

EX2007	Question	Answer
48:3-48:11	And does Duvall say that, sir, or that's just your understanding?	It's not my understanding. I think it's the understanding of what a person of ordinary skill in the art would understand for all the reasons that I put in my report; such as the fact that it was well known to persons of skill in the art that indecent material often carried malware with it.
57:2-57:9	Sir, where did the inventors say the claims are broadly directed to monitoring any system?	So you basically asked that question before and what I said was this text here is describing the present invention and, therefore, a person of skill would understand that this description here is meant to cover the claims.
61:18-62:13	Can you show me the column and line number where Duvall mentions security, sir?	So I think Duvall speaks for itself. I don't recall if it uses the word "security" in here or not. But when Duvall talks about outlawed transmissions, I think a person of skill in the art would understand that those having outlawed content on your network is about as clear a disclosure of a security-related event as you can get. And a person of skill would understand this. I helped the IT group at UNC go through these issues of having outlawed content on our campus network. It was a -- it was a huge morass for us, because, as I say, students are very clever and they can circumvent measures. So I think persons skilled in the art understand that having outlawed content on your network is -- is --is fundamentally a security-related event.
90:20-91:7	And does Duvall expressly discuss blocking transmissions from coming through in any other context?	Well, Duvall generally discloses blocking. And as I say, persons of skill in the art understand what blocking entails. So for a server embodiment, it would understand that blocking means

EX2007	Question	Answer
		you -- you know, ultimately you don't allow packets to pass, which effectively means you're dropping them.
98:14-99:11	Can you show me where Duvall discloses the application of a direct action filter on the contents of an already opened TCP string? Column and line number.	It's implicit. So I don't think Duvall deals with that level of detail because persons of skill in the art understand that every single packet that's transmitting this monitoring system is subjected to Duvall's filtering. Because a person of ordinary skill in the art would understand none of this would work or have any utility if you didn't do that. So it's implicit in Duvall because it's implicit in filtering systems. This is just the way they work. You know, you have to look at every packet independent of whether or not any connection has been established. So it may not say it explicitly, but that's exactly what a person of ordinary skill in the art would take away from Duvall.
99:12-100:4	And does Duvall ever explicitly disclose the application of a deferred action filter on the open command, as they described it?	So remember, Duvall is very generic in how you write filters. And Duvall discloses that a person in skill would understand -- a person of ordinary skill in the art would understand that it is entirely possible for what Duvall is referring to as an open command, the TCP SYN packet, to not be -- sorry, I want to say this without saying a double negative -- to -- to not be the subject of an "allow" filter and not be the subject of a "block" filter and, therefore, be the subject of Duvall's deferred action processing
100:6-101:8	But it's not expressly disclosed anywhere, is it, sir, column and line number?	There are an infinite number of possibilities here because there's an infinite number of packet types that you can see. And Duvall doesn't describe what happens to every single one of

EX2007	Question	Answer
		these infinite number of packet types because it doesn't have to, because what it teaches to a person of ordinary skill in the art is that a -- the packet behind a TCP open command is something that may not be flagged by an "allow" filter or a "block" filter. And the other way I would say it is there is nothing in Duvall that precludes that. So a person of skill in the art would not expect that level of specificity. Duvall is about mechanism. And it's a general mechanism and a person of skill in the art would understand they can use those mechanisms in a large variety of ways. And one of the ways they could use it is such that the packets behind a TCP open command could be processed as part of deferred action.
104:21-105:15	I'd like to take that one by one. Where does Duvall expressly mention UDP, column and line number?	Duvall says what it says, you know? And the advantage of doing these depositions in person is you can't search. So whether or not Duvall specifically references UDP, a person of skill -- again, the issue is what does Duvall -- as I see it, the issue is what does Duvall teach to a person of ordinary skill in the art? And what Duvall teaches is a generic packet filtering system. There's nothing in here that limits it to TCP or HTTP, and a person of skill in the art would understand that a system that just limited itself to TCP is not going to be an effective filtering system.
123:8-124:4	Okay. Can you show me where Duvall expressly attributes the	I didn't know if you were done. So what Duvall discloses is a mechanism for the user to address the

