

1 UNITED STATES PATENT AND TRADEMARK OFFICE

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3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4 - - -

5 LG ELECTRONICS, INC., : CASE  
: IPR2023-01271

6 PETITIONER, :  
: Patent No.

7 vs. : 7,283.839

8 :  
:

8 PANTECH CORPORATION, :

9 :  
:

9 PATENT OWNER. :

10 :  
:

11 :  
:

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13 REMOTE DEPOSITION OF

14 DR. VIJAY MADISETTI

15 - - -

16 Taken remotely, via Zoom, on Tuesday,

17 May 21, 2024, beginning at 10:03 a.m., before

18 Beau Dillard, RPR, a Notary Public in and for

19 the Commonwealth of Pennsylvania.

20 - - -

21 VERITEXT LEGAL SOLUTIONS

22 MID-ATLANTIC REGION

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25

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## I N D E X

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## E X H I B I T S

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| NUMBER       | DESCRIPTION                      | PAGE |
|--------------|----------------------------------|------|
| Exhibit 1001 | US7283839                        | 10   |
| Exhibit 1003 | Dec of Vijay K. Madisetti        | 42   |
| Exhibit 1005 | US8020105 (Lemay)                | 123  |
| Exhibit 1006 | US7765263 (Alfke)                | 150  |
| Exhibit 1007 | W003056789 (Maguire)             | 112  |
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## DEPOSITION SUPPORT INDEX

## DIRECTION TO WITNESS NOT TO ANSWER

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## REQUEST FOR PRODUCTION OF DOCUMENTS

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## STIPULATIONS

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The attorneys participating in this deposition acknowledge that the court stenographer is not physically present in the deposition room and that he will be reporting this deposition remotely.

They further acknowledge that, in lieu of an oath administered in person, the oath will be administered remotely. The parties and their counsel consent to this arrangement and waive any objections to this manner of reporting.

The attorneys have indicated their agreement to the above stipulation off the stenographic record.

It is stipulated and agreed to by and between counsel for the respective parties that all objections, except as to form of the question, are reserved to the time of trial.

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1 - - -

2 DR. VIJAY MADISETTI, after  
3 having been first duly sworn, was  
4 examined and testified as follows:

5 - - -

6 EXAMINATION

7 - - -

8 BY MR. SHAPIRO:

9 Q. Good morning, Dr. Madisetti.  
10 My name is Jason Shapiro. I'm  
11 with the Devlin Law Firm, and we represent the  
12 patent owner, Pantech Corporation. With me  
13 here today is my colleague, Chris May.

14 Could you please state your full  
15 name for the record?

16 A. Good morning, Counsel.  
17 My name is Vijay K. Madisetti.

18 Q. Okay. Have you ever been  
19 deposed in connection with an inter partes  
20 review before?

21 A. Yes.

22 Q. Okay. Even though you've done  
23 this before, I'd like to go over some ground  
24 rules for the deposition so that we're all on  
25 the same page.

1 Is that okay?

2 A. Yes. It is.

3 Q. Great. So during the  
4 deposition, I'm going to ask you a series of  
5 questions. My questions and your answers will  
6 be recorded by the court reporter.

7 To help the court reporter do  
8 their job, it's important that we don't speak  
9 over each other. So I'll try to stop and  
10 listen to you while you're speaking, and I'd  
11 ask that you do the same for me.

12 Is that okay?

13 A. Yes. It is.

14 Q. It's also important that you  
15 speak up and answer my questions orally,  
16 because the court reporter can't record you  
17 nodding or shaking your head, okay?

18 A. Okay.

19 Q. If you don't understand a  
20 question for any reason, let me know and I'll  
21 try to ask it a different way.

22 Is that okay?

23 A. Yes. It is.

24 Q. Also, your attorney may object  
25 after one of my questions.

1                   If that happens, you may still  
2 answer the question as long as your attorney  
3 doesn't instruct you not to answer.

4                   Is that understood?

5           A.           Yes.

6           Q.           Okay. And I'm going to try to  
7 take a break every hour or so. If you want to  
8 take a break at some other time, just let me  
9 know and we'll take one.

10                   The only exception is that if  
11 I've already asked you a question, I'd like to  
12 get your answer before we take the break.

13                   Is that okay?

14          A.           Yes.

15          Q.           Okay. And you've done this  
16 before so you understand that you may not  
17 consult with or confer with your attorney  
18 regarding the substance of this deposition at  
19 any time during the deposition, including any  
20 breaks.

21                   Is that correct?

22          A.           Yes.

23          Q.           And then, finally, is there any  
24 reason, medical or otherwise, why you cannot  
25 testify fully, truthfully, and accurately

1 today?

2 A. No. There's no reason.

3 Q. Great. All right.

4 So, Dr. Madisetti, you  
5 understand that you're being deposed in  
6 connection with inter partes review of  
7 U.S. Patent Number 7,283,839.

8 Is that correct?

9 A. Yes. It's IPR2023-01271.

10 Q. Great. And if I refer to this  
11 inter partes review, or this IPR, or this  
12 proceeding, you'll understand that I'm  
13 referring to the inter partes review of  
14 U.S. Patent Number 7,283,839.

15 Is that correct?

16 A. Yes.

17 Q. And if I refer to the  
18 '839 Patent, or the Pantech patent, you'll  
19 understand that I'm referring to  
20 U.S. Patent Number 7,283,839?

21 A. Yes.

22 Q. Okay.

23 I'm going to share with you the  
24 document marked Exhibit 1001.

25

|   |   |   |   |
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2 (Whereupon the document was  
3 marked, for identification purposes, as  
4 Exhibit Number 1001.)

|   |   |   |   |
|---|---|---|---|
| 5 | - | - | - |
|---|---|---|---|

6 BY MR. SHAPIRO:

7 Q. Let me know when you're able to  
8 access the document.

9 | A. I think I can see it now.

10 Q. Okay. Can you please take a  
11 look at the document and confirm that it is  
12 U.S. Patent Number 7,283,839?

13 MR. RICHARDS: And, Counsel,  
14 just give me one second. The website  
15 doesn't seem to be letting me access it.

16 I'm assuming you are showing the  
17 same exhibit, 1001, that is in the IPR  
18 proceedings itself?

19 MR. SHAPIRO: That is correct.

20 MR. RICHARDS: Okay. I will  
21 just use my local version of it for the  
22 time being. I assume it's the same  
23 document.

24 THE WITNESS: Okay. So I have  
25 downloaded that, and should I open it?

1 BY MR. SHAPIRO:

2 Q. Yes. Go ahead and take a look.

3 MR. SHAPIRO: Daniel, do you  
4 have Exhibit Share running?

5 MR. RICHARDS: I do. But the  
6 website, my internet cut out right as the  
7 Witness was being sworn in, and  
8 apparently, the website is acting up a  
9 little bit right now so I'm trying to  
10 reconnect.

11 MR. SHAPIRO: Okay. So this may  
12 not be a problem going forward. Great.

13 MR. RICHARDS: Yeah. I'm hoping  
14 it won't be a problem shortly.

15 MR. SHAPIRO: Okay. Great.

16 BY MR. SHAPIRO:

17 Q. So, Dr. Madisetti, again, can  
18 you please confirm that Exhibit 1001 is  
19 U.S. Patent Number 7,283,839?

20 A. Yes. I do.

21 Q. Do you agree that the  
22 '839 Patent refers to a wireless communication  
23 terminal?

24 MR. RICHARDS: Objection to  
25 form.

1 BY MR. SHAPIRO:

2 Q. You can answer.

3 A. My opinion is that the  
4 '839 Patent, the title of it: The Wireless  
5 Communicating Terminal For Providing Integrated  
6 Messaging Service and Method Thereof.

7 And the detailed description is  
8 found in the claims.

9 Q. Does the '839 Patent give any  
10 examples of wireless communication terminals?

11 A. In Column 1, it refers to  
12 certain examples in -- from Lines 18 through  
13 25, 19 through 25.

14 Q. Do you agree that all of those  
15 examples are wireless communication terminals?

16 A. I will agree that the patent  
17 discloses these as examples of wireless  
18 communication terminals in Column 1, Lines 18  
19 through 26.

20 Q. So you don't have an opinion  
21 whether the examples listed in Column 1 at  
22 Lines 19 through 26 are wireless communication  
23 devices? I'm sorry. Are wireless  
24 communication terminals?

25 A. I would agree that these are

1 examples of wireless communication terminals.

2 And as I said earlier, the  
3 specification discloses these examples in  
4 Lines 18 through 26.

5 Q. Does the '839 Patent mention any  
6 problems associated with conventional wireless  
7 communication terminals?

8 A. Can you point to certain  
9 portions of the patent that you're referring  
10 to?

11 Q. Okay. Let me ask the question  
12 differently.

13 Does the '839 Patent mention any  
14 problems associated with conventional wireless  
15 communication terminals in the description of  
16 related art in Column 1?

17 A. The only mention of a problem by  
18 the specification on the '839 in Column 1,  
19 seems to say that in Column 1, Lines 39 through  
20 44, that the user does not need to know each  
21 technology -- but although, the user does not  
22 need to know each technology used for each  
23 message type. The conventional wireless  
24 terminal provides different terms for each of  
25 the messaging menus. Therefore, there is a

1 problem that the user should use various  
2 messaging services frequently in the  
3 conventional method.

4 Q. Okay. And is this problem a  
5 result of the conventional wireless  
6 communication terminals providing messaging  
7 services in different user interfaces,  
8 according to the kind of message?

9 MR. RICHARDS: Objection to  
10 form.

11 THE WITNESS: I just described  
12 what the specification describes, and the  
13 specification says that they have to use  
14 the messaging services frequently.  
15 That's the problem that the specification  
16 identifies in Column 1, 14 through 44.

17 BY MR. SHAPIRO:

18 Q. Okay.

19 And the portion that you just  
20 read mentions different terms for each of the  
21 messaging menus, correct?

22 A. Lines 14 to 42, it refers to  
23 conventional wireless terminal for why it's  
24 different terms for each of the messaging  
25 menus.

1           Q.           And is that because the wireless  
2 communication terminals provide messaging  
3 services in different user interfaces according  
4 to the kind of messages?

5           A.           Well, in Lines 30 to 35, the  
6 specification in the background discloses that  
7 conventional wireless communication terminals  
8 provide messaging services in different user  
9 interfaces according to the kind of  
10 message decision. E.g., a text message and a  
11 monthly media message.

12                       But the problem that is referred  
13 to in Lines 41 through 44 seems to be that the  
14 user should be using these various messages  
15 frequently in conventional method.

16           Q.           Okay. Dr. Madisetti, in the  
17 same -- in the same section of the '839 Patent,  
18 does -- does it say that in the conventional  
19 method, a user should use a different interface  
20 according to the message kind, to transmit and  
21 receive the text message or the multi-media  
22 message?

23           A.           In Lines 30 through 34, in the  
24 section on Description of Related Art, there is  
25 this distinction that a conventional wireless

1 communication terminal provides messaging  
2 services in different user interfaces according  
3 to the kind of messages, e.g., a text and a  
4 multimedia message.

5 Q. Okay. What's a user interface?

6 A. A user interface would be how a  
7 user interacts with an application, as an  
8 example.

9 Q. Okay.

10 And what's a text message?

11 A. A text message is a message that  
12 in this -- the context of this section of the  
13 '839 Patent, appears to say that message -- the  
14 text message is a kind of message that is  
15 primarily text.

16 And it's differentiated from a  
17 multimedia message, which appears to include  
18 more than text, for example, something like an  
19 image, or a picture, or voice data. So it can  
20 be something like an email message or it could  
21 be an MMS message, as an example.

22 Q. Can a text message include  
23 anything other than text?

24 A. My opinion is that an example of  
25 a text message could be an SMS message. I've

1 not fully defined what a text message is beyond  
2 using examples such as an MSM message being an  
3 example of a text message.

4 Q. Okay. And with respect to the  
5 multimedia message, what's an example of a  
6 multimedia message?

7 A. In the context of the  
8 '839 Patent, an example would be, as I  
9 described in my declaration, examples could  
10 include multimedia message or an MMS message.

11 It can include an email.

12 Q. And so you don't have a  
13 definition for text messages or multimedia  
14 message?

15 MR. RICHARDS: Objection to  
16 form.

17 THE WITNESS: I provide examples  
18 that are consistent with how one would  
19 understand the '839 Patent, that these  
20 are the text messages such as an SMS  
21 message would be an example of a text  
22 message.

23 And an MMS message or an email  
24 message would be an example of multimedia  
25 message.

1 BY MR. SHAPIRO:

2 Q. Does the '839 Patent provide an  
3 example of an email being a multimedia message?

4 A. One of our -- would understand  
5 that an email would an example of a multimedia  
6 message because it describes multimedia  
7 messages includes data, such as voice data,  
8 images, moving pictures.

9 Q. Any other examples of multimedia  
10 messages?

11 A. Other examples would be an MMS  
12 message, for example, a multimedia message.

13 Q. Any others?

14 A. I don't remember the entire  
15 specification, but those are the ones that --  
16 for example, I couldn't remember right now, but  
17 I think my declaration has better detailed  
18 descriptions.

19 Q. How do MMS messages and email  
20 messages differ from one another?

21 MR. RICHARDS: Objection to  
22 form.

23 THE WITNESS: They are very  
24 similar. They both include the text  
25 data. They include an image and a video

1           and speech content.

2                   They use similar protocols.

3       BY MR. SHAPIRO:

4           Q.           What is the protocol for MMS?

5           A.           I believe I cite to certain  
6 specifications in my declaration. They are  
7 both 3GP specifications, as well as an --  
8 specifications. They include various types of  
9 protocols. They include the use of servers,  
10 such as MMC or MMSC.

11          Q.           Okay. And what about the  
12 differences between email and MMS?

13          A.           With respect to the  
14 specification of the '839, I mean, they are  
15 both examples of -- what I recall, as a  
16 multimedia messages.

17          Q.           So in your opinion, there are no  
18 differences between email and MMS?

19          A.           What I meant is both are  
20 examples of a multimedia message.

21          Q.           Okay. But I asked what are the  
22 differences between email and MMS.

23                   Can you explain to me the  
24 differences between email and MMS?

25          A.           Both email and MMS are examples

1 of multimedia messages, as per the '839  
2 specification. There may be some -- depending  
3 on how it's implemented, there may be some  
4 differences in how they use the servers and  
5 certain protocols, which would defer based on  
6 implementation, but both of them are examples  
7 of a multimedia message in the -- in the  
8 verbiage of the '839 Patent.

9 Q. So sitting here today, you can't  
10 give me a specific example of a difference  
11 between email and MMS.

12 Is that correct?

13 MR. RICHARDS: Objection to  
14 form.

15 THE WITNESS: As I said,  
16 Counsel, both are examples of a multi,  
17 media message as per the '839  
18 specification.

19 Email may be using certain  
20 protocols like SMAB, or it may be using a  
21 mail transfer agent other than BA, these  
22 building blocks may be slightly different  
23 based on the implementation.

24 And MMS, on the other hand, may  
25 be using an MMSC server, which is an MMS

1 server that would assist in the protocol.

2 It may use certain types of  
3 signalling and protocols that are --  
4 that may be similar, but different from  
5 those used in email.

6 BY MR. SHAPIRO:

7 Q. And what are the differences  
8 between text messages and email?

9 A. As described in the '839  
10 specification, it describes a text message as  
11 one kind of message and a multimedia message is  
12 another kind of message.

13 So I would say that an email is  
14 an example of a multimedia message, and a text  
15 message is an example of a message that is  
16 something like SMS.

17 Q. Okay. And, again, what are --  
18 what are some of the primary differences  
19 between a text message and an email?

20 A. I think as per the  
21 specification, index pages is something I just  
22 meant, -- multimedia message like email can  
23 include, for example, things like voice data,  
24 image, and a moving picture data as described  
25 in Column 1, Lines 25 to 32.

1                   So a text message will not be a  
2 multimedia message, and a multimedia message,  
3 an example of which is an email, would  
4 therefore be differentiated from a text  
5 message, which is something like SMS. It does  
6 not contain voice data, images, or moving  
7 pictures?

8           Q.           Is a text message, a  
9 peer-to-peer messaging service?

10          A.           What do you mean by  
11 peer-to-peer?

12          Q.           Do you have an understanding of  
13 what peer-to-peer means? What does  
14 peer-to-peer mean to you, Dr. Madiseti?

15          A.           It means different things in  
16 different contexts. So you would have to  
17 provide me a description of what you mean.

18          Q.           Is a text message communicated  
19 directly from one user device to another user  
20 device?

21          A.           A text message is -- in the  
22 specification of the '839, is something that  
23 carries text. There is no limitation on how it  
24 is conveyed. It could be through a server. It  
25 could be through one client to another client.

1 It could be through intermediate servers.

2 So the text message in the  
3 '839 Patent is not limited to any type of  
4 communication or protocol. It could include  
5 SMS. It could include instant messaging.

6 Q. Okay. And how about an email?

7 Are emails sent directly from  
8 one wireless communication terminal to another  
9 wireless communication terminal?

10 A. As I said, in the specification  
11 of the '839 describes an email -- an email, or  
12 multimedia message as having voice data, images  
13 and moving pictures as well.

14 And, therefore, it does not  
15 limit -- the specification does not limit the  
16 multimedia message such as an email, or an MMS  
17 message to a particular type of protocol.

18 So one of -- would understand  
19 that it includes -- protocol, such as -- such  
20 as I said, a direct communication or an  
21 indirect communication through servers.

