

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

BRIGHT DATA, LTD., (CAUSE NO. 2:19-CV-395-JRG
)
Plaintiff, ()
vs. ()
TESO, LT UAB, et al (NOVEMBER 2, 2021
) MARSHALL, TEXAS
Defendants. (8:45 A.M.)

VOLUME 2

TRIAL ON THE MERITS

BEFORE THE HONORABLE RODNEY GILSTRAP
UNITED STATES CHIEF DISTRICT JUDGE
and a jury

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1 first server, to the first client device, and this claim set
2 element says from the first client device, we're going to go
3 back to the second server. We are headed eventually to the
4 customers, but the claim doesn't say that. It basically says
5 move it from the first client device, the so-called
6 residential customer device, to the super proxy in -- in the
7 Bright Data system.

8 Q. So can we check this step off?

9 A. Yes.

10 Q. All right. So based on your study and what you've
11 testified here today, were you able to reach a conclusion
12 about whether Bright Data practices '319 patent claim 1 with
13 its products?

14 A. Because I've got a check in every box, it's my opinion
15 based on my study of the Bright Data system that every one of
16 those limitations of this claim is met by the Bright Data
17 system and it does -- this -- this system meets that claim.

18 Q. Okay. So now I'd like -- before we leave this claim now
19 that we've talked all about it, I'd like to talk about your
20 opinion regarding Defendant Oxylabs' residential proxy network
21 on the analysis you did on the same claim. Okay?

22 A. Yes.

23 Q. Okay. What did you rely on for this analysis?

24 A. Well, deposition testimony --

25 Q. Actually can you hold on just one moment?

1 MR. HARKINS: Your Honor, do you mind -- we are not
2 talking about Bright Data anymore. May I change the board?

3 THE COURT: You may change the board.

4 MR. HARKINS: Thank you.

5 THE COURT: And to the extent, Doctor Rhyne, he asks
6 you a question about that board and you need to stand to see
7 it, you have leave to do that.

8 THE WITNESS: Thank you, sir.

9 Q. (BY MR. HARKINS) Doctor Rhyne, why don't you go ahead
10 and stand up right now and just take a look at it and tell the
11 jury if this board is at the level of detail that it shows
12 accurate to what you found in the Oxylabs residential proxy
13 network?

14 A. Yes, it is.

15 Q. Okay. And can you just --

16 THE COURT: Doctor Rhyne, you need to be back at the
17 witness stand. I didn't give you leave to walk around, just
18 to stand up.

19 THE WITNESS: I'm sorry.

20 THE COURT: If you can't see it, I'll have Mr.
21 Harkins hold it up for you.

22 THE WITNESS: Okay. If you can hold it up. I can't
23 see the labels, I know what they are, but -- I'm sorry, sir.

24 Q. (BY MR. HARKINS) No problem.

25 A. Okay. That's fine. Okay. What I've got on the left is

1 what is called -- they call, Oxylabs, calls a Supernode or
2 Demon server, and the middle I've got the proxy devices which
3 they call minions. I'll talk about that term in a minute.
4 And, ultimately, we've got a web server. So that's the
5 architecture of the Oxylabs systems as I understand it.

6 Thank you.

7 Q. So, Doctor Rhyne, what are we looking at on slide 4.30?

8 A. This is a system diagram that was produced by Oxylabs for
9 the interconnections between the devices in their systems.
10 It's a little hard to see, but in the upper --

11 MR. HARKINS: Actually, can we just bring up PTX 269
12 for a moment, please?

13 Q. (BY MR. HARKINS) And you want to look at the upper left?

14 A. We've got the customers, this little stick person right
15 here. Okay? And there's a path that ultimately leads, if we
16 go back to the original, we've got a process that goes through
17 this Supernode down to this -- the minion which they show as a
18 person but really that's a representation for the fact that
19 somebody owns that cell phone or whatever it's going to be,
20 and ultimately down here we've got the target. Okay?

21 So this is a diagram of how information flows from the
22 customer through the Oxylabs system down to the target.

23 Q. Okay.

24 MR. HARKINS: And can we put that back up for a
25 moment, please?

1 Q. (BY MR. HARKINS) So you've got customer on the top.

2 Supernode is that red box below it. Is that correct?

3 A. Yes.

4 Q. And then minion is the -- what you're saying is the proxy
5 in this case?

6 A. That's Oxylabs' name for the minion devices.

7 Q. Okay. And then below where it says target, does that
8 have relevance to the claims in this case?

9 A. That's the ultimate web server where the customer up in
10 the top left is seeking to get some information from the
11 server.

12 MR. HARKINS: We can close this, please.

13 Q. (BY MR. HARKINS) There's one other document mentioned
14 here which is PTX 576.

15 MR. HARKINS: Can we bring that up?

16 Q. (BY MR. HARKINS) And what are we looking at here?

17 A. Well, it's just another way of arranging the user's
18 ability to ultimately get what they need from the target
19 website that they're trying to reach. Okay?

20 They've got additional elements like a load band manager,
21 but you can see -- a load balancer, but you can see that
22 they've got multiple minions that play the role of getting you
23 through to get the requested information.

24 MR. HARKINS: You can close this. Let's go to the
25 next slide. Hold on one second. Oh, I see.



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