EX2007	Question	Answer
	problem of filtering too much or too little to default actions?	fact that they may believe that the filtering system is filtering too much or too little. This, I think, would be understood by a person of ordinary skill in the art as a reference to the totality of Duvall's filtering system, which includes default actions. All the more so, because Duvall discloses default actions that will essentially allow things with any address and any port number to pass through.
136:6-137:1	Sir, I have to ask, can you show me expressly where in Chu it shows it -- it shows sending the prompt to the individual that set Chu's filter rules?	No offense taken by the question. So I think a person of skill reading Chu in context would understand that the feedback that's being provided is to the person, as I say, who has authored these rules. I mean, Chu gives examples of the rules, or what he calls "profiles." And these rules are given in the context of -- or listed in the context of being displayed to the person who developed them. And in that context, when it references the user or the word "me," it's -- a person of skill would understand that the "me" that's being prompted is the "me" that developed the profile.
147:4-147:12	Does Chu expressly require the individual who sets the filters to have specific expertise or is it only implicit to a person of ordinary skill, in your opinion?	Chu says what it says. It's -- it's -- at a minimum, it's absolutely implicit. I mean developing these profiles is not something that mere mortals can do. And a person of ordinary skill in the art would clearly understand that.
148:8-149:11	Which reference specifically and expressly discloses the analyst system?	So in context, Duvall's disclosure of a server-based probe, that's separate from the user's computers, and a facility in that system to edit the rules for filtering and to push those rules out into the database for application would be --

EX2007	Question	Answer
		that person would be fairly characterized as an analyst. And I think a person of skill in the art would understand that the person using Duvall's editing system, in particular combined with Chu's disclosures of specifically notifying individuals, that that's a fair disclosure of an analyst and the system that they are using, therefore, for example, the editing system of Duvall, in the combination of Duvall and Chu, would be the analyst system. So, again, the issue isn't so much what words appear in the combination of Duvall and Chu, it's what does Duvall and Chu teach to a person of ordinary skill in the art? And that's what Duvall and Chu teaches to a person of ordinary skill in the art.
151:2-152:3	Okay. Where is there a disclosure of people trained to manage Duvall's corporate network?	I think that is part and parcel of Duvall's disclosure of running its system in a corporate network. Again, people of ordinary skill in the art are familiar with the basics of, for example, running a firewall on a corporate network, right? This is part of their background, this is what they know. And what they know is that the people that would manage the system disclosed in Duvall would be people trained in Duvall's corporate management. They know that these are not systems that, you know, end users or untrained people are allowed to operate. Again, Duvall talks about things like -- remember, this is a password-protected system, so you have to have -- there is some access control, and a person of skill will understand that part of the

EX2007	Question	Answer
		access -- implicit in that access control is that only people who are knowledgeable and trained to use this system are the ones that are going to have access to it.
152:9-153:4	As you sit here today, can you cite a column and line number in Duvall that expressly discloses people trained to manage Duvall's corporate network?	So as I believe I describe in my declaration, there may not be an express disclosure of that, only because that is such an obvious concept, that a person of skill understand that the people that manage these systems, and in particular in a corporate network, are special people. They're people with special backgrounds, people with special training. So to the extent it's not explicitly disclosed, it's obvious in light of the knowledge -- of a person of ordinary skill in the art's knowledge, as is suggested by the fact that, as I mentioned, the editing manager is password protected.
158:11-160:1	Okay. Can you show me where in Duvall it expressly indicates that the analysis capability of its filtering system will always reflect the latest and current set of filters?	So, again, this is the issue of connecting dots in Duvall that are --would be very obvious to a person of ordinary skill in the art. So Duvall -- okay. So we start at --so we start at Column 4, at the passage that I cited here, around Line 40, where it describes searching -- searching the filtering database around Line 42. Okay? So discloses you search the filtering database. And this teaches a person of ordinary skill in the art that you're doing this search for each packet, if you will, that is being analyzed here. Okay? So always searching and something comes in. Column 8 is the editing manager of Duvall. And it describes here that the