22 So I would understand a POSITA  
23 to understand that an email message, or an MMS  
24 message could use different protocols as  
25 examples of a multimedia message of the '839

1 specification.

2 Q. So just so we're clear, is it  
3 your position, Dr. Madisetti, that a text  
4 message -- scratch that.

5 Is it your position,  
6 Dr. Madisetti, that the '839 Patent does not  
7 require a text message to be transmitted to a  
8 receiving terminal directly?

9 A. It is my opinion that the text  
10 message, or the multimedia message can use  
11 different protocols. They can have various  
12 different protocols.

13 My understanding is that it does  
14 not specify a particular type of communication  
15 protocol.

16 Q. Okay. But my question was, does  
17 the '839 Patent specify that a text message is  
18 transmitted directly from one wireless  
19 communication terminal to another wireless  
20 communication terminal?

21 MR. RICHARDS: Objection to  
22 form.

23 THE WITNESS: I mean, I am not  
24 sure what you are asking, Counsel.

25 I said that they could follow

1 different protocols as long as a text  
2 message is a text message, and a  
3 multimedia message is a message that has  
4 more than just text. It will have audio,  
5 video or other types of data, such as  
6 email or an MMS message.

7 BY MR. SHAPIRO:

8 Q. Is a multimedia file transmitted  
9 differently than a text in the '839 Patent?

10 MR. RICHARDS: Objection to  
11 form. Compound.

12 THE WITNESS: I'm unsure as to  
13 what you're asking, Counsel.

14 You used the word multimedia  
15 file. An MMS message can contain a  
16 multimedia file.

17 BY MR. SHAPIRO:

18 Q. Is that your answer?

19 A. As I said, I didn't understand  
20 your question of what you're asking.

21 You said that a multimedia  
22 message can consist of a multimedia file, just  
23 as an email can consist of an image,  
24 attachment, or a video attachment or an, MMS --  
25 it contains a video of an audio attachment.

1           Q.           My question was, in the  
2    '839 Patent, is a multimedia file transmitted  
3    to the receiving terminal differently than a  
4    text is transmitted to the receiving terminal?

5           MR. RICHARDS: Same objections.

6           THE WITNESS: As I said, there  
7    are examples where, again, these are  
8    nonlimiting examples, where a file can be  
9    transmitted through a URL.

10           For example, in some sections  
11    like Column 5 and 6, but these are just  
12    examples.

13   BY MR. SHAPIRO:

14           Q.           Is a multimedia file transmitted  
15    through a multimedia content server in the  
16    '839 Patent?

17           A.           There are examples, nonlimiting  
18    examples, where a particular approach or a  
19    particular server could be used.

20           Q.           Is text transmitted through a  
21    server in the '839 Patent?

22           A.           Yes. Examples are shown, for  
23    example, in the -- section, it refers to  
24    different mobile telecommunication standards,  
25    examples of text such as SMS will be

1 transmitted through a server.

2 Q. Does an MMS have to contain a  
3 multimedia file in the '839 Patent?

4 A. An MMS message can include a  
5 multimedia file such as voice, data, images.

6 Q. So a multimedia -- in your --  
7 strike that.

8 So in your opinion,  
9 Dr. Madisetti, a multimedia message need not  
10 contain a multimedia file?

11 MR. RICHARDS: Objection to  
12 form.

13 THE WITNESS: My testimony is  
14 that a multimedia message must have the  
15 capability to include an image, audio,  
16 video, or other multimedia files. It has  
17 the capability and can include such  
18 files.

19 BY MR. SHAPIRO:

20 Q. So a multimedia message can be  
21 just text, in your opinion?

22 A. My opinion is that a multimedia  
23 message must have the capability to include  
24 audio, video, and images. A text message would  
25 not have that capability.

1                   A multimedia message would have  
2     the capability of including audio, video, image  
3     and other types of data in addition to text.

4           Q.           Okay. Let me ask this a little  
5     bit differently. Can a multimedia file not  
6     contain a multimedia -- I'm sorry.

7                   Strike that.

8                   Can a multimedia message not  
9     contain a multimedia file?

10          A.           The way I would provide an  
11     opinion is that a multimedia message should  
12     have the capability of including a multimedia  
13     file such as voice, data, images or moving  
14     pictures.

15          Q.           Are you refusing to answer my  
16     question, whether a multimedia message cannot  
17     contain a multimedia file?

18                   MR. RICHARDS: Objection to  
19     form.

20                   THE WITNESS: I'm being very  
21     precise, Counsel. I'm telling you that a  
22     multimedia message as in the '839 Patent  
23     would be understood as a message that has  
24     the capability of including voice,  
25     images, moving pictures, but a user would

1 choose, for example, certain types of  
2 files or certain types of attachments.

3 The choice by the user, whatever  
4 the choice, the multimedia message must  
5 have the capability to include voice,  
6 data, images, and moving pictures, in  
7 addition to text.

8 BY MR. SHAPIRO:

9 Q. Well, if the message didn't  
10 contain a multimedia file, it had the ability  
11 to contain a multimedia file, what else could  
12 it be carrying?

13 MR. RICHARDS: Objection to  
14 form.

15 THE WITNESS: We have to look at  
16 the exact system that you're -- it may  
17 include certain protocol information, the  
18 type of standard, the type of  
19 implementation.

20 BY MR. SHAPIRO:

21 Q. So in your opinion, a multimedia  
22 message doesn't have to include a multimedia  
23 file, correct?

24 A. I think I already answered  
25 before, Counsel. A multimedia message is a

1 message that must have the capability to  
2 include multimedia files, voice, data, images  
3 and moving pictures.

4 Q. You're answering --

5 A. Therefore -- therefore, it must  
6 have that capability. Whether or not a user  
7 attaches these files depends on the user, but  
8 the capability must be there when a multimedia  
9 message, along with support for sending or  
10 carrying these files.

11 Q. So let me -- let me try to  
12 understand this, then.

13 What you're saying is that a  
14 multimedia message is capable of including a  
15 multimedia file, but doesn't have to include a  
16 multimedia file.

17 Is that correct?

18 A. My testimony is that a  
19 multimedia message should be, one, must have  
20 the capability of carrying voice, data, images,  
21 moving pictures, in addition to text.

22 So, therefore, it must be using  
23 protocols that would allow it to carry voice,  
24 data, images, video, but the choice to attach  
25 such a file would depend on the user.

1           Q.           Can a message be a multimedia  
2 message if it doesn't include a multimedia  
3 file? Yes or no?

4           A.           As I said earlier, a multimedia  
5 message is one that can carry multimedia files  
6 that must have the capability to carry  
7 multimedia files.

8                       So if a multimedia message such  
9 as MMS or email can carry a multimedia file,  
10 but does not choose to carry, it is still a  
11 multimedia message.

12          Q.           Okay. Dr. Madisetti, earlier  
13 you discussed something stated in Column 1,  
14 between Lines 39 through 44. And in that  
15 passage, there's mention of "messaging menus".

16                       What are messaging menus?

17          A.           It's just a menu that can be  
18 used for messaging. An example could be some  
19 sort of functions -- to a user.

20          Q.           Is a menu an interface?

21          A.           A menu can be part of an  
22 interface. As an example, you could have a  
23 certain function like send or receive that  
24 could be part of a user interface.

25          Q.           Okay. And --

1           A.           It can be.

2                       As I said, it must not and need  
3 not always be, but it can be in certain  
4 examples.

5           Q.           Can you give me an example where  
6 a menu is not part of a user interface?

7           A.           I didn't mean to say that. I  
8 said these are examples of messaging menus.  
9 And a messaging menu can be part of the user  
10 interface.

11          Q.           Let's take a look at Column 1 of  
12 the '839 Patent between Lines 45 and 50.

13          A.           Okay.

14          Q.           Can you -- can you explain to me  
15 what the '839 Patent means by an inbox and an  
16 outbox-based concept that the message is a  
17 letter?

18          A.           It just says that a conventional  
19 wireless communication terminal manages  
20 incoming/outgoing messages in an inbox and an  
21 outbox based on the concept that the message is  
22 a kind of letter. So it is describing some  
23 sort of conceptual view.

24          Q.           Okay. And what is that  
25 conceptual view that it's describing?

1           A.           What I just read, 45 through 48.

2           Q.           Well, let's start with the first  
3 sentence between 45 and 48.

4           A.           Are you asking me something,  
5 Counsel? I'm not sure I follow.

6           Q.           Yes. Can you explain to me what  
7 the '839 Patent means when it says the  
8 conventional wireless communication terminal  
9 manages incoming/outgoing messages in an inbox  
10 and an outbox based on a concept that the  
11 message is a kind of a letter?

12          A.           That's what it says. I mean, I  
13 don't see anything more than here what it  
14 already says as a concept.

15                       It describes a concept that  
16 wireless communication terminals manage  
17 incoming, outgoing messages in an inbox, in an  
18 outbox, based on the concept that the message  
19 is a kind of letter, which is a conceptual  
20 view.

21          Q.           So you don't have an opinion  
22 what the '839 Patent means by that sentence?

23                       MR. RICHARDS: Objection.

24                       Misstates.

25                       THE WITNESS: As I said, it just

1 describes that as a concept, that it's  
2 similar to a kind of a letter.

3 BY MR. SHAPIRO:

4 Q. What kind of user interface is  
5 the '839 Patent referring to in that sentence?

6 A. I don't see that as a  
7 description of the user interface beyond saying  
8 that it is some sort of conceptual view of the  
9 letter.

10 It's talking about some kind of  
11 letter in this particular sentence.

12 Q. Is an inbox a type of user  
13 interface?

14 A. It all depends on the context.

15 Q. Is an outbox a type of user  
16 interface?

17 A. As I said, it can be, depending  
18 on the type of context.

19 Q. In the last sentence in the  
20 description of related art in the '839 Patent,  
21 can you read it and tell me what it means?

22 A. As I said, it describes here the  
23 conventional messaging service provides late  
24 response in the communication compared to an  
25 internet instant messenger.

1           Q.           Can you explain that sentence to  
2 me?

3           A.           I differ the language in the  
4 specification.

5                       I believe that it describes that  
6 conventional messaging service is late in some  
7 response manner when you compare that to an  
8 internet instant message.

9           Q.           What's an internet instant  
10 messenger?

11          A.           I don't think the specification  
12 describes what it means by -- specifically by  
13 an internet instant messenger.

14          Q.           What's your understanding of  
15 internet instant messenger?

16          A.           I mean, just based on the  
17 disclosure of this specification of the '839,  
18 it seems to be that it is -- it appears to be a  
19 faster way of sending messages.

20          Q.           What would a person of ordinary  
21 skill in the art consider an internet instant  
22 messenger?

23          A.           That it's some -- it may use the  
24 internet as opposed to some other media  
25 broadcast -- some other media communication,

1 not broadcast.

2 Q. Do you have any personal  
3 knowledge of internet instant messengers?

4 A. As I said, the specification,  
5 this doesn't describe what it means here by an  
6 internet instant messenger except that it is  
7 faster than what it calls a conventional  
8 messaging service.

9 So there may be examples of  
10 messengers over the internet, that use the  
11 internet and the timeframe.

12 Q. Well, how does an internet  
13 instant messenger differ from an inbox and  
14 outbox based concept?

15 A. I don't see that description  
16 here. I don't see that the specification says  
17 that there's a difference.

18 Q. So a POSITA would not be aware  
19 of any difference between an inbox and outbox  
20 based concept and an internet instant  
21 messenger.

22 Is that your position?

23 MR. RICHARDS: Objection to  
24 form.

25 THE WITNESS: My position --

1 specification of '839 and the disclosure  
2 -- Lines 45-50 in Column 1, does not  
3 differentiate the internet instant  
4 messenger based on an inbox or outbox,  
5 it's just referring to a faster response  
6 time.

7 BY MR. SHAPIRO:

8 Q. Are there any examples of  
9 internet instant messengers in the prior art  
10 that you studied in preparing your declaration?

11 A. As I said, the specification  
12 does not describe in detail as to what it means  
13 by an internet instant messenger. There may be  
14 examples that -- at timeframe of instant  
15 messages sent over the internet.

16 Other examples unrelated to the  
17 specification could be instant messaging  
18 service, for example, from companies like  
19 America Online, in that timeframe. AOL.

20 It could be other types of  
21 messages that are sent over the internet, if  
22 that's what this is trying to refer to? They  
23 could use other types of protocols, such as  
24 those used at that timeframe, such as NQTT or  
25 others, but the specification does not provide

1 additional information.

2 It just says that it appears to  
3 be faster than a conventional messaging  
4 service, nothing more.

5 Q. Are you aware of any standard  
6 for internet instant messengers?

7 A. I mean, there are many examples  
8 of different types of messages that were sent  
9 over the internet. And as I said, the  
10 specification does not define what it means an  
11 internet instant messenger as described in  
12 Column 1, 45 through 50.

13 But in the 2004 timeframe, there  
14 would have been examples of messaging services  
15 that used the internet, for example,  
16 America Online, ICQ, and others -- a few  
17 others. Blackberry, as an example,  
18 Blackberry Messenger.

19 Q. Did any of the prior art that  
20 you reviewed in preparing your declaration  
21 include an internet instant messenger service?

22 MR. RICHARDS: Objection to  
23 form.

24 THE WITNESS: As I said, the  
25 prior art speaks for itself, Counsel.

1                   As I said, it's not clear here  
2                   as to what is sent, what is meant  
3                   specifically by the use of the term,  
4                   internet instant messaging.

5                   I believe that messages sent  
6                   over the internet, if it is messages sent  
7                   over the internet, it could include a  
8                   variety of types of messages.

9                   For example, it could be email,  
10                  it could be multimedia messaging  
11                  services, depending on the protocols  
12                  used. So it all depends on what the  
13                  specification meant.

14       BY MR. SHAPIRO:

15               Q.           But sitting here today, you  
16               can't identify any prior art cited in your  
17               declaration that discloses an internet instant  
18               messenger.

19                           Is that correct?

20               MR. RICHARDS: Objection to  
21               form.

22                           THE WITNESS: I believe that the  
23               product speaks for itself.

24                           I defer to art from Apple. I  
25               defer -- I defer to art from Blackberry

1 or research in motion.

2 I defer to other prior art from  
3 the IETF, for instance, such as Kang.  
4 All these, I believe, cover many examples  
5 of messaging, including instant messaging  
6 and messaging over the internet.

7 BY MR. SHAPIRO:

8 Q. Aside from being a faster way of  
9 sending messages, would all of the instant  
10 messengers that you listed have other  
11 attributes in common?

12 MR. RICHARDS: Objection to  
13 form. Compound.

14 THE WITNESS: I'm not sure what  
15 you're asking, Counsel. All I can say is  
16 if it says internet, it probably uses  
17 some sort of internet, but I cannot  
18 answer more than that because the  
19 specification does not provide detail,  
20 nor have I identified this term in the  
21 claims.

22 BY MR. SHAPIRO:

23 Q. Can you list any other  
24 commonality between the instant messengers that  
25 you identified previously?

1           A.           As I said, that's not something  
2 I offered an opinion on. I may do so in the  
3 future, but not at this time.

4           Q.           Dr. Madisetti, you provided  
5 opinions regarding Claims 1 and 2 of the  
6 '839 Patent, correct?

7           A.           Could I have a copy of my  
8 declaration, please?

9                       MR. SHAPIRO: You know what?  
10           Actually, it's been over an hour. So why  
11           don't we take -- can we take a  
12           five-minute break, would that be okay  
13           with everyone?

14                      MR. RICHARDS: Can we make it  
15           ten minutes? I'm having a weird issue  
16           with my computer so I need to reboot it.

17                      MR. SHAPIRO: You need a new  
18           computer, Daniel.

19                      MR. RICHARDS: I think what it  
20           is, is that we just had a quirky thing  
21           happen with the network and it caused  
22           something bizarre to happen with my  
23           drivers.

24                      And so I have to -- I'm hoping  
25           a reboot is going to make it so the thing

1 goes away.

2 MR. SHAPIRO: Okay. Ten minutes  
3 then. Can we reconvene at 11:15, would  
4 that be okay?

5 MR. RICHARDS: Yeah. Works  
6 here.

7 MR. SHAPIRO: All right.  
8 Thanks.

9 MR. RICHARDS: Thank you.

10 - - -

11 (Whereupon, a recess took place  
12 from 11:06 a.m. to 11:15 a.m.)

13 - - -

14 BY MR. SHAPIRO:

15 Q. Dr. Madisetti, I'm going to  
16 share with you the document marked  
17 Exhibit 1003. Let me go ahead and do that now.

18 - - -

19 (Whereupon the document was  
20 marked, for identification purposes, as  
21 Exhibit Number 1003.)

22 - - -

23 BY MR. SHAPIRO:

24 Q. And let me know when you have  
25 it, Dr. Madisetti.

1           A.           Now, I can see it. One second.  
2       Let me download it. Okay. Do you want me --  
3       I've downloaded it and opened it, Counsel.

4           Q.           Okay. Can you take a look at  
5       the document and confirm that it's the  
6       declaration that you provided in this IPR?

7           A.           Yes. It is Exhibit 1003, which  
8       is my declaration.

9           Q.           Thank you.  
10          Okay. You provided opinions  
11       regarding Claims 1 and 2 of the '839 Patent,  
12       correct?

13          A.           Yes.

14          Q.           In forming your opinions, did  
15       you construe any terms in Claims 1 and 2 of the  
16       '839 Patent?

