

1 UNITED STATES PATENT AND TRADEMARK OFFICE
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD
-----X

3 COMCAST CABLE COMMUNICATIONS, LLC,

4 Petitioner,

5 vs. Case No. IPR2024-00322

6 TOUCHSTREAM TECHNOLOGIES, INC.,

7 Patent Owner.
-----X

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13 DEPOSITION OF STEPHEN B. WICKER, PH.D.

14

15 120 South Aurora Street

16 Ithaca, New York

17

January 20, 2025

18

9:03 a.m.

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24 Reported By:
25 Cheryll Kerr, CSR
Job No. 150684

Comcast, Ex. 1197
Comcast v. Touchstream
IPR2024-00322

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10
11 DEPOSITION OF STEPHEN B. WICKER, PH.D., held at the
12 Ithaca Marriott Hotel, located at 120 South Aurora
13 Street, Ithaca, New York 14850 before Cheryll Kerr,
14 CSR, a Certified Shorthand Reporter and a Notary Public,
15 on Monday, January 20, 2025 at 9:03 a.m.
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EXAMINATION BY

PAGE

Direct examination by Mr. Meeker

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EXHIBITS PREVIOUSLY MARKED

FOR ID

DESCRIPTION

PAGE

Exhibit 1101 U.S. Patent 8,356,251

15

Exhibit 1112 U.S. Patent 9,490,998

35

Exhibit 1114 U.S. Patent Application

15

Publication, Publication

No. US 2009/0248802

Exhibit 1115 U.S. Patent Application

40

Publication, Publication

No. US 2009/0172757

Exhibit 2025 Declaration of Stephen B.

49

Wicker, Ph.D. in Support

of Patent Owner's Response

(Continued on the next page)

1	EXHIBITS MARKED TODAY		
2	FOR ID	DESCRIPTION	PAGE
3	Exhibit 1187	Excerpt from SAMS, Modern	29
4		Dictionary of Electronics, Sixth	
5		Edition, by Rudolf F. Graf,	
6		copyright 1962, 1963, 1968, 1972,	
7		1977, and 1984	
8	Exhibit 1188	Excerpt from McGraw-Hill	31
9		Dictionary of Electronics and	
10		Computer Technology, copyright	
11		1984	
12			
13	Exhibit 1189	Excerpt from the Computer	31
14		Glossary, the Complete	
15		Illustrated Dictionary,	
16		Seventh Edition, by Alan	
17		Freedman, copyright 1995,	
18		1993, 1991 1989, 1983,	
19		and 1981	
20	Exhibit 1190	Excerpt from the Dictionary of	32
21		Data Communications, Second	
22		Edition, by Charles J. Sippl,	
23		copyright 1985	
24			
25	(Continued on the next page)		

EXHIBITS MARKED TODAY (Cont.)

FOR ID	DESCRIPTION	PAGE
Exhibit 1191	Excerpt from Business Dictionary of Computers, by Jerry M. Rosenberg, copyright 1993	32
Exhibit 1192	Excerpt from IBM Dictionary of Computing, copyright 1994	32
Exhibit 1193	Excerpt from the Penguin Dictionary of Microprocessors, by Anthony Chandor, copyright 1981	32
Exhibit 1194	Excerpt from Data Communications Dictionary, by Charles J. Sippl, copyright 1976	32
Exhibit 1195	Excerpt from the Computer Glossary, the Complete Illustrated Dictionary, Ninth Edition, by Alan Freedman, copyright 2001, 1998, 1995, 1993, 1991, 1989, 1983, and 1981	32

(Continued on the next page)

EXHIBITS MARKED TODAY (Cont.)

