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

Q. So can we check this step off?

A. Yes.

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

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

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

A. Yes.

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

A. Well, deposition testimony --

Q. Actually can you hold on just one moment?

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

THE COURT: You may change the board.

MR. HARKINS: Thank you.

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

THE WITNESS: Thank you, sir.

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

A. Yes, it is.

Q. Okay. And can you just --

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

THE WITNESS: I'm sorry.

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

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

Q. (BY MR. HARKINS) No problem.

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

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

Thank you.

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

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

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

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

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

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

Q. Okay.

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

Q. (BY MR. HARKINS) So you've got customer on the top. Supernode is that red box below it. Is that correct?
A. Yes.
Q. And then minion is the -- what you're saying is the proxy in this case?
A. That's Oxylabs' name for the minion devices.
Q. Okay. And then below where it says target, does that have relevance to the claims in this case?
A. That's the ultimate web server where the customer up in the top left is seeking to get some information from the server.

MR. HARKINS: We can close this, please.

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

MR. HARKINS: Can we bring that up?

Q. (BY MR. HARKINS) And what are we looking at here?
A. Well, it's just another way of arranging the user's ability to ultimately get what they need from the target website that they're trying to reach. Okay?

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

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

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