17          A.           In my declaration, Counsel?

18          Q.           Did you -- did you -- let me,  
19       let me re-ask the question.

20                       In forming your opinions in this  
21       proceeding, did you construe any terms in  
22       Claims 1 and 2 of the '839 Patent anywhere?

23                       MR. RICHARDS: Objection to  
24       form. Scope.

25                       THE WITNESS: As I said, in my

1 declaration, I understand that there's a  
2 pending district code litigation between  
3 the petitioner and Pantech, and the owner  
4 of the '839 Patent and the parties have  
5 proposed construction and so on.

6 So, but for the purposes of my  
7 IPR for this declaration, I have said  
8 that I have not proposed any specialty  
9 constructions with respect to Claim 2.

10 I have some comments in  
11 Paragraph 53, but regardless, the grounds  
12 discussed in my declaration demonstrate  
13 that in Claim 2 would be met under any  
14 reasonable interpretation of the claim  
15 language.

16 So for the purposes of this IPR,  
17 I implied the plain and ordinary meaning,  
18 as I discussed in my declaration.

19 BY MR. SHAPIRO:

20 Q. Dr. Madisetti, what's the plain  
21 and ordinary meaning of the term, wireless  
22 communication terminal?

23 A. The specification, by example,  
24 describes that a wireless communication  
25 terminal includes mobile communication

1 terminals, PDAs, smart phones, wireless, local  
2 area, terminals, and IMD 2000 terminals, for  
3 example, that are capable of transmitting and  
4 receiving various types of messages, including  
5 text and multimedia messages.

6 But those are how one would  
7 understand the specification to describe as  
8 examples of a wireless communication terminal.

9 Q. And what's the plain and  
10 ordinary meaning of wireless transceiver?

11 A. An example of the term, as used  
12 in this specification of the '839, and one that  
13 would have been understood by a person of  
14 ordinary skill in the art would be something  
15 that transmits and receives.

16 Q. And that something that  
17 transmits and receives, does it have to do so  
18 in a wireless manner?

19 A. The claim says for example,  
20 Claim 1 says, I think, Column 8, Line 5, it's a  
21 wireless transceiver. So one of ordinary skill  
22 in the art would understand that it would  
23 transmit and receive in a wireless manner in  
24 this context.

25 Q. And what's the plain and

1 ordinary meaning of integrated messaging  
2 service program?

3 A. I believe the specification  
4 provides examples, which I describe in my  
5 declaration.

6 Other examples of -- of that  
7 term, other nonlimiting examples of that term,  
8 which is integrated -- which is an integrated  
9 user interface, would be examples -- for  
10 example, the descriptions that are provided in  
11 Exhibits 1005, 1006, 1007, 1008, 1009, that a  
12 user -- in addition to those in the '839  
13 specification.

14 Q. Okay. Can you provide me  
15 specific examples from the '839 Patent of an  
16 integrated messaging service program?

17 MR. RICHARDS: Objection. Form.

18 THE WITNESS: What specifically  
19 did you want from the specification?

20 Examples of what?

21 BY MR. SHAPIRO:

22 Q. Well, my question -- my question  
23 to you, Dr. Madiseti, is what is the plain and  
24 ordinary meaning of integrated messaging  
25 service program?

1                   And you answered by saying that  
2     the specification provides examples, and that  
3     Exhibits 1005, 1006, 1007, and 1008 provide  
4     examples, but you haven't provided any of those  
5     examples.

6                   So I was asking you to provide  
7     some of the examples you're talking about of an  
8     integrated messaging service program?

9           A.       The specification of the '839 in  
10    Column 3, for example, described in Lines 15  
11    through 20, that there is a wireless  
12    communication terminal that provides an  
13    integrated messaging service, having a function  
14    of providing an integrated messaging service.

15                   So it appears it is a function  
16    that is described as being part of a wireless  
17    communication terminal. And in the claim on  
18    Column 8, it describes that a controller for  
19    providing the IUI to the keypad and the  
20    displayer by operating the integrated messaging  
21    service program.

22                   So one example of the functions  
23    that is discussed appears to be that you can  
24    operate the integrated messaging service  
25    program to provide -- to have the controller

1 provide an IUI to the keypad on the display.

2 Q. And what's the plain and  
3 ordinary meaning of integrated user interface?

4 A. A POSITA would understand that  
5 it is -- that examples of the integrated user  
6 interface also called IUI are provided in the  
7 '839, and also in the prior art that I have  
8 provided.

9 And the IUI, for example, in the  
10 Claim 1, describes that the integrated message  
11 that is programmed literally means, kind of, the  
12 message to be transmitted which is inputted  
13 into the IUI.

14 So one of the functions of the  
15 IUI is to -- accepting -- from the user.  
16 Another function is to display, for example,  
17 message content and description data in the  
18 IUI, as I describe in my declaration.

19 So the IUI will be understood in  
20 the '839 Patent as described in claims as  
21 providing certain functions that are described  
22 in the claims and in the prior art.

23 Q. And what's the plain and  
24 ordinary meaning of message content?

25 A. It means -- as an example of the

1 content of a message that can be displayed.

2 It could be a portion of the  
3 message that is the content that could be, say,  
4 an image that is displayed or a text that is  
5 displayed from the message. These are  
6 examples, nonlimiting examples.

7 Q. And what's the plain and  
8 ordinary meaning of description data?

9 A. Again, the specification  
10 provides examples of the description data.

11 For example, in Column 4, it  
12 provides examples in Lines 44 through 65. It  
13 describes description data, presents the  
14 description of the incoming/outgoing messages  
15 in the IUI on the displayer.

16 The description data including  
17 incoming/outgoing description data indicating  
18 that the incoming message or the outgoing  
19 message and file description data which are  
20 required to only multimedia messages, or  
21 indicating the kind of multimedia file such as  
22 -- and moving messages and images.

23 For example, incoming, outgoing  
24 description data can be sender, recipient name,  
25 nickname, a telephone number, or an item, and

1 the incoming/outgoing description data  
2 displayed on the side of the message content  
3 and so on.

4 So these are examples,  
5 nonlimiting examples, described in Column 4 of  
6 the '839 Patent, as I discuss in my  
7 declaration.

8 Q. And what's the plain and  
9 ordinary meaning of identification data?

10 A. Identification data as used in  
11 the '839 claims, the first two, data that  
12 corresponds to a message kind and then using  
13 it -- it's included in an outgoing message, as  
14 an example.

15 Q. Is the identification data, the  
16 text message, different from the identification  
17 data of a multimedia message?

18 MR. RICHARDS: Objection to  
19 form.

20 THE WITNESS: As described in  
21 the specification, they could share  
22 certain identification data.

23 The identification could be  
24 similar, it could be the same, it could  
25 be different depending on the context.

1                   So, for example, the sender  
2           recipient name could be common, telephone  
3           numbers may be common, maybe not  
4           depending on the context. Incoming,  
5           outgoing description data can be the same  
6           or similar.

7                   So there is no restriction on  
8           identification data other than as used in  
9           the claims.

10       BY MR. SHAPIRO:

11               Q.           Is the listing of books and  
12       articles in Appendix A of your declaration a  
13       complete and accurate list of the books and  
14       articles you've authored?

15               A.           There are some more recent  
16       articles that seem to be missing and some of  
17       the recent books may be missing, but otherwise,  
18       it is pretty recent.

19               Q.           And which books listed in  
20       Appendix A are on the subject of wireless  
21       messaging interfaces?

22               A.           Most books would have -- so, for  
23       example, in the -- in the Cloud Computing, the  
24       Internet of Things, Big Data Science &  
25       Analytics, the Cloud Solutions Architect, they

1 would have discussions of various types of  
2 messaging and messaging protocols.

3 Q. Do those books address the  
4 subject of wireless messaging interfaces?

5 A. Official data, yes. As I used  
6 them in the call.

7 Q. And which articles listed in  
8 Appendix A are on the subject of wireless  
9 messaging interfaces?

10 A. I think my definition describes  
11 my experience and material. I worked on  
12 several products, several designs for various  
13 companies including the U.S. government,  
14 commercial wireless vendors and providers such  
15 as Solen, Ericson, Sysco.

16 But among the papers, I think  
17 that -- I think -- 34 will cover some aspects  
18 of wireless messaging APIs. Paper 42, 44, 45,  
19 46, 47, 48, those would be the work I did in  
20 the 2003 to 2004 -- 2004 timeframe.

21 Paper 50, Paper 51, 52, 53, 55,  
22 56, 57, 60, 61, 66, 67, those would be some of  
23 the papers.

24 Q. And so all of those papers  
25 address wireless messaging interfaces.

1 Is that correct?

2 A. Yes. To some degree, because  
3 there referring to them in different context.

4 For example, in factory  
5 automation, in electronic health records, in  
6 different types of protocols, wireless  
7 communications, but there's a lot of other  
8 experience that are listed in my declaration.

9 I participated in standards,  
10 committees, wireless messaging and developed  
11 products and systems in that area.

12 Q. Are any of the patents listed in  
13 Appendix A related to wireless interfacing  
14 messages?

15 A. Some of them are. For example,  
16 the patents like the smart contracts patents,  
17 and smart contractor is a specific -- of  
18 blockchain and some of the service mesh patents  
19 as well, which refer to 4G and 5G networks.

20 Some of the patents, some  
21 collaborate with realtime collaboration, they  
22 specifically describe various types of  
23 messaging and user interfaces for the same.

24 Those would be examples. Again,  
25 they're presented in examples.

1 Q. Okay. Thank you.

2 Are the documents cited in your  
3 declaration and identified in Appendix B of  
4 your declaration all the documents you relied  
5 on in forming your opinions?

6 A. As I'm sitting here today, yes.

7 These are the documents I relied  
8 upon for my declaration in this matter.

9 Q. Earlier I asked you about the  
10 plain and ordinary meaning of certain terms and  
11 you answered by providing examples.

12 Did you formulate your opinions  
13 based on examples instead of plain and ordinary  
14 meaning?

15 MR. RICHARDS: Objection to  
16 form.

17 THE WITNESS: I applied the  
18 plain and ordinary meaning, and I  
19 understood -- my understanding of what  
20 plain and ordinary meaning meant was  
21 confirmed by the examples that I used and  
22 reviewed in the specification and all the  
23 prior art that I cite.

24 It would also be consistent with  
25 the examples and the descriptions of

1           these nonlimiting examples in the  
2           specification.

3       BY MR. SHAPIRO:

4           Q.           But you -- you agree that you  
5       were not able to provide me with a plain and  
6       ordinary meaning for any of those terms,  
7       correct?

8                       MR. RICHARDS:  Objection to  
9       form.

10                      THE WITNESS:  I would say that  
11       the plain and ordinary meaning is how one  
12       permits -- and understand what these  
13       would be in the light of the  
14       specification as well.

15                      And at the time of -- they  
16       mention view through the eyes of a person  
17       of ordinary skill.  My education,  
18       training for the past 30 years has been  
19       an experience I've applied and through  
20       that lens, I have understood the  
21       specification and viewed examples in the  
22       specification that inform me, and to make  
23       sure that the prior arts that are used,  
24       the grounds that are described, the  
25       opinions that I offer, are consistent

1 with that understanding.

2 BY MR. SHAPIRO:

3 Q. Dr. Madisetti, did you or did  
4 you not answer my question about plain and  
5 ordinary meaning by providing examples of each  
6 term? Yes or no?

7 MR. RICHARDS: Objection to  
8 form.

9 THE WITNESS: As I said,  
10 Counsel, I applied the plain and ordinary  
11 meaning as informed by my experience,  
12 education, training, in the light of the  
13 specification.

14 And I made sure that the  
15 examples I used in the specification are  
16 consistent with examples I used in the  
17 prior art. So in that sense, yes.

18 BY MR. SHAPIRO:

19 Q. Would a person of ordinary skill  
20 in the art only understand those terms using  
21 examples?

22 A. In -- the context, with respect  
23 to my work with the '839, I believe the  
24 examples in the description provided in the  
25 specification informed my understanding of the

1 plain and ordinary meaning.

2 Q. Again, would a person of  
3 ordinary skill in the art only understand the  
4 terms using examples?

5 MR. RICHARDS: Objection to  
6 form.

7 THE WITNESS: I'm not here to  
8 offer an opinion on a legal matter,  
9 Counsel.

10 From a technical point of view,  
11 I've answered your question, that the  
12 examples in the specification inform my  
13 understanding.

14 And I applied prior art  
15 consistent with examples in the  
16 specification. And in my opinion, based  
17 on experience, training, and education,  
18 these are consistent with the plain and  
19 ordinary meaning.

20 BY MR. SHAPIRO:

21 Q. So I asked previously what the  
22 plain and ordinary meaning of integrated  
23 messaging service program was, and you  
24 responded by telling me that you provided  
25 examples in your declaration and that there are

1 examples in the exhibits.

2 You didn't provide me with any  
3 of those examples except the one mentioned in  
4 the '839 Patent, and you did not provide a  
5 plain and ordinary meaning.

6 Can you provide me a plain and  
7 ordinary meaning for integrated messaging  
8 service program?

9 A. As I said, the examples include  
10 the specification of the '839, the  
11 specification of the prior art references that  
12 I identified in my declaration including Lemay,  
13 including Maguire, and my opinions thereof that  
14 describe how those references disclose the  
15 claim limitations when certain terms are given  
16 the plain and ordinary meaning consistent with  
17 the specification of the '839, and how the  
18 terms are used there.

19 Q. But you can't provide me with  
20 the plain and ordinary meaning as we sit here  
21 today?

22 MR. RICHARDS: Objection to  
23 form.

24 THE WITNESS: As I said, I  
25 disagree, Counsel.

1 BY MR. SHAPIRO:

2 Q. Okay. What is the plain and  
3 ordinary meaning of integrated messaging  
4 service program?

5 A. It's just the plain and ordinary  
6 meaning as understood by a person of ordinary  
7 skill in the art at the time of invention,  
8 which is -- which I was asked -- April 2014,  
9 that would include examples such as those that  
10 are sent in the specification, as well as in  
11 the prior art exhibits that I relied upon.

12 That's my answer.

13 Q. On Page 29 of your declaration,  
14 Dr. Madisetti, you state that the '839 Patent  
15 specification and prosecution history failed to  
16 provide guidance sufficient to identify with  
17 reasonable certainty which potential  
18 antecedents "the description data" refers to as  
19 used in Claim 2.

20 Is it your position that the  
21 term "description data" in limitation 1D refers  
22 to something different than the term  
23 "description data" in limitation 1.E,  
24 Roman numeral VII?

25 MR. RICHARDS: Objection. Form.

1 Misstates.

2 THE WITNESS: No. The answer is  
3 no. I was referring only to Claim 2, and  
4 I was trying to refer to the antecedent  
5 basis of what the meant in the  
6 description data and this was only with  
7 reference to Claim 2.

8 There was no question at all  
9 with respect to what description data  
10 meant. Column 4, which I described  
11 earlier, discloses examples of  
12 description data.

13 It's Claim 2 and the use of the  
14 word, the, that caused the potential  
15 antecedents problem. However, the  
16 grounds below demonstrate that whatever  
17 the interpretation of the antecedents,  
18 that limitation would be met under any  
19 reasonable interpretation of the claim  
20 language.

21 BY MR. SHAPIRO:

22 Q. Dr. Madisetti, you use a lot of  
23 color in your declaration.

24 What are the colors in your  
25 declaration meant to show?

1 MR. RICHARDS: Objection to  
2 form. Compound.

3 THE WITNESS: They just  
4 describe, for example, I use bold, I  
5 emphasis, bold and emphasis to show  
6 specific call-outs to the claim language.

7 I use different colors to refer  
8 to different compliments that I have  
9 color-coded in the graphics.

10 These are meant as a visual aid  
11 to help and guide the reader. They're  
12 not very -- they're not intended to be  
13 the substitutes for the text, or the  
14 opinions, or the figures and other  
15 reference.

16 They are just assisting and  
17 annotating for the purposes of  
18 convenience. And the fact that something  
19 is not colored, does not mean that it's  
20 less important.

21 BY MR. SHAPIRO:

22 Q. What does it mean when you show  
23 words and then a picture from a reference in  
24 the same color?

25 A. It means that that is an example

1 of that particular type of word.

2 Again, it's not the only  
3 example. It is not the only kind of example.  
4 It is just one example.

5 There were some boxes that were  
6 misaligned, I noticed that earlier this week  
7 that some of the boxes and the figures, they  
8 moved a little to the right and left.

9 So that would be something that  
10 I would like to note that they should be moved  
11 a little, but otherwise, they're correct.

12 Q. Do the colors in your  
13 declaration mean the same thing as the colors  
14 in the petition?

15 MR. RICHARDS: Objection to  
16 form. Foundation.

17 THE WITNESS: I'm not sure.  
18 I've not seen the petition. No. I've  
19 not seen the petition at the time I wrote  
20 my declaration.

21 BY MR. SHAPIRO:

22 Q. Are the same colors used to  
23 designate claim elements in the '839 Patent and  
24 allegedly corresponding elements in the prior  
25 art?

1 MR. RICHARDS: Objection to  
2 form.

3 THE WITNESS: As I said, colors  
4 are just a navigational lead. They don't  
5 substitute for discussions, opinions, and  
6 the basis in my report.

7 BY MR. SHAPIRO:

8 Q. Let's go to Page 20 to 21 of  
9 your declaration.

10 A. One second.

11 Q. Pardon me?  
12 Page 20 to 21.

13 A. Okay. So one second. This is  
14 the actual declaration, not the PDF?

15 Q. No. The PDF. The exhibit that  
16 I'm showing you.

17 A. So I should go to Page 20 on the  
18 bottom right or on the bottom? I'm not sure  
19 which.

20 Q. Okay. Yes. I'm sorry.  
21 Page 20 of 21 of the declaration  
22 itself, not the PDF page numbering. I should  
23 have been clearer. I apologize.