FOR ID	DESCRIPTION	PAGE
Exhibit 1196	Excerpt from the McGraw-Hill Dictionary of Scientific and Technical Terms, Fifth Edition, copyright 1994, 1989, 1984, 1978, 1976, and 1974	32

* * *

1 S T E P H E N W I C K E R, P H. D.,
2 called as a witness, having been duly
3 sworn, was examined and testified
4 as follows:

5 THE SHORTHAND REPORTER: Would you please
6 state your full legal name and your address
7 for the record for us?

8 THE WITNESS: My name is Stephen Bryant
9 Wicker. I live at 1460 Lake Road in
10 Rochester, New York.

11 THE SHORTHAND REPORTER: ZIP code?

12 THE WITNESS: I just moved. 14580.

13 THE SHORTHAND REPORTER: Okay. Thank
14 you. Please proceed, Counsel.

15 MR. MEEKER: Okay.

16 Fred Meeker, with the law firm of Banner
17 & Witcoff, representing Comcast Cable
18 Communication [sic], LLC.

19 MR. LASKER: And Simon Lasker with Banner
20 & Witcoff, also representing Comcast Cable
21 Communication [sic], LLC.

22 MR. FRIESEN: Kyle Friesen, with Shook,
23 Hardy & Bacon, representing Touchstream
24 Technologies, Incorporated, the patent owner.

25 (Continued on the next page)

1

2

DIRECT EXAMINATION

3

BY MR. MEEKER:

4

5 Q. Dr. Wicker, can you please state your name

6 and address for the record?

7 A. Stephen Bryant Wicker. 1460 Lake Road,

8 Rochester, New York 14580.

9 Q. How many times have you been deposed before?

10 A. I don't know the exact number, but it's

11 between 150 and 170 times.

12 Q. Okay. Is there anything that would prevent

13 you from providing truthful and accurate testimony

14 today?

15 A. No.

16 Q. Okay. If I say anything that confuses you, I

17 assume you'll stop and ask for clarification, given your

18 experience in depositions?

19 A. That's correct.

20 Q. Okay. How long did you prepare for today's

21 deposition?

22 A. About five or six days.

23 Q. And who did you meet with?

24 A. I did not meet with anyone in person.

25 Q. Okay, but who did you meet with, even

1 telephonically or over a video or whatever?

2 A. I had two Zoom meetings with Mr. Friesen.

3 Q. Okay. Anything else?

4 A. Other than my own study of the patent in
5 suit, my declaration, and the other patents that are
6 mentioned in that declaration, no.

7 Q. Okay. Okay. In --

8 In your declaration, you -- you used a different
9 level of skill than this -- what Mr. Wet [sic] -- Lett
10 used; correct?

11 A. That is correct.

12 Q. And I assume you don't have experience
13 designing VOD systems, given the level of skill you put
14 in your declaration; is that correct?

15 A. No.

16 Q. Okay. Can you describe your experience
17 deliver- -- designing a -- a content delivery network?

18 A. Certainly.

19 So this is something that I've been teaching for at
20 least 20 years, perhaps 25. I've -- I've actually been
21 teaching for 40, but I inserted --

22 Q. Let me just interrupt you.

23 A. Oh.

24 Q. Did you hear my question?

25 A. I did.

1 Q. Okay, so I asked about "designing" and you
2 answered in "teaching." Can you answer the question I
3 asked?

4 A. In other words, if I actually designed my own
5 system or a system for a third party?

6 Q. Yes.

7 A. No.

8 Q. So it's fair to say you have not designed
9 a -- a content delivery system; correct, sir?

10 A. I've studied their designs, but I've never
11 actually designed one for a third party.

12 Q. Or for anyone, correct?

13 A. Or for anyone.

14 Q. With respect to the state of the art at the
15 time of the invention, do you have an understanding of
16 the state of art at the time of the invention?

17 A. Yes, I do.

18 Q. Was it, in fact, well-known to those skilled
19 in the art to remotely control a computer system across
20 a network?

21 A. Yes.

22 Q. Was it well-known to those skilled in the art
23 to have multiple media players loadable into a client to
24 view content from a content delivery network?

25 MR. FRIESEN: Objection to form.

1 THE WITNESS: Certainly, the ability to
2 load a media player was known.

3 BY MR. MEEKER:

4 Q. So I could access the Internet from a client,
5 and I could access WAV files or QuickTime files or MPEG
6 files, and whatever system I'm using would know enough
7 to go out and get the appropriate browser to -- or
8 modules or whether it's an app or a -- or an extension
9 to be able to view those media files, right?

