UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

CERTIFIED COPY

v.

WILDSEED MOBILE LLC,
Patent Owner.

Case IPR2023-00244 (US Patent No. 10,251,021)

IPR2023-00246 (US Patent No. 9,141,960)

VIDEOCONFERENCE DEPOSITION OF

ROBERT STILLERMAN

INDIVIDUALLY AND ON BEHALF OF

WILDSEED MOBILE LLC

NOVEMBER 10, 2023

Page 1 - 59 7:59 a.m. - 10:31 a.m.

REPORTED BY:
Tamara L. Houston
CA CSR No. 7244, RPR, CCRR No. 140
Job Number 130371

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REMOTE VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF ROBERT STILLERMAN taken on behalf of the Petitioner, commencing from 7:59 a.m. to 10:31 a.m., Friday, November 10, 2023, before Tamara L. Houston, CSR No. 7244, CCRR, RPR.

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2

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8

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1 INDEX TO EXAMINATION

2 WITNESS: ROBERT STILLERMAN

3 EXAMINATIONS PAGE

4 MR. CLEMENTS..... 6

5

6

7 QUESTIONS INSTRUCTED NOT TO ANSWER

8 Page Line

9 None

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1 INDEX TO EXHIBITS
2 ROBERT STILLERMAN
3 GOOGLE LLC vs. WILDSEED MOBILE LLC
4 NOVEMBER 10, 2023
5 Tamara L. Houston, CSR No. 7244, CRR No. 140, RPR
6
7
8 EXHIBIT DESCRIPTION PAGE
9 None.
10 --o0o--
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1 FRIDAY, NOVEMBER 10, 2023, 7:59 a.m.
2 --o0o--
3 Whereupon, ROBERT STILLERMAN, having been
4 called as a witness was duly sworn
5 to tell the truth, the whole truth,
6 and nothing but the truth testified
7 as follows:
8 EXAMINATION BY MR. CLEMENTS
9 Q. Good morning, Mr. Stillerman. Can you please
10 state your full name for the record?
11 A. My name is Robert Stillerman.
12 Q. And have you been deposed before?
13 A. Yes, I have.
14 Q. About how many times?
15 A. I don't know the exact number, but I would
16 estimate about 30 times.
17 Q. So you generally know how depositions work,
18 then; is that correct?
19 A. I generally know how depositions work. That's
20 correct.
21 Q. And you know that you must provide verbal
22 answers to my questions so that the court reporter can
23 make an accurate transcript, correct?
24 A. Yes. I will -- I will do that.
25 Q. And so because we are forming a record here,

1 it's important that we don't talk over each other. So
2 if you can let me finish my question, I'll let you
3 finish your answers. Agreed?
4 A. I will try to do that.
5 Q. And you understand that your counsel might
6 object to a question, but you still must provide an
7 answer to that question unless instructed otherwise,
8 correct?
9 A. Yes, I understand that.
10 Q. And if you're confused as to a question that I
11 ask, please let me know so that I can perhaps ask it in
12 a different way. Can we agree on that?
13 A. Yeah. I'll -- I'll answer questions to the
14 best of my ability based on my understanding of your
15 questions.
16 Q. You're connecting to the deposition today on a
17 personal computer; is that right?
18 A. Yes, it's my -- my laptop that I generally
19 use.
20 Q. Aside from Zoom, are there any other
21 applications running on your computer today?
22 A. Let me close out email. I needed email to
23 access this link. Okay. That is now closed.
24 And aside from that -- let's see. I have a
25 browser that's open that's now closed, and everything

1 is -- looks like Zoom is the only application that's
2 running.
3 Q. Are there any documents open on your computer
4 today?
5 A. At this point, no.
6 Q. Any messaging programs?
7 A. No.
8 Q. Do you have any other electronic devices in
9 the room with you?
10 A. I have my cell phone.
11 Q. Is it turned off?
12 A. It's turned to do not disturb. Would you like
13 me to turn it off?
14 Q. "Do not disturb" is fine.
15 A. Okay.
16 Q. Are there any other people in the room with
17 you today?
18 A. Yes.
19 Q. Who else is in the room with you?
20 A. Mr. Hamill is in the room with me.
21 Q. Do you have any handwritten notes with you
22 today?
23 A. I do not have any handwritten notes with me
24 today.
25 Q. Is there any reason that you cannot provide a

1 full and accurate testimony today?
2 A. As I sit here right now, no.
3 Q. And do you understand that the testimony you
4 are providing today will be used in inter partes review
5 proceedings IPR 2023-00244 and IPR 2023-00246? Correct?
6 A. I don't know the -- the actual number of the
7 IPR cases, but if you represent those are the ones we're
8 discussing today, I agree.
9 Q. And IPR 2023-00244 concerns U.S. Patent
10 10,251,021, correct?
11 A. I believe I refer to that as the '021 patent.
12 I don't memorize the full patent name. But if it's the
13 '021 patent that I talk about in my declaration, then I
14 agree.
15 Q. And IPR 2023-00246 concerns U.S. Patent
16 9,141,960; is that correct?
17 A. Yeah. The same comment, that I believe that's
18 what I refer to as the '960 patent in my declaration.
19 Q. How many IPRs have you worked on?
20 A. I think this is the fourth.
21 Q. And for some other definitions today, if I use
22 the acronym POSITA, will you understand that to mean a
23 person of ordinary skill in the art in 2007, which is
24 the earliest alleged priority date of the '960 and the
25 '021 patents?

1 A. I would agree that POSITA would represent a
2 person of ordinary skill in the art. I don't know that
3 there's been a determination of 2007 being the earliest
4 priority date. That's what I've assumed in my
5 declaration.
6 Q. And when I say "your declaration," you'll
7 understand that I'm referring to Exhibit 2007 filed in
8 both of these proceedings?
9 A. I'm sorry. Could you repeat that question?
10 Q. When I say "your declaration," you will
11 understand that I'm referring to Exhibit 2007 filed in
12 these IPRs?
13 A. Again, I don't know the exhibit numbers
14 associated with my declaration.
15 Q. I'm going to upload your declaration for the
16 '021 patent into the chat. Feel free to open that.
17 Let me know when you have that open.
18 A. I'm not sure I got your file. I got something
19 called whiteboard.text. Is that it?
20 Q. No. It's in the chat. There should be a link
21 to open the document.
22 MR. HAMILL: Click on the --
23 THE WITNESS: Yeah, what I'm getting here is
24 something called whiteboard.text. Although the file
25 says "021 - Ex.2007 (Stillerman)" something.