24 A. Is it the page number on the  
25 bottom right, or the page itself?

1 Q. Yeah. Yeah. No.

2 I was going by the actual page  
3 of the declaration itself.

4 A. So let's -- so you want me to go  
5 to -- why don't we use the page on the bottom  
6 right, that way it's clearer? It says Page 25  
7 instead of on Page 22.

8 Q. Okay. Hold on. So you want to  
9 use the exhibit page number?

10 A. Yeah. That way it's easier, but  
11 again, it's up to you because that corresponds  
12 to the PDF page too.

13 Q. Okay.  
14 So Pages 23 and 24 of the PDF?

15 A. Okay.

16 Q. The term controller is in red  
17 here. Does that mean you believe what's shown  
18 in red corresponds to the controller in the  
19 '839 Patent?

20 A. This figure is from the  
21 '839 Patent.

22 Q. So is the answer yes?

23 A. I would assume that this is  
24 describing an architecture of an embodiment of  
25 the wireless communication terminal, and so

1     this is a nonlimiting example of a controller.

2             Q.             Okay. What about description  
3     data? That's shown in pink on these pages.

4                     Does that mean you believe  
5     what's shown in pink corresponds to the  
6     description data in the '839 Patent?

7                     MR. RICHARDS: Objection to  
8     form.

9                     THE WITNESS: Again, these are  
10    examples, nonlimiting examples that are  
11    highlighted only for navigation.

12                    This is not intended to be  
13    complete. It's not intended to be  
14    limiting. These are just examples.

15    BY MR. SHAPIRO:

16             Q.             The term message content is in  
17    light blue. Does that mean you believe what's  
18    shown in light blue corresponds to the message  
19    content in the '839 Patent?

20                    MR. RICHARDS: Objection to  
21    form.

22                    THE WITNESS: The light blue  
23    corresponds, I believe, to the -- yeah.  
24    -- example, again, a nonlimiting example  
25    of message content that is displayed in

1           this example.

2                       So these are nonlimiting  
3           selected examples with highlighted  
4           content for the purposes of convenience.

5                       The text itself provides the  
6           detail and the distance. The coloring,  
7           again, is not intended to be complete.

8   BY MR. SHAPIRO:

9           Q.           So it's possible that there  
10   could be message content shown in the  
11   '839 Patent that you didn't highlight in light  
12   blue.

13                       Is that correct?

14          A.           As I said, I would have to look  
15   through it, but my understanding is that I have  
16   provided full details in my declaration, and  
17   I've identified some coloring to help the  
18   viewer, but the text and the -- and others  
19   should be viewed in their entirety and together  
20   with each other. They're not intended to be  
21   limiting.

22          Q.           Okay. The term -- the terms  
23   "displayer" and "displayed" on the IUI are in  
24   dark blue.

25                       Does that mean you believe that

1 what's shown in dark blue corresponds to those  
2 two terms in the '839 Patent?

3 MR. RICHARDS: Objection to  
4 form.

5 THE WITNESS: These are  
6 nonlimiting examples. These are  
7 exemplary examples, nonlimiting, that I  
8 show for the purposes of convenience.

9 BY MR. SHAPIRO:

10 Q. The term "storage" is in purple.  
11 Does that mean you believe  
12 what's shown in purple corresponds to this term  
13 in the '839 Patent?

14 MR. RICHARDS: Objection to  
15 form.

16 THE WITNESS: As I said earlier,  
17 these are examples. These are not  
18 limiting, they're intended only to aid --  
19 aid visually the reader of my  
20 declaration.

21 They're not intended to be  
22 limiting in any way, nor intend to be  
23 exhaustive -- or complete with respect to  
24 the coloring. My opinions are described  
25 in my declaration with -- support.

1 BY MR. SHAPIRO:

2 Q. The term "wireless transceiver"  
3 is in brown. Does that mean you believe what's  
4 shown in brown corresponds to this term in the  
5 '839 Patent?

6 MR. RICHARDS: Objection to  
7 form.

8 THE WITNESS: No. As I said for  
9 all of the terms, these are exemplary,  
10 nonlimiting embodiments from different  
11 figures in the specification.

12 They are not intended to limit  
13 the claims or the claim terms. They are  
14 specifically provided as nonlimiting  
15 examples to guide the viewer.

16 BY MR. SHAPIRO:

17 Q. So let's go to -- and let me  
18 give you the PDF --

19 A. So, Counsel, we've been going on  
20 for about --

21 Q. Let's see. We came back at  
22 11:15. Can we go to 12:15?

23 A. Sure.

24 Q. Yeah.

25 A. I thought you were changing the

1 topic, so that's why.

2 Q. No. I'm still on colors.

3 A. Okay.

4 Q. So I'd like you to take a look  
5 at Pages 40 through 44 of the PDF.

6 A. Okay. The same PDF, same  
7 declaration?

8 Q. Correct. We're still on the  
9 declaration. So let's go -- tell me when  
10 you're there.

11 A. Uh-huh. I am on there. You are  
12 referring to Page 40, as in the bottom right of  
13 the declaration?

14 Q. Correct.

15 A. Yeah.

16 Q. The term "processing unit" is  
17 in red on pages 40 to 44 of your declaration.

18 Does that mean you believe  
19 what's shown in red corresponds to the  
20 controller in the '839 Patent?

21 A. Yes. It is an example of how  
22 the controller communication would be met and  
23 the conventional microprocessor that is --  
24 storing the software, that practices the  
25 claims.

1                   So the Lemay's processing unit  
2 will execute stored software to generate a  
3 unified user interface in the display that  
4 provides the display and control functions,  
5 things like that.

6                   So these are additional visual  
7 aids for the text. Text, in some sense in my  
8 declaration, is the main source of information.  
9 The coloring are examples, nonlimiting examples  
10 of support.

11               Q.           The terms "memory" and  
12 "non-volatile storage" are in purple on Pages  
13 40 to 44 of your declaration.

14                   Does that mean you believe  
15 what's shown in purple corresponds to the  
16 storage in the '839 Patent?

17               A.           Which page are you referring to?

18               Q.           Wait a minute. Figure 1B?

19               A.           Yeah. Element 1B begins on  
20 Page 57. So I have provided a claim by claim  
21 limitation. So as I said, in all cases, the  
22 figure is not intended to be limited to the  
23 coloring.

24                   You have to read the entire  
25 declaration to support the opinions and the

1 citations to each of the references, the  
2 motivations to combine all of that for my  
3 opinions with respect to each claim limitation.

4 Q. But, again, showing the term --  
5 the elements "memory" and "non-volatile  
6 storage" in purple on Pages 40 to 44 means that  
7 you believe what's shown in purple corresponds  
8 to the storage in the '839 Patent?

9 A. As I said, Counsel, you read the  
10 entire declaration and I identify the claim  
11 limitations. The claim storage would be  
12 described in limitations element 1B, and all  
13 the support for that starts on Page 57.

14 Q. And what does your declaration  
15 say then, about --

16 A. It says that it's an element  
17 that recites the storage for storing an  
18 integrated messaging service program, and so  
19 on. That starts on Page 57.

20 Q. Okay.

21 A. That describes how the  
22 limitation is met. So you have to go through  
23 the limitation by limitation to see all of the  
24 sources of support -- with respect to each  
25 limitation and the claim as a whole in the

1       respective sections.

2               Q.           Does the declaration state that  
3       the memory and non-volatile storage in  
4       Figure 1B correspond to the storage in the  
5       '839 Patent?

6               A.           I believe that the declaration  
7       speaks for itself. I have not memorized it,  
8       but it would show that the claims of the  
9       '839 Patent are met by the support that I  
10      provide.

11              Q.           But sitting here today, you  
12      can't confirm or deny that statement?

13                       MR. RICHARDS: Objection to  
14      form.

15                       THE WITNESS: I disagree.

16                       I said that every limitation is  
17      met by the prior art -- to the claim, and  
18      the basis for my opinions is described in  
19      my declaration.

20      BY MR. SHAPIRO:

21              Q.           Is the storage limitation in the  
22      '839 Patent met by the memory or the  
23      non-volatile storage in Figure 1B on Page 41 of  
24      your declaration?

25                       MR. RICHARDS: Objection to

1 form. Compound.

2 THE WITNESS: As described in my  
3 declaration, under Element 1B, the  
4 element is met by Lemay and made obvious  
5 by Lemay. And it discloses storage, both  
6 memory and non-volatile storage.

7 So I include in Paragraph 77,  
8 both the volatile and non-volatile  
9 storage that stores the integrated  
10 messaging program in order to provide an  
11 integrated user interface, but storing a  
12 computer program and messaging --

13 So I then highlight in Figure 1B  
14 on Page 58, both the non-volatile  
15 storage, Number 65, and the memory in  
16 Block 59 from Lemay, Figures 1B.

17 I also identify additional  
18 support on Pages 59, 60, 61, 62, 63, and  
19 64, among other sections of my  
20 declaration, to show support that this  
21 claim limitation is met and then they're  
22 -- by this ground.

23 BY MR. SHAPIRO:

24 Q. And where in Lemay -- strike  
25 that.

1                   Where in Lemay is an integrated  
2                   messaging service program disclosed?

3                   A.           Again, you would have to -- I've  
4                   provided that support for that limitation in my  
5                   declaration. It spans a number of pages.

6                   You would have to look in my  
7                   declaration and -- for example, in Lemay, I  
8                   disclose starting with the preamble,  
9                   Page Number 45, and discuss that, on Page  
10                  Number 47, that there's a unified user  
11                  interface for instant messaging and electronic  
12                  mail.

13                  I refer to electronic  
14                  paragraphs, Abstract Column 1, 49 to 62,  
15                  Column 2, 52 to 65, Column 5, 30 to 33.

16                  And also, I refer to various  
17                  figures; Column 5 to 6, Column 8, Column 9,  
18                  Column 11, and then I continue the limitations  
19                  of being that term, so when you have to go  
20                  through my declaration, you will find the full  
21                  support for my opinions.

22                  Q.           So sitting here today, you  
23                  cannot point out a particular portion of Lemay  
24                  that discloses -- that discloses an integrated  
25                  messaging service program?

1 MR. RICHARDS: Objection to  
2 form. Misstates.

3 THE WITNESS: I disagree.

4 I show that in all the  
5 limitations. The term is meant, is  
6 mentioned.

7 For example, Element 1B, there  
8 is a storage for storing an integrated  
9 messaging service program.

10 I show, for example, in  
11 Paragraph 77, that Lemay discloses a  
12 storage, both memory and non-volatile,  
13 and other types of storage.

14 I show that it is storing that  
15 integrated service messaging program in  
16 order to provide an integrated user  
17 interface.

18 I also discuss specific  
19 citations to Lemay, which I define that  
20 in Column 1, 49 through 62, on  
21 Page Number 60 will show you that instant  
22 messages and email are received and  
23 displayed within the common window within  
24 a single application.

25 So that discloses a program.

1           That discloses an example of how the  
2           integrated message servicing program is  
3           meant.

4                       Then, I go through the other  
5           limitations similarly and identify and  
6           call out specific portions of Lemay. I  
7           refer to computer programs that Lemay  
8           store, in -- in non-volatile memory.

9                       So my declaration goes in  
10          detail. So the answer is, yes, I provide  
11          explicit and detailed citations in my own  
12          opinions to show that that program is  
13          disclosed, and -- they're obvious in  
14          grounds that I rely upon.

15                      MR. RICHARDS: Counsel, we now  
16          have been going an hour, so whenever  
17          you're getting to a good stopping point,  
18          we should take a break.

19                      MR. SHAPIRO: I think we can  
20          stop here for -- for a break.

21                               -   -   -

22                               (Whereupon, a recess took place  
23          from 12:15 p.m. to 12:47 p.m.)

24                               -   -   -

25          BY MR. SHAPIRO:

1           Q.           We were at Pages 40 to 44 of  
2           your declaration, Dr. Madisetti.

3                       Are you still -- do you still  
4           have that up?

5           A.           Let me go there.   Okay.

6           Q.           The term "network interface" is  
7           in brown on Pages 40 to 44 of your declaration.

8                       Does that mean you believe the  
9           network interface of Lemay corresponds to the  
10          wireless transceiver in the '839 Patent?

11                      MR. RICHARDS:   Objection to  
12          form.

13                      THE WITNESS:   It says here  
14          that -- it describes a modem.   In  
15          Block 53, it says modem, network  
16          interface.

17                      So I have identified  
18          specifically my support for the  
19          transceiver limitations in Element 1E,  
20          where it specifically says on  
21          Paragraph 74 of my declaration that Lemay  
22          discloses the wireless transceiver for  
23          transferring a message to and from an  
24          outside device through a wireless  
25          network.

1                   And I specifically cite to Lemay  
2                   Column 2, 52 to 65, that specifically  
3                   describes that a version can be practiced  
4                   with cellular phones.

5                   I also describe on Page 48, that  
6                   Lemay provides an interface through a  
7                   modem. In Columns 3, 14 through 47, and  
8                   specifically, it also talks about the  
9                   satellite transmission in place, which is  
10                  wireless.

11                  I also refer to Lemay Columns 4,  
12                  6 through 21, which, again, describe a  
13                  wireless interface called a satellite  
14                  transmission interface.

15                  I also describe support from  
16                  Alfke, which is A-l-f-k-e, which I refer  
17                  to Figures 2A and Figures 2B from Alfke,  
18                  and also Figures 2C that specifically  
19                  call out a wireless network.

20                  And through the communication  
21                  interfaces 256 and 259, and in Figure 2C,  
22                  for example. And then extensive  
23                  citations to Alfke, that include -- in  
24                  Alfke Column 9 to Column 10, that the  
25                  communication media 215 maybe a wireless

1 connections such as infrared, Bluetooth  
2 Or Wi-Fi.

3 And also in Column 5, 6 to 15,  
4 that specifically talk about cellular  
5 network or a wireless network in  
6 Figure 1.

7 So all of these, in addition to  
8 the other paragraphs in my declaration,  
9 provide adequate support that Lemay  
10 affirmatively discloses, or at least  
11 renders obvious that the Lemay system  
12 includes a wireless transceiver to  
13 transmitting and receiving messages to  
14 and from an --

15 BY MR. SHAPIRO:

16 Q. Okay. Thank you.

17 So staying on those pages of  
18 your declaration, the terms "message contents",  
19 "date and time of the record", "name of the  
20 user from which the record originated", and  
21 "instant message content 220" are all in light  
22 blue on Pages 40 to 44 of your declaration.

23 Does that mean you believe all  
24 these terms correspond to the message content  
25 in the '839 Patent?

1 MR. RICHARDS: Objection to  
2 form. Compound.

3 THE WITNESS: Again, these are  
4 exemplary citations to certain exemplary  
5 figures to assist the reader in this  
6 introduction of the references I cite.

7 So it's just an overview of  
8 Lemay. The claims themselves are  
9 discussed later in the declaration,  
10 starting on Page 45, and there I go into  
11 great detail for a limitation --  
12 limitation analysis.

13 So message complete is  
14 referenced in, for example, Element 1C,  
15 and there I discuss in Paragraphs 18, 19,  
16 and specifically I discuss various  
17 citations to Lemay, it's Figures 1B, 2C,  
18 1B, Column 3, 41 to 57, Column 4,  
19 21 to 49.

20 I talk about Column 6, 21 to 25,  
21 Column 6, 65 through 79, Column 7, 45 to  
22 49. Column 10, 63 to 11, 12. And  
23 Lemay 9, 20 to 27, 10, 25 to 41.

24 So I discuss all these with  
25 respect to message content. And I also

1 further discuss message content as  
2 displayed in the IUI as part of Lemay 1B.

3 So rather than read my entire  
4 declaration, I would refer you to these  
5 limitations where I carry out my details,  
6 support analysis, to show Lemay discloses  
7 and renders obvious all such limitations  
8 of the two claims, 1 and 2.

9 You're only referring to a  
10 single figure that describes an old view  
11 of Lemay at a high level.

12 BY MR. SHAPIRO

13 Q. Okay. So you directed me to  
14 Paragraph 80 of your declaration, correct?

15 A. It's one of the paragraphs.

16 Q. And then you referenced a number  
17 of citations to Lemay on Pages 65 to 68 of your  
18 declaration, correct?

19 A. With respect to Element 1C --  
20 the message content goes into 1D as well. So  
21 whichever claim litigation has the term,  
22 message content, you would have to look at  
23 those for the evidence from Lemay as cited in  
24 my declaration.

25 Q. Can you direct me to a statement

1 in one of these citations to Lemay where you  
2 identify a disclosure of Lemay that corresponds  
3 to message contents?

4 A. Yeah. I mean, some of them,  
5 almost all of them refer to that.

6 And so we can look at -- so it  
7 has, for example, Figure 3 on Page 59 refers to  
8 display in content. And, again, the content.

9 And so this limitation is about  
10 storage of messages, but I have to really talk  
11 with storage of messages, that's the portion  
12 from Paragraph -- that's the limitation, which  
13 starts on Page -- no, on Paragraph 74.

14 Then we get to the limitation we  
15 talked about, which is Paragraph 80, which says  
16 that Element 1C, which is a keypad for  
17 receiving a message content and the menu  
18 selecting signal in the IUI.

