

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

UNIFIED PATENTS, INC.,)
)
) Petitioner,)
)
) vs.) Patent No.
)
) MEMORWEB, LLC,) 10,621,228
)
) Patent Owner.)

The highly confidential video teleconference deposition of KEVIN JAKEL, called for examination, taken pursuant to the provisions of the Code of Civil Procedure and the Rules of the Supreme Court of the State of Illinois pertaining to the taking of depositions for the purpose of discovery, taken before KAREN PILEGGI, a Notary Public within and for the County of DuPage, State of Illinois, and a Certified Realtime Reporter of said state, at Chicago, Illinois, May 26, 2022, at the approximate hour of 9:43 a.m.

MemoryWeb Ex. 2036

Unified Patents v. MemoryWeb – IPR2021-01413



1 PRESENT:

2 UNIFIED PATENTS, LLC,
3 4445 Willard Avenue, Suite 600,
4 Chevy Chase, Maryland 20815,
5 925-434-8754, by:

6 MS. MICHELLE ASPEN,
7 michelle@unifiedpatents.com,

8 MR. ELLYAR BARAZESH,
9 ellyar@unifiedpatents.com,

10 appeared on behalf of the Petitioner;

11

12 NIXON PEABODY, LLP,
13 70 West Madison Street, Suite 5200,
14 Chicago, Illinois 60602,
15 312-977-4458, by:

16 MR. MATTHEW A. WERBER,
17 mwerber@nixonpeabody.com,

18 MS. JENNIFER HAYES,
19 jenhayes@nixonpeabody.com,

20 appeared on behalf of the Patent Owner.

21 ALSO PRESENT: Brendan O'Callaghan

22

23 REPORTED BY: Karen Pileggi, CSR, RPR, RMR, CRR,
24 CSR License No. 84-3404

1 MR. WERBER: We are on the record and we have
2 agreement among parties that the witness can be
3 sworn in remotely.

4 MS. ASPEN: That's correct. Yes.
5 (WHEREUPON, the witness was
6 duly sworn.)

7 KEVIN JAKEL,
8 called as the witness herein, having been first duly
9 sworn, was examined and testified as follows:

10 EXAMINATION

11 BY MR. WERBER:

12 Q. Mr. Jakel, first of all, did I pronounce
13 your last name correctly?

14 A. It's Jakel, but you're in good company.

15 Q. I'm a Weber to 95 percent of the world
16 instead of a Werber.

17 Can you please state and spell your full
18 name for the record, Mr. Jakel.

19 A. My name is Kevin Jakel. Kevin,
20 K-e-v-i-n. Jakel, J-a-k-e-l.

21 Q. Where are you physically located today,
22 Mr. Jakel?

23 A. I am in Washington, D.C.

24 Q. Just for the record, we are doing this

1 remotely. You do have, presumably, a laptop open so
2 we can conduct the Zoom session, right?

3 A. I do.

4 Q. We discussed off the record we are using
5 the Agile platform in case there are new exhibits to
6 be introduced. You have that available to you too?

7 A. Correct.

8 Q. Just to confirm, we trust that your
9 e-mail communications are closed down at the moment
10 today while you're under oath?

11 A. Yes. I can officially hit the little X
12 button on my e-mail. There, the e-mail is
13 officially closed down.

14 Q. At the moment the applications you're
15 running are Zoom and then a view into that Agile
16 page, correct?

17 A. Correct.

18 Q. Nothing else?

19 A. Nothing else.

20 Q. I do understand you may have paper copies
21 of some of the documents in this case with you; is
22 that right?

23 A. Yes, I have a binder of documents
24 provided by counsel.

1 Q. It's possible you might have some exhibit
2 tabs so you know where to find the particular
3 document, right?

4 A. They are tabbed, otherwise I believe they
5 are just printouts of documents.

6 Q. Clean copies, then, correct?

7 A. Correct.

8 Q. Besides your binder with some of the
9 papers and filings in this case, do you have
10 anything else accessible to you in the room?

11 A. There's nothing else in the room.

12 Q. I'm not sure if you have it in front of
13 you, but we just did a practice run and I will show
14 you, then, on Agile, we had a notice of deposition
15 of Kevin Jakel. Do you see that?

16 A. Do you want me to switch over to Agile?

17 Q. If you have it handy. I'm agnostic as to
18 how you see it.

19 A. I'm looking at it right now. I'm going
20 to switch back and forth between the Chrome browser,
21 which has Agile in it, and Zoom.

22 Q. Just a couple questions about this. You
23 do recognize this deposition notice?

24 A. I believe so, yes.

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.