1 BY MR. CLEMENTS:
2 Q. So is your computer not able to open the
3 exhibits through the chat? It's a PDF file.
4 A. It doesn't appear to be opening it. If it's
5 easier, I have -- I have created an encrypted drive
6 which has my declaration on it and the patents, and I
7 could open that up and access the -- what was served as
8 my declaration.
9 Q. Yeah. If you -- if you can open the documents
10 from your system, that's -- that's fine.
11 A. Okay. Thank you.
12 Q. This is your declaration for the '021 case?
13 A. I have both declarations and the exhibits
14 associated with the declarations.
15 Q. Okay.
16 A. And -- and in addition, I have the two patents
17 which are under review.
18 Q. Can you open your declaration, Exhibit 2007,
19 for the '021?
20 A. Yeah, let me get there.
21 Okay. I've got that open.
22 Q. On the first page at the bottom right, do you
23 see how it's marked Exhibit 2007?
24 A. Yes. Okay. There, I see that. Yes.
25 Q. So when I refer to your declaration in this

1 case, you'll understand I'm referring to Exhibit 2007
2 filed in this proceeding, correct?
3 A. Yes, that's correct.
4 Q. And for the '960 patent, you also filed your
5 declaration as Exhibit 2007. So when I'm referring to
6 your declaration of the '960 patent, you understand I'm
7 referring to Exhibit 2007 in that case, correct?
8 A. Yes, I will -- I will understand that 2007
9 represents the declaration in that proceeding.
10 Q. Have you provided expert consulting services
11 for Wildseed Mobile prior to this case?
12 A. I believe I was retained as an expert in a
13 District Court litigation.
14 Q. And when did you begin working on this matter
15 for Wildseed?
16 A. I don't remember exactly. It was probably
17 sometime last year.
18 Q. And who wrote your declaration for these
19 cases?
20 A. I wrote my declaration.
21 Q. Were you provided with a first draft?
22 A. No, I wrote the first draft in each of the --
23 Q. Who came up with --
24 A. -- in each of the declarations.
25 Q. Who came up with the positions in your

1 declaration?
2 A. I came up with the positions in my
3 declaration.
4 Q. Approximately how long did you spend preparing
5 your declaration?
6 A. And by "declaration," you mean just one
7 declaration, or do you mean both declarations?
8 Q. Both declarations.
9 A. I don't know precisely. I'd have to go back
10 and look at some time sheets.
11 Q. What did you review in preparation for your
12 deposition today?
13 A. I reviewed my declarations. I reviewed the --
14 the patents-in-suit. I reviewed what I refer to as the
15 Sasaki reference. I reviewed the Ellis reference. I
16 reviewed portions of Dr. Houh's declaration. Probably
17 some other related documents. I reviewed some of the
18 exhibits to my declaration.
19 Q. Are there any errors in your declarations that
20 you're aware of?
21 A. I'm aware of some -- some typos in the
22 declaration.
23 Q. Do you still stand by all of the opinions that
24 you've provided in your declaration?
25 A. I still stand by the opinions I provided in my

1 declarations.
2 Q. So let's start with your declaration in the
3 246 IPR, which relates to the '960 patent.
4 I'm uploading that into the chat now, but if
5 you're not able to get it through there, go ahead and
6 open it through your system.
7 A. Okay. I've got that open.
8 Q. Can you turn to page 1, which is the start
9 after the table of contents?
10 A. Okay. I'm there.
11 Q. So you have a section here about your
12 background and qualifications.
13 Do you have any professional experience
14 related to recommendation systems?
15 A. I'm going to open up Exhibit 2008, which is my
16 CV.
17 Okay. I'm reviewing my CV. I've got some
18 experience in working with recommendations for
19 advertising systems in a case that I worked on a couple
20 of years ago.
21 Q. On what page of your CV are you referring to?
22 A. Let me go back to my CV.
23 That's page 2 of my CV. And that's the
24 Klaustech versus Google.
25 Q. Have you ever designed a system that analyzes

1 user data to make inferences about the user's
2 preferences?
3 A. I've designed a system that was used for
4 interns applying for internship positions at
5 universities that requested their preferences and
6 assigned potential internship programs to them based on
7 their preferences.
8 Q. I see here in paragraph 19 of your declaration
9 that you have some experience with computer server
10 architectures.
11 How would you define a server?
12 A. I'm sorry. Can you refer me to where you're
13 seeing -- is it paragraph 19, you said?
14 Q. Paragraph 19 near the end. It's on page 7.
15 You list computer server architectures.
16 A. And can you point me to where in my
17 declaration I offer an opinion on computer server
18 architectures?
19 Q. Well, I'm asking you what is your
20 understanding of the term "server."
21 A. Again, is there somewhere in my -- in my
22 declaration where I've offered an opinion on that?
23 Q. I'm asking your opinion as an expert. What is
24 your understanding of a server?
25 A. So you're asking my opinion generally, not

1 related to these proceedings?
2 Q. I'm asking about your opinion generally.
3 A. So a server is a device that applies services
4 to other computers.
5 Q. Are you familiar with peer-to-peer systems?
6 MR. HAMILL: Object to the scope.
7 THE WITNESS: Again, you know, these are --
8 you know, can you point me to somewhere in my
9 declaration where I've offered opinion on peer-to-peer
10 services?
11 BY MR. CLEMENTS:
12 Q. I'm asking your understanding as an expert, if
13 you're familiar with peer-to-peer systems.
14 MR. HAMILL: Same objection.
15 THE WITNESS: So I'll answer, you know,
16 generally, not in relation to this case.
17 Peer-to-peer systems are where two
18 computer-based systems communicate with each other --
19 two -- two devices communicate with each other. And
20 usually in contrast to what you'd call a client server
21 configuration where there's a difference in the
22 hierarchy or relationship between a client and a server,
23 whereas a peer-to-peer are two equal, in some sense,
24 devices.
25

1 BY MR. CLEMENTS:
2 Q. So in a peer-to-peer system, does a device
3 sometimes act as a server and sometimes act as a client?
4 MR. HAMILL: Objection. Scope.
5 THE WITNESS: Can you point me to somewhere in
6 my declaration where I've offered opinions on
7 peer-to-peer systems and client server systems?
8 BY MR. CLEMENTS:
9 Q. I'm asking generally, as -- as an expert, what
10 your understanding of a peer-to-peer system is and
11 whether it's a device sometimes acts as a client and
12 sometimes acts as a server.
13 A. So I'll answer, yeah, generally, and with no
14 relationship to the proceedings here.
15 But typically peer-to-peer is contrasted with
16 client server architectures. So there's a distinction.
17 It's either -- generally speaking, it's either one or
18 the other. It's not both.
19 Q. And in a peer-to-peer system, does a device
20 sometimes act as a server and sometimes act as a client
21 when communicating with its peers?
22 A. Can you give me an example of what you're
23 thinking about?
24 Q. I'm just thinking about a generic peer-to-peer
25 system where I've got two computers, let's say, and

1 computer A communicates with computer B, and then
2 sometimes computer B communicates with computer A.
3 Is computer A sometimes acting as a server and
4 sometimes acting as a client?
5 MR. HAMILL: Objection. Incomplete
6 hypothetical.
7 THE WITNESS: Yeah. In order to answer that
8 question, I'd have to look at, you know, an example and
9 make that determination.
10 BY MR. CLEMENTS:
11 Q. Move on to the '960 patent, Exhibit 1001.
12 A. Yeah, give me a second to bring that up,
13 please.
14 Just for the record, the copy of the
15 U.S. 9,11 -- 9,141,960 that I have on my computer is
16 Document 13 of a District Court litigation. I assume
17 it's okay for me to use that version of the patent? I
18 don't have Exhibit 2001 here.
19 Q. It's Exhibit 1001. I put it in the chat.
20 A. Oh. Let me try to open that --
21 Q. Does your -- does your version have any notes
22 on it?
23 A. It just says "Exhibit B" on the title page.
24 Oh, yeah, hold on. Now I can download this
25 one. This one, I can download.