19 So I state that Lemay discloses  
20 a keypad for receiving message content, so  
21 which is -- so it discloses a keyboard used to  
22 receive such as texts for messages, and a menu  
23 for selecting signal in the IUI, which is a  
24 keyboard-press button.

25 And then I refer to Figure 2C,

1 which shows the content. The content is shown  
2 clearly there, the text from the various  
3 messages including the text message, as well as  
4 the multimedia messages.

5 And then I'll show the different  
6 types of input and the GUI of Figure 2B, which  
7 has an input field at 218 that captures the  
8 content, where the content is input.

9 I also talk about instant  
10 messaging 220 content and so on. So I talk  
11 about interfaces to 18. So all these are  
12 different portions that disclose for this  
13 limitation, which is 1C, a keypad for receiving  
14 a message content.

15 Q. So in your discussion of  
16 Element 1C, beginning at Page 64 of your  
17 declaration, the only example of message  
18 content you provide is text?

19 MR. RICHARDS: Objection to  
20 form.

21 THE WITNESS: I disagree. I  
22 believe my declaration speaks for itself.  
23 It talks about various types of inputs  
24 through 218, the columns that are cited.

25 Talks about different types of

1 content, which would be both for use of  
2 text, it could be video and audio.

3 And so, for example, on Page 67,  
4 I cite to Lemay, Column 6, 21 through 25,  
5 and I specifically call out an input  
6 object that includes functionality to  
7 receive inputs such as texts from a  
8 keyboard or handwriting endured through  
9 the user pen or stylist.

10 In other embodiments input  
11 object may include functionality for  
12 receiving other inputs such as video or  
13 audio. This is one such example of  
14 multimedia content.

15 So in summary, I don't want my  
16 words today in my deposition to represent  
17 a memory test. I intend to rely on my  
18 complete declaration as submitted for my  
19 opinions.

20 BY MR. SHAPIRO:

21 Q. Any other examples you can point  
22 me to in your discussion of Element 1C?

23 A. I think, again, I refer to the  
24 language in my declaration, which, again, as I  
25 said, I have not memorized, but wherever in my

1 declaration I had provided support for those  
2 columns, I would say that I'll rely on that.

3 I gave you some examples, which  
4 I believe are response to your questions.

5 Q. In Figure 2C on Page 65 of your  
6 declaration, what do you consider to be message  
7 content?

8 MR. RICHARDS: Objection to  
9 form.

10 THE WITNESS: Well, in  
11 Figure 2C, examples of message content  
12 would be, for example, the text, --  
13 things, the confine, the -- other  
14 examples.

15 I just got back from -- and in  
16 the attachments, which would include  
17 video images, all these would be examples  
18 of content.

19 BY MR. SHAPIRO:

20 Q. So are you saying that the --  
21 the text in 222 in Figure 2C is content, and  
22 the text in 220 in 2C is also content?

23 MR. RICHARDS: Objection to  
24 form. Misstates.

25 THE WITNESS: Your question,

1           sorry, -- to say, Counsel?

2                       In 222 there is a portion that  
3           is from, the date, to -- that information  
4           is description data, and I define that  
5           very clearly in my declaration.

6                       The portion would begin with the  
7           subject with hi -- or hey there, how are  
8           things? I just got back from the  
9           concert. That is what I call content.

10                      So I think I called it out very  
11           clearly in my declaration. I did not  
12           call the entire 222 as message content.

13                      Similarly, in the bottom of that  
14           integrated user interface, I just got  
15           back from Food King, that portion is the  
16           message content, and Charles, Dave and  
17           Charles on the left are the description  
18           data.

19                      That's my testimony that is  
20           captured in my declaration, along with  
21           the support as examples of message  
22           content and description data.

23       BY MR. SHAPIRO:

24                      Q.           What's -- what is the element  
25           labeled 218 in Figure 2C?

1           A.           That's a portion of the --  
2           that's the portion of the -- that's the portion  
3           of the IUI that captures the input.

4                        So it's an input interface, as  
5           an example of an input interface is 218 in  
6           Lemay. So that allows the user to input the  
7           message content, provide their email or the  
8           instant messenger.

9           Q.           I'm sorry. I couldn't hear the  
10          last part of your answer.

11                       Could you repeat that or could  
12          the court reporter read it back to me?

13          A.           Yeah. It is -- it allows the  
14          user to input the message content either for  
15          the email or for the text message.

16          Q.           Is the message shown in 222 an  
17          email?

18          A.           The message that is shown in the  
19          interface, the unified interface that consists  
20          of a display of the portion of the top combined  
21          with the input interface 218, that shows the  
22          interface to the email that is displayed.

23                       The message content and the  
24          description data each are displayed as portion  
25          222. And as a part of this unified interface

1 of the IUI, 218 and 222 represent the display  
2 and the input for the text messaging, which is  
3 shown on the bottom, the right of which I just  
4 call back that is the message content, and the  
5 description data is the Charles, Dave and  
6 Charles.

7 Q. Now, you said the -- the bottom  
8 of 220 in Figure 2C is text message, and 218 is  
9 an input field for the text message.

10 Is that correct?

11 A. I said that the 220 is the text  
12 message, and a portion of the IUI interface  
13 where the content is -- 218. Similarly, the  
14 222 is the email portion of the unified  
15 interface of the IUI, integrated user  
16 interface, IUI, and 218 is the common input to  
17 both of them.

18 Q. Did you mean to say that the  
19 message shown in 220 is an instant message or  
20 chat?

21 A. It's a text message, which is --  
22 which tends to message as an example of. So  
23 it's the chat or the example of 220 is the text  
24 message.

25 Q. Let's go to page -- Pages 131

1 through 135 of your declaration.

2 Let me know when you're there.

3 A. Okay.

4 Q. Do the portions of Lemay  
5 highlighted in pink on Page 131 to 135 of your  
6 declaration, all correspond to the description  
7 data in the '839 Patent?

8 MR. RICHARDS: Objection to  
9 form.

10 THE WITNESS: As I described in  
11 my declaration with respect to Claim 2, I  
12 say that this Claim 2 is met by and made  
13 obvious by Lemay.

14 And so in Paragraph 112, I cite  
15 to the -- two fields in Figures 2A and  
16 2B, and 2C and 2D, and Figure 4.

17 And then I discuss various  
18 citations from Lemay in Pages 131 onwards  
19 to Page 135.

20 Then, I also discuss additional  
21 support for both -- for this same  
22 limitation in additional citations on  
23 Pages 136 and 137, in ground one.

24 So you have to read that entire  
25 section in its entirety. I don't wish to

1 summarize the entire disclosure of Lemay  
2 in one sentence.

3 My declaration provides support  
4 that I rely upon in its entirety to  
5 support my opinions.

6 BY MR. SHAPIRO:

7 Q. But to be clear, the portions  
8 highlighted in pink on Pages 131 through 135  
9 are description data as that term is used in  
10 the '839 Patent?

11 MR. RICHARDS: Objection to  
12 form.

13 THE WITNESS: It is examples,  
14 non-limiting examples of where -- sorry.

15 It's one, it's some of the  
16 support that I use to show description  
17 data as I describe in Paragraphs 112.

18 There's additional support in  
19 other sections and other paragraphs on  
20 the pages that follow.

21 And with respect to 22, starting  
22 on Paragraph 111, ending on Lemay  
23 Paragraph 113 for ground one.

24 So I rely on the entirety of the  
25 support there that is cited, and my

1           opinions that are based on that for  
2           Claim 2, in addition to the support I  
3           have for Claim 1.

4       BY MR. SHAPIRO:

5           Q.           Okay. Let's go to Page 141 of  
6           exhibit -- of your declaration, Exhibit 1003,  
7           which you should have open.

8           A.           Uh-huh.

9           Q.           So on Page 141, you provide an  
10          annotated version of Figure 5 of the Maguire  
11          patent publication.

12                       Is that correct?

13          A.           It's the section called in  
14          Ground 2, that Maguire, in lieu of Kang,  
15          renders obvious claims of one too.

16                       So I provided in Paragraphs 115,  
17          116, and 117, an introductory view of Maguire  
18          that I then later on relied upon and analyze in  
19          greater depth when I come to claim limitations  
20          that follow later in this declaration.

21          Q.           Okay. In Figure 5 of Maguire  
22          reproduced on Page 141, the Elements 132 and  
23          138 highlighted in pink correspond to the  
24          description data in the '839 Patent, correct?

25                       MR. RICHARDS: Objection to

1 form.

2 THE WITNESS: These are examples  
3 that are represented in examples that  
4 correspond to data describing the  
5 message. So they are description data  
6 examples.

7 Again, the declaration speaks  
8 for itself. It has many other examples  
9 of support that are specifically called  
10 out when I discuss the claim limitations  
11 of 1 and 2 for this ground, based on  
12 Maguire.

13 BY MR. SHAPIRO:

14 Q. Do the Elements 134 highlighted  
15 in light blue in Figure 5 on Page 141 of your  
16 declaration correspond to the message content  
17 in the '839 Patent?

18 MR. RICHARDS: Objection to  
19 form.

20 THE WITNESS: The highlighted --  
21 and so the data field and the message  
22 brought in, those refer to, in this  
23 diagram, they refer to -- in the  
24 parenthesis, the left bracket and the  
25 right bracket.

1                   They are representative of the  
2                   data, which is the message content in  
3                   this particular figure. I have  
4                   additional figures and additional  
5                   citations for message content.

6       BY MR. SHAPIRO:

7               Q.           And the Element 118 highlighted  
8               in brown in Figure 5 on Page 141 of your  
9               declaration corresponds to the wireless  
10              transceiver in the '839 Patent?

11             A.           Element 118 in Figure 5 is an  
12             example of how Maguire discloses a wireless  
13             transceiver, and it refers specifically to  
14             Maguire, where in Maguire the limitation that  
15             then responds to the transceiver, I provide  
16             additional details.

17                       So, for example, when you go to  
18             the transceiver limitation, which is starting  
19             on Element 1A, as in apple, Paragraph 132  
20             onwards, I specifically talk about Maguire  
21             disclosing the -- network, because of 5 and 6  
22             that we discussed.

23                       I also discuss Paragraphs 2 and  
24             4 of Maguire that talk about CDMA, GSM  
25             networks, use of SMS and WAP, talks about

1 different types of data networks and cellular  
2 networks including MobiTex, GPRS, GSM, Edge.

3 It also talks about email, MMS  
4 messaging and communication events such as  
5 calls, SMS messages, email correspondence and  
6 wireless sessions. All these confirm that  
7 these disclosures disclose a wireless  
8 transceiver.

9 Q. And in Figure 5 of Maguire  
10 reproduced on Page 141 of your declaration,  
11 does the Element 120 highlighted in dark blue  
12 correspond to the display in the '839 Patent?

13 MR. RICHARDS: Objection to  
14 form.

15 THE WITNESS: So you're going  
16 back to Page 141, and you are talking  
17 about what?

18 BY MR. SHAPIRO:

19 Q. The Element 120 in Figure 5 of  
20 Maguire that's reproduced on Page 141 of your  
21 declaration.

22 Is Element 121 that's  
23 highlighted in dark blue correspond to the  
24 display in the '839 Patent?

25 A. Again, it is representative of

1 the display of the claim as an example.

2 You have to read that in  
3 conjunction with the specific disclosures that  
4 are used, both of Maguire and Maguire in  
5 combination of -- for example, that I cite in  
6 my declaration, specifically when we talk about  
7 the display limitation in -- starting on  
8 Paragraph 144, where I specifically call out  
9 Element 1D, as in David, a display for  
10 displaying the message content and description  
11 data and the IUI.

12 And I show that in  
13 Paragraph 145, Maguire discloses a displayer  
14 for displaying the message content, and I refer  
15 to Figures 4 and 5, which specifically call out  
16 a display in Block 102, 104, 108, in Figure 4.

17 I also call out Figure 5, where  
18 the integrated user interface description is  
19 shown. I also identify where there's  
20 paragraphs such as 12 and 14, 21, 26, 28, 36,  
21 40, and so on from Maguire, Figure 1 as well.

22 And I continue on  
23 Paragraphs 146, 147. And then, I also rely on  
24 Kang to the extent for the disclosure is  
25 required. And specifically because 2 and 4 of

1 Kang in Paragraphs 26, 27, 33, 34, 35, and also  
2 Paragraphs 9, 10, 15, 17, 18, 27, 31, Figure 5,  
3 Figure 4 of Kang, along with my descriptions  
4 and opinions based on his disclosures of  
5 Maguire and Maguire in combination with Kang  
6 with limitation 1D.

7 Q. Dr. Madisetti, in your  
8 discussion of Element 1B of the '839 Patent  
9 claims, you reproduce Figure 5 on Page 141 of  
10 your declaration.

11 Do you see that?

12 A. One second. Which page, sir?

13 Q. 161.

14 A. Okay. I am on Page 161.

15 Q. Does Figure 5 show an integrated  
16 user interface?

17 MR. RICHARDS: Objection to  
18 form.

19 THE WITNESS: This limitation  
20 where this section that you're referring  
21 to is referring to Element 1B, and it's  
22 referring to a storage for storing an  
23 integrated messaging service program  
24 and decisions in order to provide an  
25 integrated user interface IUI.

1                   So I state in Paragraph 136 that  
2                   Maguire discloses the storage for storing  
3                   an integrated messaging service program,  
4                   and messages in order to provide an  
5                   integrated user interface.

6                   The process executes the stored  
7                   software interface margin and retrieves  
8                   message communication events from a  
9                   database to provide an integrated  
10                  interface displaying email, SMS -- and  
11                  telephone call communications.

12                  And assigned to Maguire,  
13                  Figures 4 and Figures 5, and  
14                  Paragraphs 13 and others onward, so I'm  
15                  referring to that element and showing  
16                  that that element is practiced and  
17                  rendered obvious by Maguire in  
18                  combination with Kang and Maguire itself.

19       BY MR. SHAPIRO:

20               Q.           So which element in Figure 5 are  
21               you referring to as an integrated user  
22               interface?

23               A.           Again, these are examples. The  
24               example that I would refer to would be that in  
25               Figure 5, that the bottom of the Figure 5,

1 which is the Block 120, is a portion of the  
2 user interface.

3 And then I describe additional  
4 support for Maguire in the sections that  
5 follow.

6 Q. Is Element 124 in Figure 5 of  
7 Maguire an integrated user interface?

8 MR. RICHARDS: Objection to  
9 form.

10 THE WITNESS: It's a portion of  
11 the integrated interface, integrated user  
12 interface that I rely upon from portions  
13 of Maguire.

14 In addition to the text I cite  
15 in my declaration in the sections that  
16 surround this figure.

17 BY MR. SHAPIRO:

18 Q. Dr. Madisetti, can you turn to  
19 Page 146 of your declaration, please?

20 A. Okay.

21 Q. Do you see Figure 4 of Kang at  
22 the top of Page 146 of your declaration?

23 A. Yes. And this is a section  
24 called the Overview of Kang.

25 Q. In Figure 4 of Kang, reproduced

1 on Page 146 of your declaration, does the  
2 telephone number highlighted in pink correspond  
3 to description data in the '839 Patent?

4 MR. RICHARDS: Objection to  
5 form.

6 THE WITNESS: Again, I provide  
7 clear in this section, I provide an  
8 overview of Kang in Paragraphs 118, 119,  
9 120 and 121, which is where your question  
10 comes through.

11 And so I provided in Figure 7 in  
12 the earlier section, and I talk about as  
13 shown in Figure 4, the second message is  
14 an open SMS message that identifies the  
15 correspondent using their telephone  
16 subscriber number, 017-729-8778, that's  
17 what I highlighted there.

18 So with respect to the claim  
19 limitations, you would have to go through  
20 to start that -- evaluate the analysis,  
21 that provides these overview sections on  
22 Page 152, onwards.

23 So that's where I call out the  
24 detail evidence from Maguire, Maguire and  
25 Kang for this ground for support of the

1 various claims.

2 I think the Element 1E finding  
3 on Page 229 is where I provided a  
4 detailed analysis starting on  
5 Paragraphs 168, that cover specifically  
6 what the displaying message content and  
7 description data as certain examples of  
8 those terms, among other locations for  
9 other limitations of description data.

10 BY MR. SHAPIRO:

11 Q. So then you agree that the  
12 telephone number highlighted in pink in  
13 Figure 4 of Kang in your declaration  
14 corresponds to description data in the  
15 '839 Patent?

16 MR. RICHARDS: Objection to  
17 form.

18 BY MR. SHAPIRO:

19 Q. Is that correct?

20 MR. RICHARDS: Objection to  
21 form.

22 THE WITNESS: I think I answered  
23 that question, that the limitations with  
24 respect to the description data described  
25 in the claim chart, that's an overview of

1 Kang, so you just repeated your question  
2 after my answer.

3 So I already explained that that  
4 was just an overview section, where I  
5 highlighted the phone number of an open  
6 message.

7 BY MR. SHAPIRO:

8 Q. Okay. So you don't rely on that  
9 figure again for description data.

10 Is that correct?

11 A. I rely on all those figures that  
12 are cited in my declaration. I don't wish my  
13 statements to today to be intended to  
14 substitute anything in my declaration.

15 I have not memorized my entire  
16 declaration. My entire declaration captures  
17 all the evidence that I relied upon, and my  
18 basis for the reliance in how they meet the  
19 claim limitation.

20 So I intend to rely on my entire  
21 declaration. So you can go through those  
22 limitations where the term, description data,  
23 is used, and then we can go through the  
24 evidence there.

