?  
 19   A. **Yes, I do.**  
 20   Q. So the meaning of that is you're  
 21   testifying just as if you were in open court or  
 22   testifying to a United States agency.  
 23   Do you understand?  
 24   A. **Understood.**  
 25   Q. And you're under an obligation to

1 tell the truth to the best of your abilities.  
 2 Do you understand that?  
 3 **A. Correct, yes.**  
 4 Q. Okay. And can you testify accurately  
 5 today?  
 6 **A. Yes.**  
 7 Q. Any reason that may interfere with  
 8 your ability to testify accurately?  
 9 **A. No, there isn't.**  
 10 Q. So we're here today to talk about  
 11 three IPRs; specifically, IPR2021-00375, -377 and  
 12 -582.  
 13 Is that your understanding as well?  
 14 **A. Yes.**  
 15 Q. All right. And you are the expert  
 16 witness who's written a declaration in these  
 17 three proceedings, right?  
 18 **A. Yes.**  
 19 Q. Okay. Do you -- I understand that  
 20 you have the exhibits -- all of your declarations  
 21 and the exhibits thereto in front of you?  
 22 **A. Yes. I have clean, hard copies.**  
 23 Q. Okay. Let's start with your  
 24 declaration in IPR-582.  
 25 **A. Okay.**

1 **Would you mind referring me to the**  
 2 **actual patent?**  
 3 Q. Yes. The '326 patent.  
 4 **A. '326. Yes, thank you.**  
 5 **I have it.**  
 6 Q. Okay. So this document is  
 7 entitled -- just so we identify it on the  
 8 record -- Inter Partes Review of  
 9 U.S. Patent Number 8,565,326; the PTAB  
 10 case number is IPR2021-00582 and the title of  
 11 this document, specifically, is Declaration of  
 12 Dr. Sumit Roy, Ph.D., Exhibit 1002.  
 13 --oOo--  
 14 (Whereupon, Exhibit Deposition  
 15 Exhibit 1002 being previously marked for  
 16 identification, was handed to the  
 17 witness.)  
 18 --oOo--  
 19 BY MR. SCHMIDT:  
 20 Q. Did I say your name correctly?  
 21 **A. Yep, that's fine.**  
 22 Q. So can we take a look at this  
 23 document for a minute and confirm this is your  
 24 declaration, indeed?  
 25 **A. Yes -- you want me to look at my hard**

1 **copy?**  
 2 **Yes. Yes, this is my declaration.**  
 3 Q. Okay. Is it complete?  
 4 **A. Yes. Yes, it is.**  
 5 Q. Okay. As you sit here today right  
 6 now, are you aware of anything that is incorrect  
 7 in this declaration?  
 8 **A. Not -- I'm not aware of anything**  
 9 **that's incorrect.**  
 10 Q. Okay. Did you write this  
 11 declaration?  
 12 **A. Yes, I did.**  
 13 Q. How much time did you spend writing  
 14 it?  
 15 **A. Several iterations. I would estimate**  
 16 **maybe about 50 hours or so.**  
 17 Q. Okay. And you are testify --  
 18 prepared to testify regarding this declaration  
 19 today?  
 20 **A. Yes, I am.**  
 21 Q. Have you prepared for this  
 22 deposition?  
 23 **A. Yes, I did.**  
 24 Q. How did you prepare?  
 25 **A. Discussions with counsel prior --**

1 **prior to today.**  
 2 Q. Anything else?  
 3 **A. And I read through the declaration**  
 4 **and all the associated exhibits.**  
 5 Q. Anything else?  
 6 **A. Referred to the patents, the prior**  
 7 **art, which are part of the exhibits.**  
 8 **That's -- that's it.**  
 9 Q. That's it.  
 10 Okay --  
 11 **A. Yeah.**  
 12 Q. -- whom did you meet with?  
 13 **A. Counsel as -- on this call:**  
 14 **Pete Chassman, Jonathan Detrixhe.**  
 15 Q. Anyone else?  
 16 **A. No.**  
 17 Q. Did you speak to any other technical  
 18 experts about this subject matter?  
 19 **A. No, I didn't.**  
 20 Q. How long did you guys prepare for --  
 21 with the attorneys?  
 22 **A. Over a couple of days.**  
 23 Q. Have you been deposed before?  
 24 **A. Yes, several times.**  
 25 Q. Okay. So you're familiar with the

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