1 MR. HAMILL: Once it downloads, you'll be able
2 to click on it in the chat to open it.
3 THE WITNESS: Oh, okay. There it is. Okay.
4 Now I have it. I have the version that you sent.
5 BY MR. CLEMENTS:
6 Q. So let's turn to Claim 1. It's on page 9 of
7 the document, Column 8.
8 Claim 1 recites, "A plurality of media stored
9 on or accessed using a portable media player device, or
10 information about said plurality of media."
11 What is your understanding of the meaning of
12 "a plurality of media"?
13 A. So in paragraph 81 of my declaration in this
14 proceeding, I used the plain and ordinary meaning of
15 this term. And this limitation requires that the
16 inference of the user's entertainment preferences be
17 based on more than one media or information about more
18 than one media. And the more than one media relates to
19 the plurality of media.
20 Q. Do you believe that your claim construction
21 here clarifies the meaning of the word -- or the term
22 "plurality of media"?
23 MR. HAMILL: Objection. Mischaracterizes
24 testimony.
25 THE WITNESS: I've just applied the plain and

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1 ordinary meaning as a person of ordinary skill would
2 have understood it.
3 BY MR. CLEMENTS:
4 Q. So that I understand correctly, you are using
5 the plain and ordinary meaning of the word "plurality"
6 here?
7 A. Yeah, I'm using the plain and ordinary meaning
8 of the word "plurality of media." And I'm also looking
9 at it in the context of the -- of the claim.
10 Q. So how did you arrive at your proposed
11 understanding of the term "plurality of media" here?
12 A. Well, there is no express construction of this
13 term, so I looked at it in the context of the -- of the
14 claim itself and in the context of the specification.
15 Q. Do you understand your interpretation of
16 plurality of media to be different than Dr. Houh's
17 treatment of the term "plurality of media"?
18 A. I'd have to ask you to refresh my recollection
19 on what Dr. Houh's interpretation of that -- that claim
20 term is. I don't recall specifically what he said.
21 Q. I'm uploading Exhibit 1003 into the chat.
22 That's Dr. Houh's declaration. If you could go to
23 paragraph 80 there.
24 Let me know when you get there.
25 A. Okay. I'm at paragraph 80.

1 Q. So here, Dr. Houh is applying the term
2 "plurality of media" to the prior art related to Ellis.
3 And my question is: Do you dispute his
4 understanding of the term "plurality of media"?
5 A. And are you telling me that his understanding
6 of plurality of media is the entire page and a half that
7 he includes here? Is that what you're asking me to
8 answer a question about?
9 Q. It's where he applied the prior art to the
10 term "plurality of media." If you need to read the page
11 here, go ahead.
12 A. When I read this paragraph, I don't see where
13 Dr. Houh offers a construction of the term "plurality of
14 media." He's -- yeah, he appears to be turning to
15 extrinsic evidence instead of relying on the intrinsic
16 evidence.
17 Q. Under your understanding of the term
18 "plurality of media," would a song -- a single song
19 count as a single media?
20 A. I haven't -- you know, can you point me to
21 where a single media appears in -- in the claim
22 language? I don't believe there is any construction
23 necessary for a single media, and I don't think I've
24 offered any opinions on that.
25 Q. Do you think that a single song would be a

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1 single media?
2 A. I haven't offered any opinions on what a
3 single media is. And, you know...
4 Q. Would two songs count as a plurality of media?
5 A. That's a claim construction issue. More than
6 one media is what I'm -- what I'm looking at here. And,
7 you know, I haven't offered anything other than what
8 I've said in the report -- sorry, in the declaration.
9 Q. So would two songs be more than one media?
10 A. Yeah, to the extent that the song is a media
11 in the context, two would be more than one.
12 Q. And if I had a single podcast, would that be a
13 plurality of media?
14 MR. HAMILL: Objection. Scope.
15 THE WITNESS: I haven't offered any opinions
16 on single podcasts, I don't believe. And --
17 BY MR. CLEMENTS:
18 Q. So I'm trying to understand --
19 A. Go ahead. Please, go ahead.
20 Q. So I'm trying to understand your -- your
21 understanding or interpretation of the term "plurality
22 of media" in more detail. And so I'm trying to figure
23 out what would be included within more than one media
24 and what would not be.
25 So if I were to have a single podcast, would

1 that be more than one media under your interpretation?
2 A. You know, I haven't offered any opinions on
3 that in this declaration.
4 Q. Aside from whether it's in your declaration,
5 can you let me know whether you understand a single
6 podcast to be within the scope of more than one media,
7 according to your understanding?
8 A. Yeah, I'd need to consider that in the context
9 of where the "more than" -- you know, the "more than one
10 podcast," how it's used. Again --
11 Q. What other information --
12 A. -- this is -- this is a claim construction
13 issue, and I'd like to consider the claim construction
14 issues in the context of the claim itself and in the
15 context of the specification, the intrinsic evidence.
16 Q. So if I had a song and a podcast, would that
17 be more than one media?
18 A. I'd -- I'd have to look at it in the context
19 of the claim. I'd have to look at it in the context of,
20 you know, where the "more than one" -- where the podcast
21 and the song were located and whether or not, you know,
22 this limitation is part of a -- part of a claim and
23 whether or not the one song -- your hypothetical, one
24 song and one podcast, how that relates to the claim in
25 its entirety.

1 I don't think I've offered specific opinions
2 in my declaration about that.
3 Q. But you have offered an opinion that plurality
4 of media means more than one media, correct?
5 A. That's correct.
6 Q. And so for me to understand exactly what that
7 means, I'm trying to come up with some examples here.
8 And so in an example where I have a song and a podcast,
9 would that be more than one media under your
10 interpretation?
11 A. Again, you know, I'd need to look at it. In
12 the context of this proceeding, I'm looking at the --
13 you know, the claim in its entirety. And for me to
14 answer that question, I'd need to see the context that
15 we're talking about. See if it represents the "more
16 than one media" in the context of the claim.
17 Q. So are you saying you need the context of the
18 entire claim to answer this question?
19 A. That would be helpful. Yeah.
20 Q. So if we go back to Exhibit 1001, to Claim 1,
21 if you need some time to look that over before answering
22 my question, go ahead.
23 Let me know when you're done looking at the
24 claim.
25 A. Okay. I'm just reviewing it now.

