1   JOHN A. PALMER, Ph.D.

2

3   UNITED STATES PATENT AND TRADEMARK OFFICE

4   _____

5

6   BEFORE THE PATENT TRIAL AND APPEAL BOARD

7   _____

8

9   GOOGLE, LLC,

10   Petitioner,

11   v.

12   ECOFACTOR, INC.

13   Patent Owner.

14   _____

15   IPR2021-00982

16   U.S. Patent No. 10,612,983 B2

17   _____

18

19   VIDEOCONFERENCE DEPOSITION OF:

20   JOHN A. PALMER, Ph.D.

21   FRIDAY, APRIL 29, 2022

22

23

24   Reported by: Monice K. Campbell, CA CCR No. 14171

25   Job No.: 210333

1   JOHN A. PALMER, Ph.D.

2   VIDEOCONFERENCE DEPOSITION OF:

3   JOHN A. PALMER, PH.D., held remotely, on

4   Friday, April 29, 2022, at 11:00 a.m.,

5   before Monice K. Campbell, Certified Court

6   Reporter, in and for the State of

7   California.

8

9   APPEARANCES:

10   For the Petitioner:

11   SMITH BALUCH LLP

12   BY: ELIZABETH LAUGHTON, ESQ.

13   1100 Alma Street

14   Menlo Park, California 94025

15

16   For the Patent Owner AudioEye, Inc.:

17   RUSS AUGUST & KABAT

18   BY: JONATHAN LINK, ESQ.

19   800 Maine Avenue SW

20   Washington, DC 20024

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23

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25

1   JOHN A. PALMER, Ph.D.

2   I N D E X

3   JOHN A. PALMER, PH.D.   PAGE

4   Examination By Ms. Laughton   4

5

6
                           E X H I B I T S
7   (Referenced)

8   NUMBER   DESCRIPTION   PAGE

9   Exhibit 1001   7

10   Exhibit 1006   7

11   Exhibit 1008   7

12   Exhibit 2005   7

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1   JOHN A. PALMER, Ph.D.

2   * * * * *

3   FRIDAY, APRIL 29, 2022

4   11:03 A.M.

5   * * * * *

6   Whereupon,

7   JOHN A. PALMER, Ph.D.,

8   having been sworn to testify to the truth, the whole

9   truth, and nothing but the truth, was examined and

10   testified under oath as follows:

11

12   MS. LAUGHTON: This is Elizabeth

13   Laughton from Smith Baluch, LLP representing

14   Petitioner Google, LLC, counsel for

15   EcoFactor.

16   Would you like to introduce

17   yourself?

18   MR. LINK: Certainly.

19   Jonathan Link for the law firm of Russ

20   August.

21

22   EXAMINATION

23   BY MS. LAUGHTON:

24   Q. And this is a deposition in the

25   matter IPR2021-00982 as it relates to the

```
 1              JOHN A. PALMER, Ph.D.

 2   '983 patent.

 3           Dr. Palmer, good morning.

 4       A.  Good morning.

 5       Q.  This is a remote deposition that

 6   is being conducted via zoom.

 7           Could you please state your full

 8    name for the record?

 9       A.  I am John Arthur Palmer.

10       Q.  And Dr. Palmer, you have been

11   deposed before; is that correct?

12       A.  I have.

13       Q.  About how many times have you

14   been deposed?

15       A.  Around 80.

16       Q.  So I think it's fair to say you

17   are very familiar with the rules of a

18   deposition; is that correct?

19       A.  I am.

20       Q.  I'll just note if at any point I

21   ask you a question today that you don't

22   understand, please ask me to clarify and I

23   will do my best to ask you a better

24   question.

25       A.  Of course.
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