25 Q. In Paragraph 148 of your

1 declaration you state that Kang discloses  
2 displaying description data and you give  
3 examples.

4 A. Which paragraph? 148?

5 Q. Paragraph 148 on Page 186 of  
6 your declaration.

7 A. Yeah.

8 Q. You state that Kang discloses  
9 displaying description data --

10 A. Yes.

11 Q. And you provide examples.

12 And my question is, whether the  
13 telephone number highlighted in pink in  
14 Figure 4 of Kang is one of those examples?

15 A. Yes. I state that in  
16 Paragraph 148, that the title, email address,  
17 telephone subscriber number, icons and IUI are  
18 displaying certain description data, so they  
19 would be examples of description data.

20 I also cite to Paragraphs 26,  
21 27, 33, 34, 35, and Paragraphs 9, 10, 15, 17,  
22 18, 27, 71, Figure 5, Figure 4 of Kang.

23 Q. Okay. Let's go to page -- hold  
24 on. Let me get the -- okay. Let's go to  
25 Pages 185 to 186 of your declaration.

1           A.           185.

2           Q.           Beginning of Paragraph 147 of  
3 your declaration, which begins on page 185 of  
4 your declaration.

5           A.           I'm there. I'm on Page 147.

6           Q.           Okay. In this paragraph you  
7 state that "it was well understood and common  
8 for messaging protocols to include timestamps,  
9 a form of description data in messages". You  
10 then give examples of messaging protocols that  
11 include timestamps.

12                       How are the timestamps generated  
13 for each of the protocols that you've  
14 identified in Paragraph 147?

15                       MR. RICHARDS: Objection.

16                       Compound.

17 BY MR. SHAPIRO:

18           Q.           Okay. Let's do this  
19 individually.

20                       How are timestamps generated for  
21 the protocol known as RFC2822?

22           A.           The RF system -- the RFC2822  
23 discloses that the timestamp, the date and time  
24 have several designated fields and they're  
25 included as descriptors of that message.

1                   So I rely on RFC2822 to show  
2     that the date and time are descriptors of  
3     description data for the message, because they  
4     correspond to the date and times of those  
5     messages, in addition to other such descriptors  
6     like address and so on, and senders and  
7     recipients.

8           Q.           In RFC2822, where are the date  
9     and time obtained from?

10                   MR. RICHARDS:  Objection to  
11     form.

12                   THE WITNESS:  The date and time  
13     would be obtained from the -- probably  
14     the -- from when the user enters the  
15     message, and -- and the user sends the  
16     message.

17                   So to be part of the user's  
18     interaction with the -- the messaging  
19     interfaces, the messaging interface of  
20     the UI.

21     BY MR. SHAPIRO:

22           Q.           Is the date and time in RFC2822  
23     the date and time the email was sent?

24           A.           I'm not sure what you're asking.  
25     The sender and the recipients know these are

1 part of the description data that is generated  
2 when the email or the other types of messages  
3 are created.

4 Q. Okay. Let me try to understand.  
5 So the date and time in RFC2822  
6 is the date and time the message is created?

7 A. Even the senders and the  
8 recipients, identifiers, and all that are  
9 created when the message is created.

10 Q. Okay. And in 3GPPTS24.001, when  
11 are the date and time created?

12 A. I'm not sure what you mean when  
13 you say when they are created?

14 Q. Okay. Let me, let me -- let me  
15 try to clarify the question.

16 A. Uh-huh.

17 Q. IN 3GPPTS24.001 --

18 A. Uh-huh.

19 Q. -- what do the date and time  
20 represent?

21 MR. RICHARDS: Counsel, I'll  
22 just note you might have misspoken there  
23 in your question, if you want to re-ask  
24 it? I think you just said the numbers  
25 wrong.

1 MR. SHAPIRO: I did? Okay.

2 Let me try again.

3 BY MR. SHAPIRO:

4 Q. In 3GPPTS24.011, what do the  
5 date and time represent?

6 MR. RICHARDS: Objection to  
7 form.

8 THE WITNESS: They would be  
9 presenting examples of the description  
10 data. Again, these are a few of the  
11 examples that are described, not the  
12 entire list and not the only examples.

13 So they are generated when the  
14 outgoing message is created.

15 BY MR. SHAPIRO:

16 Q. Is the date and time in  
17 3GPPTS24.011 the time the SMS message is  
18 generated or received?

19 MR. RICHARDS: Objection to  
20 form.

21 THE WITNESS: It will be the --  
22 under the identification data corresponds  
23 to the message kind, so depending on the  
24 type of message, whether it's an SMS, or  
25 MMS, or email, there is some

1 identification data.

2 And this identification data is  
3 generated and included in the outgoing  
4 message.

5 BY MR. SHAPIRO:

6 Q. What about date and time in a  
7 3GPPTS24.011 message?

8 MR. RICHARDS: Objection to  
9 form.

10 THE WITNESS: As I said, these  
11 will be description data that corresponds  
12 to a message kind that, along with the  
13 sender IDs, receiver, along with the  
14 time, date, and all that, would be  
15 generated in an outgoing message that  
16 includes identification data that  
17 corresponds to the message kind.

18 These are examples. Again, a  
19 few examples. I've provided many in  
20 addition to these.

21 BY MR. SHAPIRO:

22 Q. And what do the date and time in  
23 a 3GPPTS23.140 message represent?

24 A. They represent, as I said, these  
25 represent both the time in which the messages

1 were sent and transmitted as examples of the  
2 description data.

3 And they would also include  
4 information. For example, these messages would  
5 also include the received time if they are  
6 received. They would also display the sender,  
7 they would also display the receiver ID.

8 All those are generated and  
9 transmitted and also received as description  
10 data that corresponds to a message kind.

11 Q. And what about the WAP MMS  
12 encapsulation protocol? What do the date and  
13 time in that protocol represent?

14 MR. RICHARDS: Objection to  
15 form.

16 THE WITNESS: This discloses a  
17 designated time. In this case, it  
18 includes both the time at which it was  
19 sent and the time at which it was  
20 delivered, so it includes both.

21 And all of these messages, even  
22 as -- would know, indicate both time it  
23 was sent and the time it was received,  
24 all that information is stored as  
25 description data so that the message is

1 sent at 25, received at 27.

2 It indicates both, 25 and 27 as  
3 description data for all these cases that  
4 we discuss, for all these standards -- as  
5 one of our -- would know, that an email  
6 message includes various times, both the  
7 time it was sent, time it was received,  
8 the time it went through intermediate  
9 servers, all these are disclosed and can  
10 be displayed.

11 BY MR. SHAPIRO:

12 Q. Okay.

13 MR. SHAPIRO: We've been going  
14 about an hour. You want to take a five  
15 to ten-minute break?

16 THE WITNESS: Okay.

17 MR. SHAPIRO: Great. Thank you.

18 - - -

19 (Whereupon, a recess took place  
20 from 1:51 p.m. to 2:01 p.m.)

21 - - -

22 BY MR. SHAPIRO:

23 Q. Okay. Dr. Madisetti, can you  
24 direct your attention to Paragraph 158 of your  
25 declaration?

1           A.           Which page is it?

2           Q.           That is on Page 211 of the PDF  
3 on Exhibit 1 003?

4           A.           211. Okay. I am on Page 211.

5           Q.           Okay. On that page, you state  
6 that in Maguire "a communications event type  
7 identifier" "identifies" the type of an  
8 "outgoing message communications event".

9                       Do you see that in your report,  
10 that sentence?

11          A.           In that sentence, yes, I do  
12 identify -- I do say that messages can be both  
13 sent and received. And in that particular  
14 example, it references an outgoing  
15 communications event.

16          Q.           Okay. After that sentence, cite  
17 to a number of paragraphs in Maguire.

18                       Can you show me in those  
19 paragraphs where Maguire discloses how the  
20 communications event type identifier identifies  
21 the type of outgoing message communications  
22 event?

23                       MR. RICHARDS: Objection to  
24 form.

25                       THE WITNESS: I think I stated

1       that in my declaration. So if you go  
2       to -- message kind, right?

3               This is the limitation,  
4       determining a message kind of the message  
5       to be transmitted, which is inputted into  
6       the -- in the IUI, that starts on  
7       Page 157.

8               I cite to all these different  
9       paragraphs on Pages 200, 201 -- sorry,  
10      Pages 203, 204, 205, on the bottom right,  
11      the page number on the bottom right, 205,  
12      206, 207, 208, 219, 210.

13              Then I discuss Paragraphs 158 in  
14      the context and refer to my discussion of  
15      earlier elements in Paragraphs 158.

16              Then I say that Maguire  
17      discloses a message to be transmitted,  
18      and then integrated user interface.

19              I refer to the preamble [1.b],  
20      [1.e(i)]. Then, I talk about Maguire  
21      further discloses a communication event  
22      type identifier that identifies the type  
23      of an outgoing message, event or message.

24              There I cite to Paragraphs 0, 2,  
25      4, 12-14, 19 through 21, and 22.

1 Q. Okay.

2 Well, let's go to Paragraph 2 of  
3 Maguire, which you cited in support of that  
4 statement. Can you explain to me how  
5 Paragraph 2 supports that statement?

6 MR. RICHARDS: Objection to  
7 form.

8 THE WITNESS: You can read the  
9 entire disclosure and all the statements  
10 I make here. So I cite to Paragraphs  
11 0224 and others, so we need to look at  
12 Maguire first, I think.

13 Did you produce Maguire?

14 BY MR. SHAPIRO:

15 Q. We -- we -- I can share Maguire  
16 with you.

17 A. Okay.

18 Q. Okay. Maguire is Exhibit 1007.

19 - - -

20 (Whereupon the document was  
21 marked, for identification purposes, as  
22 Exhibit Number 1007.)

23 - - -

24 BY MR. SHAPIRO:

25 Q. Okay. Let me know when you have

1 it.

2 A. Okay. I see that now. Let me  
3 download it. I'm seeing it.

4 So Paragraph 2 in Maguire, which  
5 is Page 3 of Maguire, it discloses user  
6 interface for messaging.

7 The messaging is a two-way  
8 messaging, for example, and more particularly,  
9 it relates to user interfaces for displaying  
10 the communication event. You can text with  
11 selected stored communication events.

12 So it's disclosing the term,  
13 communication events, in Paragraph 2, which I  
14 cited in my declaration. So that's why I cite  
15 to Paragraph 2 there.

16 Q. Paragraph 2 doesn't disclose a  
17 communications event type identifier, correct?

18 MR. RICHARDS: Hold on. I think  
19 Dr. Madisetti was still finishing his  
20 answer to your previous question, which  
21 was asking about --

22 BY MR. SHAPIRO:

23 Q. Did you have more to say,  
24 Dr. Madisetti?

25 A. No. No. So which paragraph are

1 we reading? Sorry. I closed my report.

2 Q. Paragraph 158 of your  
3 declaration.

4 A. Page what?

5 Q. On Page 211.

6 A. Okay. Paragraph 158.

7 So in Paragraph 158, I talk  
8 about a message to be transmitted and an  
9 integrated user interface. So this describes  
10 in Paragraph 2 this user interface. It  
11 describes what communication events are and it  
12 displays them by the displayer.

13 You are displaying them in the  
14 context of the figures, you're displaying also  
15 whether it is outgoing, ingoing, things like  
16 that, depending on the figures.

17 And you are displaying various  
18 aspects of the message that include message  
19 content, the description data, the message  
20 kind, whether it's inbound or outbound, and all  
21 these others.

22 And it also identifies whether  
23 it's an email, or whether it is an SMS or an  
24 MMS. So it says that there are multiple  
25 communication events and it displays the

1 communication event in context with select  
2 stored communication events.

3 So in Maguire, tells, one, that  
4 these various communication events can be  
5 receipt or transmission of a -- or other types  
6 of messages, such as email, or MMS, or -- data  
7 sessions.

8 Q. Okay. And does Paragraph 3 of  
9 Maguire mention a communications event-type  
10 identifier?

11 A. Yes. It talks about different  
12 types of messages in the context of  
13 Paragraph 2, it talks about SMS messages, MMS  
14 messages, email messages, WAP data, data  
15 sessions, different data networks, mobile texts  
16 and so on.

17 So it tells the reader that all  
18 these are types of communication events that  
19 can occur. You need to present them and  
20 display them in context so that you know from a  
21 particular correspondent you received two  
22 calls, two SMS messages, three different  
23 emails, two different MMS messages.

24 And so you are viewing it in  
25 full perspective. So this identifies the

1 different types of events.

2 And then further in Paragraph 4,  
3 it actually expands further and says, you know  
4 what? The stuff that we sent described in  
5 Paragraphs 1 and 2 are actually telephone  
6 calls, SMS messages, emails, MMS messages.

7 And each communication event has  
8 at least two parties, the user of the mobile  
9 device and one correspondent, and the  
10 correspondent can have multiple contact  
11 addresses. They can have an SMS address, they  
12 can have a legal address, all of those  
13 correspond to not only message kind, they also  
14 correspond to description data, message  
15 content, all that can be displayed and used and  
16 so on.

17 Q. Does Paragraph 4 of Maguire  
18 discuss a communications event type identifier?

19 A. Yes. By ensuring that you are  
20 showing and displaying them in context, you are  
21 disclosing and rendering obvious that you have  
22 to -- you are distinguishing between SMS email  
23 and others.

24 And each communication event  
25 is -- displayed in a manner that is distinct

1 from other communication events, both sent and  
2 received and the type of message.

3 So one of -- we understand that  
4 Maguire discloses this feature that I describe  
5 in my limitation, that it discloses the message  
6 kind and a message kind that's -- to the IUI,  
7 and it -- as required in the claims.

8 Q. Does the term "communications  
9 event type identifier" appear in Paragraph 4 of  
10 Maguire?

11 A. Yes. Because it discloses that  
12 there is different types of communications,  
13 events displayed, and in context. And it shows  
14 that they can have different types of messages  
15 as well.

16 So one POSITA would understand  
17 Paragraphs 02 to 04, disclosing that message  
18 claim. And when you combine it with other  
19 figures in Maguire, for example, if you look at  
20 the figures that are cited, it would be --  
21 application event is identified as one of phone  
22 call, email and SMS.

23 And that is in Figure 3, block  
24 number 100, so that clearly shows that the  
25 communication event has an identifier, and that

1 identifier is the message kind.

2 And in this example of Figure 3,  
3 it specifically calls for three kinds, phone  
4 call, email and SMS. That clearly shows that  
5 message kind needs to be displayed and  
6 processed as required in the claim.

7 Other figures offer similar  
8 support. So if you look at Figure 5, it  
9 actually calls out email, SMS, WAP, and calls  
10 directly on the integrated user interface as  
11 identifiers that are originating a message kind  
12 as email, as WAP or as SMS.

13 Q. Does the term -- I'm sorry.  
14 Continue.

15 A. Yeah. Go on.

16 Q. Does the term "communications  
17 event type identifier" appear in Paragraph 13  
18 of Maguire?

19 A. I believe it does to one of a  
20 person of ordinary skill in the art.

21 Q. Does the term "communications  
22 event type identifier" appear in Paragraph 19  
23 of Maguire?

24 MR. RICHARDS: Objection to  
25 form.

1 THE WITNESS: As understood  
2 by -- as the term is understood by one of  
3 a person of ordinary skill in the art, it  
4 would be understood that it is disclosed  
5 and rendered obvious by Maguire in the  
6 sections that are cited.

7 BY MR. SHAPIRO:

8 Q. Does the term "communications  
9 event type identifier" appear in Paragraph 20  
10 of Maguire?

11 MR. RICHARDS: Objection to  
12 form.

13 BY MR. SHAPIRO:

14 Q. I'm sorry. Dr. Madisetti, did  
15 you answer?

16 A. No. I'm looking at  
17 Paragraph 20, it's a claim. It says the mobile  
18 device of Claim 19, so it also refers to  
19 Claim 19, which refers to Claim 18, and it  
20 talks about identifying the communication event  
21 and identifying the respondent.

22 So it's all the independent  
23 claims. So it goes back to -- the paragraph --  
24 I'm looking at -- so Paragraph 20 -- yeah.

25 So it's talking about -- again,

1 it's talking about communication events and  
2 also the context of the communication events.

3 It describes SMS as an example  
4 of a communication event, and it also  
5 identifies specifically on Line Number 4,  
6 identifying the type of communication events,  
7 so that it specifically calls out identifying  
8 the type of communication event, whether it's  
9 SMS, MMS, email or other types of messages,  
10 then it lists them according to the most  
11 recent.

12 It provides reading information  
13 and other types. This allows the user the  
14 ability to be presented with the communication  
15 event history and for the selected type of  
16 communication events.

17 So, therefore, it discloses  
18 message kinds, identifiers, and other such  
19 limitations to the extent there are required in  
20 the claims.

21 Q. Does the term "communications  
22 event type identifier" appear in Paragraph 21  
23 of Maguire?

24 MR. RICHARDS: Objection to  
25 form.

1 THE WITNESS: As one of our --  
2 understand that term, that term would be  
3 disclosed.

4 If you're asking for the literal  
5 use of that term, I mean, I'm not sure if  
6 that's what you're asking, but what I'm  
7 trying to say is that as one of ordinary  
8 skill in the art would understand that  
9 term, that would be disclosed and  
10 rendered obvious by these paragraphs that  
11 are cited.

12 It talks about a set of known  
13 communication event types, including a  
14 phone call, and email message, and an SMS  
15 message among other known types.

16 What does known type mean? It  
17 means it's identified. And what does  
18 identified mean? It goes back to the --  
19 limitation.