1 So I'm done reviewing the claim. Could you
2 repeat your question again?
3 Q. Yeah.
4 If I have a song and a podcast, would that be
5 included as more than one media based on your
6 interpretation?
7 A. So in the context of the claim, the claim
8 requires, "Retrieving, by a server, a plurality of media
9 stored on or accessed using a portable media player
10 device, or information about said plurality of media."
11 So I'd need to understand whether the podcast
12 and the song that you're hypothesizing meet the entire
13 requirements of this claim limitation and the other
14 claim limitations of --
15 Q. So if I -- so if I expand on this hypothetical
16 to say that we retrieved a song and a podcast, in the
17 context of that claim, would that be retrieving, by the
18 server, a plurality of media?
19 MR. HAMILL: Objection. Form.
20 THE WITNESS: Yeah, again, I'd need to see the
21 context. It needs to -- you know, the plurality of
22 media appears multiple times in this claim. In order to
23 meet the requirements of the claim limitation, I'd need
24 to make sure that it meets all of the requirements of
25 the claim language.

1 BY MR. CLEMENTS:
2 Q. So looking at the entire claim, can you answer
3 the question whether, if I'm retrieving, by the server,
4 a song and a podcast stored on or accessed by the
5 portable media player device, does that count as a
6 plurality of media, based on your interpretation?
7 A. Well, my interpretation is that, if it's
8 retrieved, "by a server, a plurality of media stored on
9 or accessed using a portable media player device, or
10 information about said plurality of media; inferring, by
11 the server, based at least, in part, on the retrieved
12 plurality of media or the retrieved information about
13 said plurality of media" --
14 Yeah, I'd need to -- I'd need to analyze it in
15 the context of the claim. I --
16 Q. What else would you need to know in order to
17 determine whether a song and a podcast together are more
18 than one media?
19 A. Yeah, I'd need to know if the -- you know, the
20 plurality of media of the -- if the song and the podcast
21 meet the requirements of, you know, the limitations that
22 require a plurality of media.
23 I'd want to read the plurality of media
24 element of this claim or these claim limitations in the
25 contexts that they appear.

1 Q. Well, let's consider the term "plurality of
2 media" just by itself, not whether we have to retrieve
3 the plurality of media or whether we infer, based on the
4 plurality of media, but just the term "plurality of
5 media" itself.
6 And you've given a definition that it's more
7 than one. So if it's more than one media, would a song
8 and a podcast be included as more than one media?
9 A. Again, I haven't -- let me just get back to my
10 declaration here.
11 What I say in the declaration is that the --
12 "the limitation requires that the inference of the
13 user's entertainment preferences be based on more than
14 one media or information about more than one media."
15 So I'd need to understand if, in the context
16 of this claim limitation, what we're talking about is
17 that it meets "the inference of the user's entertainment
18 preferences be based on more than one media," the
19 podcast and the song.
20 Q. What about if I had a different hypothetical
21 such as an e-book and a news article? Are those things
22 together more than one media?
23 A. That, yeah, I would answer the same way. I
24 would need to see the context, you know, how they are
25 used in the context of the claim.

1 Q. So my understanding of what you say here is
2 that, when you say "more than one media," an e-book and
3 a news article would be more than one media.
4 Am I correct in that understanding?
5 A. I haven't offered any opinions on -- on that
6 specific combination.
7 Q. So is my understanding incorrect that an
8 e-book and a news article would be more than one media?
9 A. I -- yeah, you can have your understanding. I
10 haven't formed an understanding about that without
11 viewing it in the context of how -- how they are used.
12 Q. So let's move on to the next clause in the
13 claim.
14 Claim 1 also recites, "Inferring, by the
15 server, based at least in part on the retrieved
16 plurality of media or the retrieved information about
17 said plurality of media, one or more entertainment
18 preferences of a user."
19 What is your understanding of the meaning of
20 the word "infer" here?
21 A. In paragraph 84 of my declaration, I write
22 that, "The plain and ordinary meaning of 'infer' is 'to
23 derive as a conclusion from facts or premises.'"
24 Q. So in arriving at this interpretation of the
25 word "infer," do you rely on any intrinsic evidence?

1 A. Here, I've relied on a definition from an
2 extrin- -- extrinsic source. The Merriam-Webster
3 definition. But I did read it in the context of the
4 specification.
5 Q. Why did you decide that seeking extrinsic
6 evidence was necessary for an interpretation here?
7 MR. HAMILL: Objection. Mischaracterizes.
8 THE WITNESS: What I've done in this paragraph
9 of my report is I've considered the term "infer" -- or
10 "inferring," as it appears in the clause in the
11 limitation itself -- in the context of the
12 specification.
13 It's a single word for which the inventor
14 didn't offer any definition of his own. So I turned to
15 an external source to understand what "infer" would mean
16 to a person of ordinary skill.
17 BY MR. CLEMENTS:
18 Q. So if I were to analyze the music the user
19 listens to and I determine that they listen to a lot of
20 rock music, can I then infer that the user prefers rock
21 music?
22 MR. HAMILL: Objection. Form.
23 THE WITNESS: Again, that's a hypothetical
24 that's in the -- yeah, out of context. In order to --
25 to make a determination in the context of the -- you

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1 know, the current proceedings, I'd need to analyze, you
2 know, the entire hypothetical.
3 That's -- in my view, it's an incomplete
4 hypothetical with respect to the -- the '960 patent
5 claims.
6 BY MR. CLEMENTS:
7 Q. I'm just considering the meaning of the word
8 "infer," which you have defined as "to derive as a
9 conclusion from facts or premises."
10 So if I have the facts or premises are that
11 the user listens to a lot of rock music and I conclude
12 that they prefer rock music based on that, am I then
13 making an inference, according to your interpretation of
14 that word?
15 MR. HAMILL: Objection. Form.
16 THE WITNESS: Yeah, I think I'd need to
17 consider that in the context of, you know, how it's done
18 and in the context of, you know, the full -- the full
19 claim, that, you know, does it meet the requirements of
20 the claim limitation in the context of the full claim
21 itself.
22 BY MR. CLEMENTS:
23 Q. So I'm asking just simply about the word
24 "infer" and your definition that you provided, not the
25 full context of the claim.