EX2007	Question	Answer
		editing filter allows the users to make custom changes in the case that the filtering system is filtering too little or too much. And how -- that this implementation is -- is generally based on known database editing techniques, which would absolutely include the known technique of adding information to a database while the database is operational. So this is what teaches a person of ordinary skill in the art that you edit, the edits are pushed to the database, and at the next search for a filter, you're going to pick up the latest filters.
160:22-161:15	Okay. Where in Duvall does it discuss how the database is stored in the server embodiment?	I don't know that Duvall discloses that detail, because that's just simply an implementation detail that's well within the knowledge of a person of ordinary skill in the art. Again, because it's saying that -- you know, because you're using known database editing techniques, I think a person of skill in the art would understand that you're just using known database technology. Duvall isn't claiming any innovation in databases, so that detail isn't specified here, but that's well within the knowledge of the person of ordinary skill in the art's knowledge.
165:14-166:11	Where does Duvall discuss a cache consistency protocol?	This is under the notion -- the rubric of known database editing techniques. Cache consistency is a problem that goes back to the 1960s, and it's something that persons of ordinary skill in the art know about. It's a problem that exists at all levels of the storage hierarchy, it exists between the processor and the processing cache, between the registers and main memory, between a memory cache and

EX2007	Question	Answer
		main memory, between a disk cache and storage on a disk. This is what a person of ordinary skill in the art knows, and knows that there are protocols to mitigate the effects of cache inconsistency. And that's all wrapped up in Duvall's disclosure of known database editing techniques, that if you don't edit a database -- if you edit the database, you have to deal with the cache consistency problem.
179:8-180:5	Can you point me to any place in Trcka that discloses how its interactive applications can be used on live data, as you sit here today?	Yeah, I don't know that it's limited to that. I'll note that in its description of the present invention, in paragraph 9 on page 1 of Trcka, it describes how to interactively monitor and analyze traffic on a LAN. So interactively monitoring would tell a person of skill in the art that the present invention here wasn't limited to archives of traffic. In addition, it discloses that -- I lost it. Also in that paragraph 9, it's talking about the system being implemented in the computer, which passively captures and monitors bidirectional traffic. So I think that would also tell a person of skill in the art that Trcka is capable and interested in -- in looking at and analyzing live traffic.
192:13-193:6	Can you show me where Trcka teaches how to get packet level data to a remote secure operations center?	Thank you. Trcka speaks for itself. I don't recall where it discloses transmitting the data, but once you've captured data, it's data. Moving it anywhere is trivial, and well within the level of skill of a person of ordinary skill in the art. And a person of ordinary skill in the art would not need any teaching or suggestion of moving the data, because that's just what you do with data. I

EX2007	Question	Answer
		mean, it's -- it's -- it's an obvious operation to data, which you always have to take data to wherever the processing is being done and getting it there is trivial.
203:10- 204:18	Can you show me where Cogger discloses a network administrator for a computer network?	Well, what Cogger discloses, as I say, is a fairly generic -- without taking away from the fact that this is a patent and it's supposedly an invention, but at the end of the day, part of what a person of skill takes away from this is, is this is a generic trouble ticket system. And Cogger teaches that it's for generating trouble tickets relating to services provided by an enterprise. That's at the very, very bottom of Column 2. So a person of skill would understand that would include issues with the network. The -- further down in Column 3, it specifically says, like around Line 56, that the customer is going to enter any information into a problem classification dialogue, the problem classification dialogue describes the type of network problem, or failure. So Cogger discloses that network issues can be recorded in trouble tickets. And a person of skill would understand that when it comes to dealing with the trouble tickets, as disclosed in Cogger, if you're talking about a network event, a network problem, a network failure, that this is going to be resolved by someone with network credentials. And a person of skill in the art would understand that an obvious example of that would be some sort of network analyst.