20 So, therefore, all these  
21 disclosures of Maguire describe disclose  
22 and render obvious the language in the  
23 claims.

24 BY MR. SHAPIRO:

25 Q. Does Paragraph 22 of Maguire

1 discuss determining a communications event  
2 type?

3 MR. RICHARDS: Objection to  
4 form.

5 THE WITNESS: As I said, as an  
6 example, it talks about different event  
7 types, and it discloses how you can  
8 identify when a particular communication  
9 event of a particular number of event  
10 types can be determined based on the  
11 claim limitation.

12 So it talks about a method that  
13 it means the communication event type,  
14 whether it's sent or received, when it's  
15 sent, it's based on whether it is an MMS,  
16 or an SMS, or an email, or a WAP-type  
17 communication event.

18 In fact, the database, 116, in  
19 the figure discloses specifically that  
20 the Type 132 is used to identify whether  
21 the communication event was an email  
22 message, or an SMS message, or an MMS  
23 message, or a telephone call, or other  
24 types of communication events.

25 BY MR. SHAPIRO:

1 Q. Okay. Thank you.

2 All right.

3 Did I share Lemay with you?

4 A. I don't think so.

5 Q. Okay. Let's do that.

6 All right. Let me know when you  
7 receive that.

8 - - -

9 (Whereupon the document was  
10 marked, for identification purposes, as  
11 Exhibit Number 1005.)

12 - - -

13 THE WITNESS: Yes. I have  
14 Exhibit 1005.

15 BY MR. SHAPIRO:

16 Q. Okay. Let's take care of a  
17 little bit of housekeeping.

18 So you have Exhibit 1007,  
19 Maguire, correct?

20 A. Yes.

21 Q. Okay. Can you confirm that the  
22 document I shared as Exhibit 1007 is  
23 International Patent Publication Number  
24 W003056789 to Maguire?

25 A. Yes. It is.

1 Q. Okay.

2 And can you confirm that the  
3 document I shared with you as Exhibit 1005 is  
4 U.S. Patent Number 8,020,105 to Lemay?

5 A. Yes.

6 Q. Okay. Good.

7 Would you agree that Lemay  
8 discloses a unified user interface for instant  
9 messaging and email?

10 A. Lemay is unified user interface  
11 to instant messaging and email, but the  
12 disclosures of Lemay disclose what it does, so  
13 I would not limit the disclosures of Lemay to  
14 anything.

15 The disclosures -- I would defer  
16 to Lemay as written and disclosed, and as Lemay  
17 incorporates the reference, the RFC references,  
18 it includes everything that RFK discloses as  
19 well.

20 Q. Did you review Lemay?

21 A. Yes.

22 Q. Is it your opinion that Lemay  
23 discloses a unified user interface for instant  
24 messaging and email?

25 A. It is my opinion that Lemay --

1     that Lemay, the Lemay grounds -- the Lemay  
2     grounds -- one second.

3                     It is my opinion that the  
4     '839 Patent that I understated are rendered  
5     obvious by Lemay. And also, Lemay in the view  
6     of RFC 2822, which is Grounds 1 and 3. That's  
7     the opinion.

8                     I did not make any of the  
9     opinions that it's limited to instant  
10    messaging, or email, or anything. Lemay  
11    discloses what it does and Lemay discloses its  
12    incorporation of Alfke in its entirety.

13            Q.        So you can't tell me whether  
14    Lemay discloses a unified user interface for  
15    instant messaging and email?

16                     MR. RICHARDS: Objection.  
17                     Misstates testimony.

18                     THE WITNESS: I said, it  
19    includes -- that's the title. It  
20    discloses that, and whatever else it  
21    discloses. I don't wish to limit Lemay  
22    or Alfke in any way.

23    BY MR. SHAPIRO:

24            Q.        What problem is Lemay seeking to  
25    address with its invention?

1 MR. RICHARDS: Objection to  
2 form.

3 THE WITNESS: As I said,  
4 Counsel, we are to rely on the disclosure  
5 of Lemay. I don't have a summary.

6 I believe that it, as I discuss  
7 in my declaration, it is -- rendered  
8 obvious Claims 1 and 2 of the '839, and  
9 that's what I rely upon it for.

10 BY MR. SHAPIRO:

11 Q. Okay. Well, you have a copy of  
12 Lemay in front of you, correct?

13 A. Yes.

14 Q. Does the background of the  
15 invention in Lemay describe a problem with the  
16 prior art?

17 MR. RICHARDS: Objection to  
18 form.

19 THE WITNESS: I did offer an  
20 opinion as to what problems Lemay is  
21 solving beyond what I cited in my  
22 declaration.

23 BY MR. SHAPIRO:

24 Q. But you did read Lemay in its  
25 entirety?

1           A.           Yes.

2                       Lemay and Alfke, that it  
3 incorporates by reference in its entirety.

4           Q.           Are you able to summarize for me  
5 the problem identified in the background of the  
6 invention in Lemay?

7                       MR. RICHARDS:  Objection to  
8 form.

9                       THE WITNESS:  As I said, that's  
10 not something I commented on, and not  
11 something I can do on the fly.

12                      I mean, I would just refer to  
13 the disclosures of Lemay, but I've not  
14 been asked to provide a summary of  
15 Lemay's problems that it's trying to  
16 solve, but if asked and allowed in the  
17 future, I may, but at this point, I don't  
18 have that in my declaration.

19 BY MR. SHAPIRO:

20           Q.           Okay.  But I'm asking you to  
21 summarize for me any problem identified in the  
22 background of the invention in Lemay.

23                      MR. RICHARDS:  Objection to  
24 form.

25                      THE WITNESS:  As I said,

1 Counsel, that's no -- I would just refer  
2 to the disclosures of Lemay.

3 I don't have an independent  
4 opinion on Lemay's problems that it's  
5 trying to solve.

6 BY MR. SHAPIRO:

7 Q. Do you believe that the  
8 background of the events of Lemay is not  
9 relevant to the issues discussed in your  
10 declaration?

11 MR. RICHARDS: Objection to  
12 form.

13 THE WITNESS: I'm not -- I'm  
14 here offering a technical opinion,  
15 Counsel. I'm not sure what you mean.

16 I've said I reviewed Lemay and  
17 reviewed RFK and provided all the  
18 support, and provided my --

19 BY MR. SHAPIRO:

20 Q. Dr. Madisetti, are you unwilling  
21 to explain to me the problems that are  
22 identified in the background of the invention  
23 in Lemay?

24 MR. RICHARDS: Objection.

25 Misstates testimony.

1 THE WITNESS: As I said,  
2 Counsel, all I could say is that -- is  
3 they mention the background of the  
4 invention as disclosed.

5 I can read it to you.

6 So I don't see -- this is not  
7 something I offer an opinion on, unless  
8 you can point to me in my declaration  
9 where I make a specific comment about the  
10 problems that Lemay is trying to solve,  
11 in which case I would be glad to answer  
12 from my declaration, but you're asking me  
13 to offer a new opinion.

14 I've offered motivations to  
15 combine, I've offered additional  
16 descriptions. I've cited almost dozens  
17 of pages of Lemay, paragraphs of Lemay,  
18 I've identified all the claim  
19 limitations.

20 You're asking me something I  
21 didn't offer specifically an opinion on.  
22 If you think I did, I would be glad to  
23 answer that question if you point to my  
24 declaration.

25 BY MR. SHAPIRO:

1           Q.           Dr. Madisetti, can you read in  
2   Column 1 of Lemay, lines -- the sentence  
3   beginning on Line 37 and ending on Line 39, it  
4   reads: Unlike instant messaging, email is not  
5   real-time and there can be delays of several  
6   minutes.

7                       Do you see that?

8           A.           You're reading from -- you're  
9   reading from Column 1, 37 through 40?

10          Q.           37 through 39.

11          A.           Yes. That's what you're reading  
12   from, Lemay?

13          Q.           Do you agree with that  
14   statement?

15          A.           I would disagree. It may or may  
16   not. I don't believe that the times are  
17   comparable. It depends on certain situations,  
18   how it's inter -- this is a general background  
19   of information. It's also not clear what types  
20   of instant messaging they were talking.

21          Q.           Do you see in the -- in Column 1  
22   of Lemay, beginning at Line 27 where it says,  
23   "instant messaging typically occurs between  
24   users which are logged onto an instant  
25   messaging service at the same time"?

1           A.           You're reading from Lines 26  
2 through 28.

3           Q.           Do you see that sentence in the  
4 background of the invention of Lemay?

5           A.           Yes. I see that in paragraph --  
6 in Column 1, Lines 27 through 29.

7           Q.           Do you agree with that  
8 statement?

9           A.           As I said, all I can say is that  
10 Lemay discloses that in 26 and 27, it all  
11 depends on the context of which terms -- which  
12 context are talking about this, and the  
13 background -- the time at which they're  
14 referencing particular types of architectures.

15                       And they also use the word  
16 typically.

17          Q.           Do you see the next sentence in  
18 Lemay that says, also known as a chatting,  
19 instant messaging has become very popular for  
20 both business and personal use?

21          A.           You're reading, again, from  
22 paragraphs -- Column 1, Lines 29 to 31.

23          Q.           Correct.

24          A.           I would agree that, that  
25 sentence is presenting Lemay, Column 1, Lines

1 29 to 30.

2 Q. Do you agree with that  
3 statement?

4 A. As I said, it's not clear what  
5 context they're referring to.

6 Q. Do you see the next sentence in  
7 Column 1, beginning at Line 31, instant  
8 messaging, IM, provides a way to contact users  
9 immediately, providing that they're available  
10 for chatting?

11 A. Same answer. These are  
12 disclosures that are described in background of  
13 the invention of Lemay. And I will say that  
14 these are described in Column 1, Lines 25  
15 through 45.

16 So I have no other specific  
17 comments on this at this time, other than  
18 saying that they are present and they're  
19 disclosed in Lemay in certain contexts.

20 Q. In line -- same column,  
21 beginning at Line 33 of the background -- under  
22 the background of the invention, do you see  
23 where Lemay says, "users are typically signaled  
24 when other instant messaging users have logged  
25 on, indicating that at least for the moment,

1 the other user is available for chatting".

2 Do you see that?

3 A. I see.

4 Q. Do you agree with that?

5 A. As I said, it depends on -- I  
6 have not analyzed these statements to see if I  
7 agree with them or not, but they are disclosed  
8 in Lemay.

9 Q. Do you see in Column 1 of Lemay,  
10 beginning at Line 39, where it says "email and  
11 instant messaging are typically handled by  
12 separate applications"?

13 A. Yes. You're reading from  
14 Lines 39 to 40.

15 Q. And do you agree with that  
16 statement?

17 A. As I said, I don't have a  
18 specific opinion on that issue. I would say  
19 it's disclosed. It all depends on context. It  
20 says typically, that means that in some cases  
21 they are the same applications, in some cases  
22 they are not.

23 Again, I don't have a specific  
24 opinion at this point sitting here today. If  
25 asked and allowed, I may have an opinion on all

1 these issues, but in my declaration, I've not  
2 discussed these.

3 I don't want to guess right now.

4 Q. Can you tell me today how email  
5 applications differed from instant messenger  
6 applications?

7 MR. RICHARDS: Objection to  
8 form.

9 THE WITNESS: As I said, this  
10 sentence you're reading here typically  
11 says that they're typically handled, but  
12 that also acknowledges that they would be  
13 handled by the same application.

14 So I would disagree with your  
15 characterization. They may or may not be  
16 different applications that can be  
17 running the same thing. So I would  
18 construe this as a disclosure of both  
19 separate and unified.

20 BY MR. SHAPIRO:

21 Q. Which figures in Lemay  
22 illustrate the unified user interface?

23 MR. RICHARDS: Objection to  
24 form.

25 THE WITNESS: I'm not -- the

1           claims, Counsel, and the claims don't use  
2           the word unified. They use integrated  
3           user interface as in the claim.

4                       And I show in my entire  
5           declaration, claim by claim limitation  
6           support.

7   BY MR. SHAPIRO:

8           Q.           So you can't tell me today which  
9           figures display the unified user interface in  
10          Lemay?

11                       MR. RICHARDS: Objection to  
12          form.

13                       THE WITNESS: I'll refer to  
14          Lemay itself.

15                       I mean, my opinions here were  
16          directed towards Claims 1 and 2. And I  
17          offer opinions with respect to Claims 1  
18          and 2 of the '839 Patent in my -- more  
19          than 100 pages, discuss my opinions and  
20          their basis.

21                       I did not try to -- to  
22          separately analyze Lemay for terms that  
23          are not in the dispute or challenged  
24          claims.

25   BY MR. SHAPIRO:

1           Q.           So the unified user interface in  
2   Lemay is not relevant to the claims of the  
3   '839 Patent.

4                       Is that correct?

5           MR. RICHARDS:   Objection to  
6   form.   Misstates.

7           THE WITNESS:   As I said,  
8   Counsel, I don't want to play word games  
9   with you.   I hope I am being very clear.  
10   I'm here to challenge Claims 1 and 2 of  
11   the '839.

12                      My opinions are with respect to  
13   claim terms as used in the '839 Patent  
14   claims.   My declaration provides --  
15   support for Grounds 1 through 4, and how  
16   each ground discloses or renders obvious  
17   or, otherwise, invalidates Claims 1 and  
18   2.

19                      I did not offer anything -- any  
20   other opinions.   I believe that all of my  
21   opinions and evidence relevant to my  
22   declaration as written in my declaration.

23   BY MR. SHAPIRO:

24           Q.           Does figure 2A of Lemay  
25   illustrate a unified user interface?

1 MR. RICHARDS: Objection to  
2 form.

3 THE WITNESS: As I said,  
4 Counsel, I believe that all the figures  
5 in Lemay are disclosing what they  
6 disclose.

7 I'm not independently calling  
8 out analysis of Lemay. I've shown that  
9 all the Figures 1, 2, 3, 4, and others,  
10 and how they anticipate, and -- the claim  
11 limitations 1 and 2 of the '839.

12 If you point to me to certain  
13 portions in my declaration that you're  
14 asking me about, I would be glad to  
15 answer.

16 I believe that Lemay itself  
17 discloses -- I defer all my answers to  
18 Lemay, which are not memorized at this  
19 point.

20 BY MR. SHAPIRO:

21 Q. Dr. Madisetti, did you write  
22 your expert declaration?

23 A. Yes. The opinions are mine.  
24 The support is mine. I discussed my opinions  
25 with the attorneys. I received some editorial

1 help from the attorneys, but the opinions are  
2 mine and the support I -- all these were my  
3 opinions.

4 Q. How much time did you spend on  
5 your expert declaration?

6 A. I don't remember the exact  
7 number, but I presume it's between 50 and 100  
8 hours.

9 Q. Does the unified user interface  
10 in Lemay allow a user to review email and  
11 instant messages?

12 MR. RICHARDS: Objection to  
13 form.

14 THE WITNESS: As I said,  
15 Counsel, it allows the Lemay, as I  
16 described, provides an -- Lemay discloses  
17 a United States wireless communication  
18 terminal having a function of providing  
19 an integrated messaging service as in the  
20 Claims 1 and 2 of the '839.

21 That's the basis of my opinions.  
22 I provide opinions to support those  
23 statements and provide evidence to  
24 support those in my declaration.

25 BY MR. SHAPIRO:

1           Q.           Does the unified user interface  
2 of Lemay provide an instant messaging session  
3 or chat capability?

4                       MR. RICHARDS:   Objection to  
5 form.

6                       THE WITNESS:   As I said, I cited  
7 to how the unified -- how integrated  
8 messaging service in Lemay allows you  
9 to -- how Lemay discloses, and it is  
10 obvious a wireless transceiver, how it  
11 discloses and renders obvious the storage  
12 for the integrated message service  
13 program.

14                      I disclose how it discloses the  
15 keypad, both by Lemay and also Lemay --  
16 Lemay along with Alfke, that it  
17 incorporates in its entirety by  
18 reference.

19                      How Lemay grounds -- keypad, how  
20 Lemay grounds a displayer, how they  
21 disclose the claim controller of Claim 1  
22 and 2 allowing all its limitations,  
23 Claims 1 and 2, and that's the basis of  
24 my declaration.

25       BY MR. SHAPIRO:

1 Q. Can you -- scratch that.

2 How does the instant messaging  
3 or chat capability of Lemay's user interface  
4 shown in Figure 2C differ from a conventional  
5 instant messaging interface?

6 MR. RICHARDS: Objection to  
7 form.

8 THE WITNESS: As I said,  
9 Counsel, I don't have -- I'm not offering  
10 an opinion on that issue; how Lemay's  
11 different disclosures differ from each  
12 other, and they're not part of my  
13 declaration.

14 And to the extent that I might  
15 be asked to reveal that and offer another  
16 opinion, I might do that in the future,  
17 but sitting here today, I don't have such  
18 an opinion in my declaration, so I refer  
19 to the discloses of Lemay itself in the  
20 future.

21 BY MR. SHAPIRO:

22 Q. So you're not able to provide me  
23 with an opinion on that question today?

24 MR. RICHARDS: Objection to  
25 form. Misstates.

1 THE WITNESS: I was not asked to  
2 offer an opinion of how Lemay  
3 distinguishes itself from conventional  
4 approaches. It's something that is a  
5 different analysis from my declaration.

6 BY MR. SHAPIRO:

7 Q. Are you familiar with the  
8 instant messaging interface in Lemay?

9 MR. RICHARDS: Objection to  
10 form.

11 THE WITNESS: Yes. As I've  
12 said, I've discussed all the different  
13 figures of Lemay in the context of the  
14 challenged claims.