1 And I'm simply asking whether, if I infer that
2 the user likes rock music based on the user listening to
3 rock music, is that an inference, according to your
4 definition?
5 MR. HAMILL: Objection to form.
6 THE WITNESS: I think you're asking me more
7 than just the word "infer." I think you're asking me
8 the situation, you know, hypothetical. And what I like
9 to do is I like to consider it in the context of the
10 claim limitation to see if, you know, there might be
11 other uses of the word "infer."
12 But, you know, here specifically, the
13 inferring by the server one or more entertainment
14 preferences of the user is what the term "infer" relates
15 to. So I'd need to see, you know, how that's -- how
16 that's done.
17 BY MR. CLEMENTS:
18 Q. Can you give me an example of how the server
19 would infer or how the server would derive as a
20 conclusion from facts or premises the user preference?
21 MR. HAMILL: Object to scope.
22 (Court reporter requested clarification.)
23 MR. HAMILL: I'll speak up.
24 Objection to scope.
25 THE WITNESS: Okay. Can you repeat the

1 question again, sir?
2 BY MR. CLEMENTS:
3 Q. Can you think of any examples where one would
4 infer a user preference or, according to your
5 definition, to derive as a conclusion from facts or
6 premises a user preference?
7 A. So to answer that question, I'd like to turn
8 to the '960 patent and Column 5.
9 Q. Okay.
10 A. And starting on line 26: "Thus, in various
11 embodiments, the server may analyze, e.g., the metadata
12 associated with a wide variety of media stored on or
13 accessed using the portable media player device such as
14 music, podcasts, books or audiobooks, video, photos, or
15 other images for various trends that can be translated
16 into user preferences for a particular genre of music,
17 film, video, or art."
18 And then the specification goes on to explain
19 a little bit more about the metadata. And it gives an
20 example of, "The server may determine that the user has
21 a preference for a jazz music genre if the portable
22 media player device stores or has been used to access a
23 substantial amount of music by famous jazz artists."
24 So I think that's -- that's one example.
25 Q. So if I understand that example, the system is

1 determining that the user has a preference for jazz
2 music genre if the portable media device player stores a
3 substantial amount of jazz music on it. Is that
4 correct?
5 A. Yeah, that's one -- one method of inference
6 that the specification discusses.
7 Q. So if I analyze the music the user listens to
8 and I determine that they have a lot of jazz music, am I
9 inferring that the user prefers jazz music?
10 MR. HAMILL: Objection. Form.
11 THE WITNESS: Yeah, to answer that question,
12 I'd have to -- you know, if you -- you know, you aren't
13 the server. In the context of the claim language, the
14 inference has to be done by the server.
15 BY MR. CLEMENTS:
16 Q. So if the server analyzes the music the user
17 listens to and then determines that the user has a lot
18 of jazz music, does the server infer that the user
19 prefers jazz?
20 MR. HAMILL: Objection. Form.
21 THE WITNESS: And, again, you know, to see if
22 it meets the limitations, I'd need to view the entire
23 hypothetical.
24 BY MR. CLEMENTS:
25 Q. Is the hypothetical I just provided any

1 different from what we just read here in the
2 '960 patent?
3 A. Well, you've used different words. What I
4 just read from the '960 is that -- how the '960 stated
5 it.
6 Q. Even though I used different words, is what I
7 said substantively different than the example given in
8 the '960 patent?
9 A. May I ask you to reread what you had -- the
10 question?
11 Q. Yeah.
12 So if the server analyzes the music the user
13 listens to and then determines that the user has a lot
14 of jazz music that they listen to, does the server infer
15 that the user prefers jazz?
16 MR. HAMILL: Object to form.
17 THE WITNESS: It's possible that could be the
18 way the server does the inference.
19 MR. CLEMENTS: We've been going for a little
20 over an hour. Why don't we take a break. A ten-minute
21 break? Does that work?
22 THE WITNESS: Sure. So what time would you
23 like to restart?
24 MR. CLEMENTS: So it's 11:09 here Central
25 time. Makes that probably 9:09 for you if you're on

1 Pacific time. So how about 11:20, or 9:20? Are you
2 on -- are you on Pacific time?
3 THE WITNESS: Yes, I'm on Pacific time.
4 MR. CLEMENTS: Okay.
5 THE WITNESS: That's perfect. 9:20 is
6 perfect.
7 MR. CLEMENTS: All right.
8 (Recess: 9:09 a.m. to 9:20 a.m.)
9 BY MR. CLEMENTS:
10 Q. Mr. Stillerman, did you speak with counsel
11 during the break?
12 A. Yes, I did.
13 Q. Did you discuss the substance of your
14 testimony today?
15 A. No, I did not.
16 Q. So let's move on to the 244 IPR, which relates
17 to the '021 patent. I would like to start out with the
18 claims of the '021 patent. I'm uploading Exhibit 1001
19 into the chat.
20 Let me know when you have that open.
21 A. Yeah, I have that open.
22 Q. So let's go to Claim 1 on Column 8. The first
23 clause there recites, "Control receipt of media or
24 information about the media, the media being stored on a
25 portable media player device or accessed using the

1 portable media player device."
2 What is your understanding of the difference
3 between "stored on" versus "accessed using"?
4 A. Can you point me to where in my declaration
5 I've offered an opinion regarding the difference between
6 "stored on" and "accessed by"?
7 Q. I'm asking your opinion now as a POSITA. How
8 would a POSITA understand the difference between "stored
9 on" versus "accessed using"?
10 A. So I'll just refer you to the -- the
11 '021 patent, Column 5.
12 And starting on line 11, "The inference may
13 include retrieving media or information about media
14 stored on and/or accessed using the user's portable
15 media player device at a next block 206."
16 Then it goes on to say, "This media or
17 information about media stored on or accessed using the
18 portable media player device may be retrieved by the
19 server by various methods" --
20 Sorry, that's not -- that's not a good
21 citation.
22 So the specification shows a -- in Figure 3
23 shows a storage medium 304 where --
24 Q. Were you finished with your answer?
25 A. Sorry?

1 Q. Go ahead.
2 A. -- where the media --
3 Q. I was just asking --
4 A. Please go ahead.
5 Q. I was just asking if you were done with your
6 answer, but I apologize for interrupting. Go ahead.
7 A. That's okay.
8 Yeah. I'm trying to find somewhere in the
9 specification where it explains the distinction. You
10 know, generally speaking, the portable media player has
11 some kind of internal storage where the -- the media can
12 be stored, or it might have a provision for some kind of
13 external storage like a flash drive or an SD card that
14 could be used as external storage so that it could
15 access the media using the external storage.
16 So that's one -- one such example.
17 Q. If it were -- if the media player device were
18 to access media content over a network, is that an
19 example of "accessed using"?
20 MR. HAMILL: Objection. Form.
21 THE WITNESS: Could you point me to where in
22 my declaration I offered an opinion on that?
23 BY MR. CLEMENTS:
24 Q. I'm asking as your unders- -- I'm asking your
25 opinion as to what a POSITA would understand the

1 difference between the word "on" versus "accessed
2 using." And I'm asking, if the media player device
3 accesses something over a network, if that is accessed
4 using as distinct from stored on local storage.
5 A. So in the context of the '021 patent, the
6 media being stored on or accessed using the portable
7 media player device would have to be viewed in the
8 context of the claim limitation, which you read earlier,
9 and in the context of the claim itself.
10 So I -- I haven't offered an opinion on that,
11 and I'd need to, you know, view the entire
12 hypothetic- -- you know, the entire situation to see if
13 it meets the limitation of the claim here.
14 Q. So you gave one example of "accessed using,"
15 and that is accessing something from an external hard
16 drive.
17 Is there an example in the specification that
18 gives that as an example of "accessed using"?
19 A. I was just speaking generally, not in the
20 context of the claim, when I answered that question
21 earlier.
22 Q. So generally, how would a POSITA understand
23 the difference between "stored on" and "accessed using"?
24 A. So generally, you know, and not considering
25 the claim limitation, if it's not stored specifically on

1 the device itself and it's accessed by some other means,
2 that would be the other "accessed using."
3 Q. So by some other means would be, for example,
4 over a network; is that correct?
5 A. Yeah. Generally speaking, it could be via the
6 network. It could be via some external storage. Could
7 be through some other kind of point-to-point connection,
8 generally speaking.
9 Under the context of the claims, we'd need to
10 see if -- we'd need to view it in the context of the
11 limitations.
12 Q. Would it be possible for a media player to
13 access content without storing that content locally?
14 MR. HAMILL: Object to form.
15 THE WITNESS: Yeah, again, that's a claim
16 construction issue that I haven't addressed specifically
17 in my declaration.
18 BY MR. CLEMENTS:
19 Q. So I'm asking: As your understanding of a
20 POSITA, would a POSITA understand it to be possible to
21 access media content without storing that media content
22 locally on the media player?
23 A. Well, I think a POSITA would need to do the
24 same thing that I'd need to do, which is to go back and
25 view it in the context of the specification -- you know,

1 the intrinsic evidence, review the file history, review
2 the specification, and make that -- make that
3 determination.
4 You're talking, you know, irrespective of
5 the -- you know, the '021 patent, a person of ordinary
6 skill would --
7 Let me turn to a portion of my declaration.
8 Yeah. In paragraph 45 of my declaration -- I
9 have the right declaration here -- "Portable media
10 players are consumer electronic devices that are capable
11 of being carried and can store and play" --
12 (Court reporter requested clarification.)
13 THE WITNESS: Yeah.
14 (As read) "Portable media players are consumer
15 electronic devices that are capable of being carried and
16 can store and play digital media, such as audio, images,
17 and video. Data is typically stored on a disc, in
18 memory, for example, flash memory, or an SD card. Early
19 players used removable media, such as CD, DVD, or a
20 cassette."
21 So, you know, a person of ordinary skill would
22 have that understanding of a portable media player
23 device.
24 BY MR. CLEMENTS:
25 Q. So you mentioned earlier that one example of

1 "accessed using" may include over a network, generally
2 speaking. Would streaming content to a device be
3 considered "accessed using"?
4 A. Yeah. Can you point me to where in my
5 declaration I offer an opinion on whether streaming
6 is --
7 Q. I'm asking your understanding as a POSITA.
8 Would a POSITA understand streaming to be "accessed
9 using"?
10 A. Whoops. I've got a problem here. Can we just
11 go off the record for a second? I have a problem with
12 my computer here.
13 MR. CLEMENTS: Sure. Five-minute break?
14 THE WITNESS: Sure. That's fine. Thank you.
15 (Recess: 11:46 a.m. to 11:53 a.m.)
16 BY MR. CLEMENTS:
17 Q. So my question was: According to your
18 understanding, as a POSITA, would streaming content be
19 "accessed using"?
20 MR. HAMILL: Objection. Form.
21 THE WITNESS: So, again, you know, that's a
22 claim construction issue. We -- if I answer, you know,
23 without considering the claims at issue, streaming is
24 one way of accessing media content.
25

1 BY MR. CLEMENTS:
2 Q. Let's go back to Claim 1.
3 Claim 1 recites, "Based at least in part on
4 the retrieved media, the retrieved information about the
5 media, and a plurality of media content types of the
6 media stored on or accessed by the portable media player
7 device."
8 What is a media content type?
9 A. The media content types are the ones that are
10 listed in Claim 1, Limitation 1.2, which are external
11 media, image media, audio media, and video media.
12 Q. Is there a distinction between the term
13 "plurality of media," which we discussed earlier with
14 reference to the '960 patent, and "a plurality of media
15 content types" recited here in this patent?
16 A. That's a claim construction issue. I don't
17 know that I've offered any opinions on that in my
18 declaration.
19 Q. How would a POSITA understand the difference
20 between a plurality of media and a plurality of media
21 content types?
22 A. Well, I think they'd have to understand it in
23 the context of the claims in which those terms appear.
24 In the '960, as I recall, the claim language
25 is considerably different than the claim language of the

1 '021. So I think a person of ordinary skill would need
2 to consider those terms as they appear in the claim
3 limitations.
4 Q. And you considered the claim limitations of
5 both patents, correct?
6 A. Yes, I have.
7 Q. And so you, as a POSITA, how would you
8 interpret the difference between a plurality of media
9 and a plurality of media content types?
10 A. Again, I don't believe I've offered an opinion
11 on that in my declarations. And in order to offer an
12 opinion, I'd need to spend some time, as I usually do,
13 analyzing the claims and the differences in which -- and
14 the ways in which they are used differently.
15 Q. So you have no opinion on the difference
16 between the plurality of media and the plurality of
17 media content types; is that correct?
18 MR. HAMILL: Object to form.
19 THE WITNESS: Yeah. As I sit here today, I
20 haven't formed any such opinion. I haven't been asked
21 to form any such opinion. And I don't want to just form
22 an opinion on the fly here without doing my usual
23 analysis.
24 BY MR. CLEMENTS:
25 Q. So the claim says, (As read) "Infer one or

1 more entertainment preferences of a user of the portable
2 media device based on" -- and it lists the two things
3 that include a plurality of media content types.
4 So would music be a content type?
5 A. A person of ordinary skill would understand
6 that music is a type of audio. So it wouldn't be a
7 content type as expressly stated in the claim. It would
8 be -- a person would understand that it's the audio
9 content type that the claim specifies.
10 Q. So the claim specifies inferring a user's
11 entertainment preferences based on media content types,
12 which may include audio media.
13 So, for example, if I determine that the user
14 listens to a lot of jazz music, can I infer that the
15 user has a preference for jazz?
16 MR. HAMILL: Object to form.
17 THE WITNESS: I'm sorry, was there -- was
18 there a question there?
19 BY MR. CLEMENTS:
20 Q. Yeah.
21 So the claim specifies inferring a user's
22 entertainment preferences based on content types, which
23 may include audio media.
24 So, for example, if the server determines that
25 the user listens to a lot of jazz music, can the server

1 then infer that the user prefers jazz?
2 A. Yeah, if we turn to the specification in
3 Column 3, the specification recites, "For example" --
4 that's line 44.
5 "For example, if media stored on or accessed
6 using the portable media player device suggests that the
7 user is a fan of jazz music, the server may generate and
8 provide information about jazz artists who began their
9 careers in the current city the user is in."
10 Q. So is that quote there an example of the
11 server determining a user preference based on the audio
12 media content type?
13 A. The music, in this case, would be the audio
14 content type.
15 Q. And then I see, in Column 5 of the
16 '021 patent, starting on line 44, it looks like it's
17 giving a similar example.
18 It says, "For example, the server may
19 determine that the user has a preference for a jazz
20 music genre if the portable media player device stores
21 or has been used to access a substantial amount of" jazz
22 music -- or "music by famous jazz artists."
23 Is that another example of the server
24 inferring the user's preference of jazz based on the
25 audio media content type?