15 And I would defer to my  
16 declaration. So if you have any question  
17 with respect to what it would be in the  
18 declaration of Lemay, I would be glad to  
19 answer.

20 BY MR. SHAPIRO:

21 Q. Are you familiar with  
22 conventional instant messaging interfaces?

23 MR. RICHARDS: Objection to  
24 form.

25 THE WITNESS: As I said,

1 Counsel, if you're referring to a portion  
2 of my declaration, I would be glad to  
3 answer.

4 I'm not sure what you're asking  
5 absent a point or two, something that  
6 allows me to understand the context of  
7 your question.

8 BY MR. SHAPIRO:

9 Q. Okay. Do you still have your  
10 declaration open?

11 A. Yes.

12 Q. Okay. Let's go -- let's go  
13 somewhere in the declaration. It's taking me  
14 quite some time to get through this. Okay. My  
15 computer is slow. So beginning on page --  
16 okay.

17 Paragraph 90 of your  
18 declaration, beginning on Page 86, you rely on  
19 Figure 3 at Page 89 to show the claim  
20 limitation "determining a message kind of the  
21 message to be transmitted, which is inputted in  
22 the IUI" which you refer to as  
23 Element [1.e(ii)]?

24 Do you see that?

25 A. Which page are you talking

1 about, Counsel?

2 Q. Well, it's in Paragraph 90.

3 Well, Paragraph 90, but at Page 89 is where you  
4 reproduce Figure 3.

5 A. Okay.

6 Q. Figure 3 a flowchart of figure  
7 Lemay 300, right?

8 A. Yes. It's an example, it's an  
9 exemplary flow chart. Yes.

10 Q. Which step in Method 300 of  
11 Lemay corresponds to method [1.e(ii)]?

12 MR. RICHARDS: Objection to  
13 form.

14 THE WITNESS: I refer to my  
15 entire declaration, my entire section  
16 there. So you'll have to read the whole  
17 one section in context.

18 So -- message kind, of the  
19 message to be transmitted which is  
20 inputted into the IUI.

21 So if you look at Lemay, and --  
22 if you look at Lemay, you look at -- so  
23 if you look at, for example, the  
24 discussion of Figure 2, Figure 2B, Figure  
25 2A.

1                   Go to Column 6 of Lemay, it says  
2                   in Column 6, Lines 1 through 25, for  
3                   example, in Column 6, Lines 17 through 20  
4                   it says that: In one embodiment, if the  
5                   user associated with the selected record  
6                   in the TOC is offline, or -- if you look  
7                   at -- in -- yeah.

8                   Lines 38 to 42, it says that in  
9                   Figure 2B, when input field 218 appears a  
10                  clue stating, click here to begin,  
11                  appears.

12                  In another embodiment, the  
13                  button becomes active the active or  
14                  clickable, or changes appearance to  
15                  denote the ability of an associate user  
16                  for messaging session, such as an instant  
17                  message session.

18                  So based on your inputs in 218,  
19                  there's a determination that's made and  
20                  the determination decides that based on  
21                  what your input into 218, depending on  
22                  whether an instant messaging session is  
23                  possible, or the user becomes --  
24                  messaging, or it can be sent by email.

25                  So the determination is carried

1 out in that particular manner. So it  
2 means the message kind of the message to  
3 be transmitted, which is inputted to the  
4 IUI 218.

5 BY MR. SHAPIRO:

6 Q. Does the flowchart in Figure 3  
7 include a step corresponding to the claim  
8 limitation "determining a message kind of the  
9 message to be transmitted which is inputted in  
10 the IUI"?

11 A. Yeah. When running the  
12 combination with the figures that I described,  
13 which are Figures 2A, 2B, and 2C, 2D, they're  
14 all sequence figures that are then further  
15 described with flowcharts Figure 3 and 4.

16 And in the context of the  
17 language of Columns 5 and 6, specifically as I  
18 describe, Column 6, Lines 38 and 36 -- sorry,  
19 36. Yeah. 36 to 42, for example, again, I'm  
20 not limiting myself, I'm just speaking of one  
21 examples.

22 It states here that you are  
23 inputting into 218 and then there's a cable  
24 button that -- this is the user, and if it is  
25 active or not active, it describes the ability

1 and the messaging session then can choose a  
2 message kind and, therefore, it does determine  
3 a message kind of the message to be  
4 transmitted, which is inputted into the IUI,  
5 which is 218.

6 And the message kind would be an  
7 instant message if the user is active, or it  
8 would be an email if not and so on, as I  
9 described in my declaration in more depth.

10 Q. So what part of Figure 3 of  
11 Lemay are you relying on to show the claim  
12 limitation "determining a message kind of the  
13 message to be transmitted which is inputted in  
14 the IUI"?

15 A. I think I answered that. I'm  
16 referring to all the figures should be there in  
17 conjunction with each other. So your review of  
18 Figure 3, in conjunction with the Figures 2 and  
19 1, as I described in my declaration and  
20 describe in response to your question today.

21 All of them form a set of  
22 disclosures that inform how one in ordinary  
23 skill in the art would understand user --  
24 Figure 3.

25 So one would understand that in

1 Block Number 306, would be an example of where  
2 the ability would be determined and if the user  
3 is -- then you would do it in a particular way.

4 And as for the embodiment of  
5 Figure 6, you enter the message in 218, and  
6 based on whether the user is active or not, you  
7 choose instant message or email, which is --  
8 message kind based on the inputting.

9 So all these have to --

10 MR. RICHARDS: Counsel, I note  
11 we've been going for about another hour  
12 now, so if you're getting close to a  
13 stopping point then we can stop then, or  
14 if you are at a good time for a break  
15 now, we can stop now too.

16 MR. SHAPIRO: I think I'm  
17 getting close to a stopping point that  
18 would make sense.

19 BY MR. SHAPIRO:

20 Q. Dr. Madisetti -- well, all  
21 right. I don't want to do that.

22 In Figure 2B of Lemay, is the  
23 Input Field 218 displayed to begin an instant  
24 messaging chat?

25 A. This -- that cover Figure 2B.

1 It is level, both for an instant messaging  
2 session and for an email session.

3 So it's a common unified input.  
4 As disclosed in Column 6, Lines 10 through 20,  
5 that you are able to view whether the -- the  
6 receiver is offline or online, and then you're  
7 able to send a message.

8 Q. And in Figure 2C of Lemay --

9 A. So once again -- once again, you  
10 also have to look at the section where we are  
11 talking in Column 6, Lines 35 to 44, for  
12 example. So it describes different  
13 embodiments.

14 So -- in yet another the  
15 embodiment, Input Field 128 includes an  
16 affordance, a visual clue to the function of  
17 the input field 218.

18 So for the example, the  
19 embodiment illustrated in Figure 2B, when the  
20 Input Field 218 appears, a clue stating click  
21 here to begin chat, begins to assist the user.

22 In another embodiment, in  
23 Lines 39 through 42, a button becomes active or  
24 changes appearance to denote the ability of it  
25 associated user all for a messaging session,

1     such as an instant messaging session.

2                     So this confirms that 21 -- 218,  
3     the input field, is present at all times  
4     whether or not an instant messaging session is  
5     possible or not.

6                     So you take the Input Field 218,  
7     input text, if instant messaging is possible,  
8     the message kind is instant messaging.

9                     If the input field, if the -- is  
10    not -- then it goes via email. So the 218 is  
11    present at all times, which is the input field  
12    for accepting user input as for Column 6,  
13    Lines 35 to 42.

14            Q.       In Figure 2C of Lemay, the  
15    instant messenger chat pops up in a separate  
16    pane below divider 224.

17                     Is that correct?

18                     MR. RICHARDS: Objection to  
19    form.

20                     THE WITNESS: I believe that --  
21    the 218 is present, at least in some  
22    embodiment for all cases, both for  
23    instant messaging and email, and other  
24    types of messages, like SMS or MMS.

25    BY MR. SHAPIRO:

1           Q.           Is that the answer about the  
2 instant messenger chat in Figure 2C?

3           A.           Yes.

4           Q.           And in Figure 12D, is the  
5 instant messenger chat in a pop-up window?

6           A.           I would say that that's a  
7 different screen in the same user interface.  
8 All these are a single integrated user  
9 interface, all the figures, they would have  
10 different screens within them, but those are  
11 like pages in a user interface, different views  
12 inside a single integrated user interface.

13          Q.           Okay.

14                       MR. SHAPIRO: Let's take our  
15 break. Thank you.

16                       - - -

17                       (Whereupon, a recess took place  
18 from 3:06 p.m. to 3:17 p.m.)

19                       - - -

20 BY MR. SHAPIRO:

21          Q.           Let me share another document.

22                       - - -

23                       (Whereupon the document was  
24 marked, for identification purposes, as  
25 Exhibit Number 1006.)



1 and therefore, my understanding it's part  
2 of the Lemay disclosure. Lemay 11:33-41.  
3 Similarly, Lemay is incorporated by  
4 reference by Alfke, which is part of the  
5 Alfke disclosure. Alfke 11:4-10.

6 So I was asked to treat them as  
7 a single reference by the counsel.  
8 However, even if they are treated as  
9 separate references, a person of ordinary  
10 skill in the art a person would have  
11 found it obvious to modify Lemay with  
12 Alfke's teaching in view of the explicit  
13 incorporation of Alfke into Lemay.

14 And my opinions and the grounds  
15 would not change with respect to the  
16 challenged claims and their patent.

17 BY MR. SHAPIRO:

18 Q. Okay. I'm going to share  
19 another document with you.

20 A. I don't see anything else,  
21 Counsel.

22 Q. Yeah. I'm sharing the document  
23 marked 1009.

24 - - -

25 (Whereupon the document was

1 marked, for identification purposes, as  
2 Exhibit Number 1009.)

3 - - -

4 BY MR. SHAPIRO:

5 Q. When you receive it, can you  
6 please confirm that the document marked as  
7 1009, is RFC 2822, internet message format?

8 A. Okay. So I can see it now and  
9 I'm loading it. Okay. I have opened RFC 2822,  
10 which is Exhibit 1009. This is the -- I  
11 confirmed that it is RFC 2822, date of 2001.

12 Q. Okay. Great.

13 Let's see. Can you tell me what  
14 RFC 2822 is? Let me restate that.

15 Can you tell me what type of  
16 document RFC 2822 is?

17 MR. RICHARDS: Objection to  
18 form.

19 THE WITNESS: So the RFC 2822 is  
20 distributed by the internet engineering  
21 task force, called IETF, through their  
22 website.

23 And myself proposed standards to  
24 the IETF model and based on my  
25 understanding, it's an international

1 standard setting organization that puts  
2 out standards, technical publications and  
3 others, that's been operating since the  
4 1980s.

5 And the standards, such as the  
6 RFC 2822, have been available online, at  
7 least as of May 4th, 2001.

8 BY MR. SHAPIRO:

9 Q. Dr. Madisetti, what type of  
10 messages does RFC 2822 apply to?

11 A. Specifically reference several  
12 types of messages that can be sent, including  
13 text messages and email messages and messages  
14 that would be sent over the internet.

15 Q. So is it your position that  
16 RFC 2822 does not specify syntax for email  
17 only?

18 MR. RICHARDS: Objection to  
19 form.

20 THE WITNESS: I'm not sure what  
21 you're specifically asking.

22 BY MR. SHAPIRO:

23 Q. Let me restate that.

24 Does RFC 2822 specify a syntax  
25 for email?

1           A.           The difference to generally, the  
2     syntax of the -- that are sent between the  
3     computer and users in a general framework and  
4     the framework is -- they do use a specific  
5     example, we call electronic email.

6                       And so it talks about  
7     specifically a general framework of sending  
8     messages over the internet that is loosely  
9     based on electronic mail framework.

10                      So it's not specifically  
11     electronic mail, but some sort of general  
12     framework of electronic mail. And it also  
13     mentions things like internet message formats,  
14     for example, in Section 2.1.1. It talks about  
15     other types of message formats as well that  
16     could be used.

17           Q.           Okay.

18                      MR. SHAPIRO: That's all I have  
19     for now. I'm going to reserve my time  
20     for recross if you -- if you redirect.

21                      MR. RICHARDS: Okay. I just  
22     have a very couple of quick questions  
23     here.

24                      - - -

25                      EXAMINATION

1 - - -

2 BY MR. RICHARDS:

3 Q. Dr. Madisetti, if you could turn  
4 back to Exhibit 1001, please, which is the  
5 '839 Patent?

6 A. Okay. One second. Okay.

7 Q. And in particular, I just want  
8 to go to the last page of the document, where  
9 you can see Claim 1.

10 A. Yes.

11 Q. Do you recall that during his  
12 examination, Counsel asked you questions  
13 relating to examples of an integrated user  
14 interface?

15 MR. SHAPIRO: Objection. Form.

16 THE WITNESS: Yes.

17 BY MR. RICHARDS:

18 Q. Okay. And you recall when  
19 responding to some of those questions, you  
20 referred to Claim 1 in your answer?

21 A. Yes.

22 Q. At one point, one of your  
23 answers referred to the claim element that is  
24 reciting a controller for providing the IUI to  
25 the keypad and the displayer by operating the

1 integrated messaging service program,  
2 determining a message kind of a message to be  
3 transmitted which is inputted into the IUI.

4 And the claim element goes on  
5 from there. Do you recall that?

6 MR. SHAPIRO: Objection. Form.

7 THE WITNESS: Yes.

8 BY MR. RICHARDS:

9 Q. In your answer at one point you  
10 said a phrase along the lines of, the  
11 integrated messaging service determines when  
12 addressing this claim limitation.

13 Do you recall that?

14 MR. SHAPIRO: Objection. Form.

15 THE WITNESS: I think I said  
16 controller, but that's what the claim  
17 says, but I believe it should be that the  
18 controller.

19 BY MR. RICHARDS:

20 Q. Sorry. To clarify, it should be  
21 a controller. What are you saying a controller  
22 is supposed to do?

23 MR. SHAPIRO: Objection form.

24 THE WITNESS: A controller is  
25 supposed to be a message kind of message

1 to be transmitted.

2 BY MR. RICHARDS:

3 Q. Okay. So when you were  
4 testifying previously, were you intending to  
5 opine that the claim language requires the  
6 determined step to be performed by the  
7 integrated messaging service?

8 MR. SHAPIRO: Objection. Form.

9 THE WITNESS: No. By the  
10 controller as in the claim.

11 BY MR. RICHARDS:

12 Q. Thank you.

13 MR. RICHARDS: Nothing further.

14 MR. SHAPIRO: Okay. I have  
15 nothing further either.

16 MR. RICHARDS: I don't think we  
17 need a rough for the petitioner here.  
18 Regular delivery is fine.

19 - - -

20 (DR. VIJAY MADISETTI was  
21 excused.)

22 - - -

23 (Deposition concluded at  
24 3:32 p.m. EST.)

25

C E R T I F I C A T E

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF PHILADELPHIA:

I, Beau Dillard, RPR, a Notary Public within and for the County and State aforesaid, do hereby certify that the foregoing deposition of DR. VIJAY MADISETTI was taken before me, pursuant to notice, at the time and place indicated; that said deponent was by me duly sworn to tell the truth, the whole truth, and nothing but the truth; that the testimony of said deponent was correctly recorded in machine shorthand by me and thereafter transcribed under my supervision with computer-aided transcription; that the deposition is a true record of the testimony given by the witness; and that I am neither of counsel nor kin to any party in said action, nor interested in the outcome thereof.

WITNESS my hand and official seal this 24 day of May, 2024.



-----  
Beau Dillard, RPR  
Notary Public

## INSTRUCTIONS TO WITNESS

Please read your deposition over carefully and make any necessary corrections. You should state the reason in the appropriate space on the errata sheet for any corrections that are made.

After doing so, please sign the errata sheet and date it.

You are signing same subject to the changes you have noted on the errata sheet, which will be attached to your deposition.

It is imperative that you return the original errata sheet to the deposing attorney within thirty (30) days of receipt of the deposition transcript by you. If you fail to do so, the deposition transcript may be deemed to be accurate and may be used in court.

— — — — —

## ERRATA

— — — — —

| PAGE | LINE | CHANGE |
|------|------|--------|
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ACKNOWLEDGMENT OF DEPONENT

I, \_\_\_\_\_, do hereby  
certify that I have read the foregoing pages \_\_  
to \_\_\_ and that the same is a correct  
transcription of the answers given by me to the  
questions therein propounded, except for the  
corrections or changes in form or substance, if  
any, noted in the attached Errata Sheet.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

Subscribed and sworn to before  
me this \_\_\_\_\_ day of \_\_\_\_\_,  
2024.

My commission expires:

\_\_\_\_\_  
Notary Public

|                        |                       |                       |                       |
|------------------------|-----------------------|-----------------------|-----------------------|
| <b>&amp;</b>           | <b>1.b</b> 111:19     | <b>108</b> 95:16      | <b>132</b> 91:22      |
| <b>&amp;</b> 2:2 51:24 | <b>1.e</b> 59:23      | <b>10:03</b> 1:17     | 93:19 122:20          |
| <b>0</b>               | 111:20 142:23         | <b>11</b> 74:18 80:22 | <b>134</b> 92:14      |
| <b>0</b> 111:24        | 143:11                | <b>111</b> 90:22      | <b>135</b> 89:1,5,19  |
| <b>003</b> 110:3       | <b>10</b> 3:11 78:24  | <b>112</b> 3:19 89:14 | 90:8                  |
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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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