1 A. Yeah, that's an example of the server
2 determining that the user has a preference for jazz
3 music based on -- based on music stored on the -- on the
4 player.
5 Q. So looking at that example, it's sufficient
6 for the server to look at the user's jazz music
7 listening history and determine that the user likes
8 jazz; is that correct?
9 MR. HAMILL: Objection. Form.
10 THE WITNESS: So, yeah, if we take the -- if
11 we look at the claim in its entirety, as long as the
12 player can handle all four media content types, then
13 inferring a user's entertainment preferences based on
14 one of those types, the audio type is fine.
15 BY MR. CLEMENTS:
16 Q. Move on to your declaration. Paragraph 52 of
17 your declaration.
18 I don't believe I've uploaded this to the chat
19 yet, so I'm going to upload your declaration for the
20 '021 case to the chat.
21 A. Okay. I'm just using my -- my local copy that
22 we discussed earlier in the deposition. Is that okay?
23 Q. That's fine. Yep.
24 So in paragraph 52 of your declaration, you
25 have a quote related to Internet radio. And the last

1 sentence there says, "It is a form of streaming media
2 where content is usually provided live instead of being
3 prerecorded like some podcasts."
4 So it says here that some podcasts are
5 prerecorded.
6 Are some podcasts broadcast live?
7 A. Yeah. Podcasts are -- let me go to my section
8 on podcasts here.
9 So what I say in paragraph 54 is that a radio
10 program that is stored in digital form that you can
11 download from the Internet and play on a computer or on
12 an MP3 player is a podcast.
13 Q. Would a POSITA in 2007 understand that
14 podcasts are sometimes broadcast live?
15 A. If it were broadcast live, then it wouldn't be
16 a podcast. It would be streamed -- streamed content.
17 Q. So anything that is streamed can't be a
18 podcast. Is that your interpretation?
19 A. Right. And I think Dr. Houh and I agree on
20 this. Let me see if I can find that part of my
21 declaration.
22 Yeah, in paragraph 177 of my declaration,
23 Dr. Houh quotes Lim to say, "A podcast is a digital
24 recording of a radio broadcast or similar programme,
25 made available" -- "or similar programme, made available

1 on the Internet in a number of separate files for
2 downloading to a personal audio player."
3 So Dr. Houh and I seem to agree that the
4 podcast is downloaded and played from the device and not
5 streamed.
6 Q. Well, I don't see here where it says podcasts
7 can't be streamed. I see where it says, "A podcast is a
8 digital recording of a radio broadcast" --
9 (Court reporter requested clarification.)
10 MR. CLEMENTS: Yeah.
11 So I said I don't see here where it says the
12 podcast can't be streamed. What I see is, "A podcast is
13 a digital recording of a radio broadcast or similar
14 programme, made available on the Internet in a number of
15 separate files for downloading to a personal audio
16 player."
17 BY MR. CLEMENTS:
18 Q. So what I'm asking is: Was it also known for
19 podcasts to be streamed back in 2007?
20 A. Yeah, I think a person -- a person of ordinary
21 skill would know that a podcast is stored on the device
22 and that, if it's streamed media, it's streamed media.
23 That may be known by another name, but it's not a
24 podcast.
25 Q. Were podcasts a commonly downloaded form of

1 audio content at the time the '021 patent was filed?
2 MR. HAMILL: Object to form.
3 THE WITNESS: I'm sorry. Can you repeat the
4 question again?
5 BY MR. CLEMENTS:
6 Q. So as of the earliest priority date of the
7 '021 patent, which I believe was 2007, were podcasts a
8 commonly downloaded form of audio content?
9 MR. HAMILL: Same --
10 (Court reporter requested clarification.)
11 MR. HAMILL: I said same objection. Objection
12 to form.
13 THE WITNESS: Yeah, I remember, prior to 2007,
14 downloading podcasts and downloading them to my iPod and
15 playing them off my iPod.
16 BY MR. CLEMENTS:
17 Q. And were podcasts ever streamed as of that
18 time?
19 A. Well, again, in my opinion, the -- if it's
20 streamed, then it's not a podcast. It's live -- it's
21 live media that's being streamed.
22 Q. Let's turn to page 20 of your declaration
23 here.
24 Let me know when you're there.
25 A. Yep. I'm there, yep.

1 Q. So you have a diagram here that walks through
2 the history of portable music players.
3 A. Yes.
4 Q. Did you find this diagram?
5 A. I did, yes.
6 Q. And did you research the capabilities of the
7 devices in this diagram?
8 A. I didn't specifically research them, but I'm
9 familiar with these devices. I owned -- I owned a
10 number of these devices.
11 Q. I see here that the iPhone came out in 2007.
12 Are you aware of any other mobile devices before 2007
13 that had the functionality of an MP3 player?
14 A. And by "mobile device," do you mean a device
15 that -- that you can make phone calls on?
16 Q. Yes.
17 A. I can't -- you know, it's hard for me to put
18 devices in the time frame without researching them, but
19 I couldn't answer that. It's very possible, but it's
20 possible maybe not.
21 Q. Are you aware of any personal media devices
22 that had a wireless network capability that functioned
23 as an MP3 player prior to 2007?
24 A. Again, you know, I'd have to do a little bit
25 of research with devices in -- on a timeline.

1 Q. So the devices in this diagram -- let's say
2 the iPod in 2001, did that device have storage
3 capabilities to store music?
4 A. Yeah, the iPod had storage capability.
5 Q. Did it have any network capabilities?
6 A. The device that I had did not.
7 Q. Were you aware of any versions of the iPod
8 that did have wireless network connectivity?
9 A. Again, I'd need to research that. I can't
10 answer that as I sit here today.
11 Q. So the diagram also shows that Samsung phone
12 from September of 2000. Did that device have storage
13 capabilities to store audio?
14 A. Yes, it did.
15 Q. Did that device also have network
16 connectivity?
17 A. Well, it certainly had connectivity to the
18 public mobile network.
19 Q. And to connect to the public mobile network,
20 did it include an antenna?
21 A. It would have required an antenna to connect
22 to the public mobile network, yes.
23 Q. I'd like to move on to the Sasaki reference
24 now. That's Exhibit 1004 in this case.
25 I will go ahead and upload it. But feel free

1 to use your copy.
2 A. Okay. I've got it. Thank you.
3 Q. So let's turn to paragraph 41 of Sasaki.
4 Let me know when you're there.
5 A. I'm there. Yep.
6 Q. So the last sentence there refers to a
7 communication interface 12 and a communication
8 circuit 13 and transmitting/receiving antenna 14.
9 And it says that it can be configured to use
10 various wireless communication standards such as
11 Bluetooth, IEEE (Institute of Electrical and Electronics
12 Engineers) 804.11x, and ultra-wideband.
13 Could devices in 2007 receive audio or video
14 content over Bluetooth?
15 A. Which devices are you referring to?
16 Q. The -- for example, Sasaki's terminal device
17 with the communication at interface 12, it's got
18 Bluetooth capability.
19 MR. HAMILL: Objection. Form.
20 THE WITNESS: I'd -- I'd have to review the
21 specification -- his specification here.
22 Let me just take a few minutes to look at what
23 figure he's referencing here.
24 Okay. And may I ask you to repeat the
25 question, please?

1 BY MR. CLEMENTS:
2 Q. Yeah.
3 Could devices before 2007 that had Bluetooth
4 capability, could they receive audio or video content?
5 MR. HAMILL: Objection. Form.
6 THE WITNESS: It's possible. I don't know
7 that the citation from Sasaki at paragraph 41 states
8 that. It seems to indicate that it has Bluetooth
9 capability, but it doesn't say what's being transmitted
10 over Bluetooth.
11 BY MR. CLEMENTS:
12 Q. Is it your understanding as a POSITA that the
13 Bluetooth standards before 2007 were capable of
14 transmitting audio and video content?
15 A. Can you point me to where in my report I've --
16 where in my declaration I've opined on that?
17 Q. I'm asking about your understanding as a
18 POSITA. Were the Bluetooth capabilities in 2007 able to
19 transmit audio and video content?
20 A. So generally speaking, there were -- you know,
21 there were -- there is a Bluetooth capability for
22 transmitting audio. But I certainly haven't considered
23 an answer to that question in the context of the
24 '021 patent.
25 So generally speaking, Bluetooth can be used

1 to transmit and receive audio.
2 Q. Can Bluetooth be used to transmit and receive
3 video?
4 A. Yeah. In that time frame, that -- I -- again,
5 I can't place capabilities on a timeline without doing a
6 little bit of research. So I can't answer that as I sit
7 here today.
8 Q. What about the 804.11 Wi-Fi standards? Back
9 in 2007, were those wireless standards capable of
10 transmitting audio and video content?
11 A. Do you mean the 802.11 standards?
12 Q. So the patent in Sasaki says 804.11, but you
13 may be right. They may have meant to say the 802.11
14 standards.
15 A. Yeah, okay. So could you repeat the question
16 again?
17 Q. Yeah.
18 So were the -- the Wi-Fi standards, the IEEE
19 Wi-Fi standards in 2007, were they capable of
20 transmitting audio and video content?
21 MR. HAMILL: Object to form.
22 THE WITNESS: Generally speaking -- again, not
23 in the context of the claims, but -- using Wi-Fi, you
24 could transmit audio and video.
25

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1 BY MR. CLEMENTS:
2 Q. And what about the ultra-wideband standards?
3 Back in 2007, were the ultra-wideband standards capable
4 of transmitting audio and video content?
5 MR. HAMILL: Object to form.
6 THE WITNESS: Yeah, I'd have to review the
7 ultra-wideband standard to see what its capabilities
8 were in that time frame.
9 MR. CLEMENTS: Mr. Stillerman, I have no
10 further questions for you today.
11 THE WITNESS: Okay. Well, thank you for your
12 time.
13 MR. CLEMENTS: Thank you.
14 MR. HAMILL: Can we take a ten-minute break
15 for me to review any notes to see if I have any
16 questions?
17 MR. CLEMENTS: Sure. A ten-minute break?
18 MR. HAMILL: Resume at half past the hour?
19 Five minutes? Does that work for everyone?
20 MR. CLEMENTS: Yep.
21 (Recess: 10:25 p.m. to 10:30 a.m.)
22 MR. HAMILL: Okay. No further questions.
23 COURT REPORTER: Transcript requests, please.
24 MR. CLEMENTS: So we do need the rough, and
25 then we need the final transcript by the 15th. So I'm

1 guessing that's a rush. Is that possible?
2 COURT REPORTER: Of course.
3 MR. CLEMENTS: All right.
4 COURT REPORTER: Copy, Mr. Hamill?
5 MR. HAMILL: Can I get back to you on this?
6 I'm not sure what -- we don't need anything rushed on
7 our end. Let me -- I'll check and get back to you.
8 COURT REPORTER: Sure. You've got my email.
9 (Whereupon the proceedings concluded at
10 10:31 a.m.)
11
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1 ERRATA SHEET
NAME OF CASE: GOOGLE LLC v. WILDSEED MOBILE LLC
2 DATE OF DEPOSITION: NOVEMBER 10, 2023
NAME OF WITNESS: ROBERT STILLERMAN
3
Reason Codes:
4
1: To clarify the record.
5 2: To conform to the facts.
3: To correct transcription error.
6
Page _____ Line _____ Reason _____
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From _____ to _____
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_____ _____
25 ROBERT STILLERMAN DATED

1 DECLARATION UNDER PENALTY OF PERJURY
2
3 I, ROBERT STILLERMAN, do hereby certify under
4 penalty of perjury that I have read the foregoing
5 transcript of my deposition taken on November 10, 2023;
6 that I have made such corrections as appear noted on the
7 Deposition Errata Page(s), attached hereto, signed by
8 me; that my testimony as contained herein, as corrected,
9 is true and correct.
10
11 This Declaration is executed this _____ day
12 of _____, 20___, at _____,
13 California.
14
15
16 _____
17 ROBERT STILLERMAN
18
19
20
21
22
23
24
25

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STATE OF CALIFORNIA) ss.

I, Tamara Houston, RPR, CCRR, CSR No. 7244, a Certified Shorthand Reporter in the State of California, duly empowered to administer oaths, do hereby certify:

That, prior to being examined, the witness named in the foregoing deposition was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth;

That said deposition was taken down by me in shorthand at the time and place therein named, and thereafter reduced to typewriting by computer-aided transcription under my direction;

That the dismantling, unsealing, or unbinding of the original transcript will render the reporter's certification null and void.

I further certify that I am not interested in the event of the action.

In witness whereof, I have hereunto subscribed my name.

Dated: 11th of November, 2023.

Tamara L. Houston

TAMARA L. HOUSTON
CSR 7244, RPR, CCRR 140

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