10 MR. FRIESEN: Objection to form.

11 THE WITNESS: Certainly, to be able to
12 watch those files, you would have to download
13 a player of some kind.

14 Whether you did it overtly -- in other
15 words, you actually had to go and get it
16 yourself through your browser -- or it
17 happened automatically ...

18 That would be an important distinction,
19 but certainly, people had the ability to
20 obtain media players over the Internet.

21 BY MR. MEEKER:

22 Q. And -- and so at the time of the invention,
23 it was well-known, regardless of what file type of media
24 I was watching, that my browser or whatever app I was
25 using would know how to play those devices by loading

1 appropriate media players, correct?

2 A. Certainly, you could acquire the appropriate
3 media player such that your browser could play various
4 types of media.

5 Q. Okay, so --

6 My question involved was it known at the time, so
7 I -- I'm trying to get the level of skill in the art --

8 A. Uh-huh.

9 Q. -- right? And you -- you're saying you could
10 do it, but I'm --

11 I'm looking for the level of skill in the art,
12 right, so we're talking about at the time of the
13 invention, so roughly 2011 time frame, June/April 2011,
14 I go to a content delivery network, whatever it may be
15 at the time.

16 Do you understand the premise for the question?

17 A. Yes, I do.

18 Q. Okay. Is it fair to say that those skilled
19 in the art at the time of the invention would have known
20 how to download and utilize an appropriate media player,
21 regardless of the file type that the media was delivered
22 in from the content delivery network?

23 A. For the most part, yes.

24 A person confronted with a novel media format might
25 have troubles obtaining the appropriate player, but

1 generally speaking, I would agree with your statement.

2 Q. And there were common media formats at the
3 time, whether it's QuickTime or WAV files or MPEG files;
4 right, sir?

5 A. That's correct. Those were all well-known in
6 2011.

7 Q. And the media players associated with those
8 file types were all well-known?

9 A. Yes, that's correct.

10 Q. Is it also the case, sir, that people knew
11 how to translate commands from generic commands to
12 specific commands?

13 MR. FRIESEN: Objection to form.

14 THE WITNESS: Certainly, in 2011, if I
15 directed one of my grad students to create
16 something that did that, they would have been
17 able to do so.

18 BY MR. MEEKER:

19 Q. And in your "grad students," you're equating
20 to someone skilled in the art -- of ordinary skill in
21 the art?

22 A. For the most part, yes.

23 Q. So is it fair to say that a person of
24 ordinary skill at -- in the art at the time of the
25 invention would have known that regardless ... of the

1 particular network, how to translate commands from
2 generic commands to specific commands; correct, sir?

3 MR. FRIESEN: Objection to form.

4 THE WITNESS: A person of skill in the
5 art would have known how to create a
6 translation routine, that's correct.

7 BY MR. MEEKER:

8 Q. From generic commands to specific commands?

9 A. For example, yes.

10 Q. Okay. I -- I'd like to place before you
11 what's been marked for identification purposes as
12 Exhibit 1101 and ask if you recognize that document.

13 A. Yes, I do.

14 Q. What is this document?

15 A. This is U.S. Patent 8,356,251. The inventor
16 is Mr. Strober.

17 Q. Okay. In -- in the '251 patent ...

18 MR. MEEKER: Oh, let -- let -- let me
19 withdraw that question and place another
20 exhibit before you.

21 BY MR. MEEKER:

22 Q. All right.

23 I'd like to place before you what's been marked for
24 identification purposes as Comcast Exhibit 1114,
25 Mahajan. Do you recognize that document, sir?

1 A. Yes, I do.

2 Q. What is that document?

3 A. This is Patent Publication 2009/0248802.

4 Q. Okay. Looking on the front page of that
5 document, do you see the collaboration media abstraction
6 layer, 130?

7 The big long oval box --

8 A. Ah.

9 Q. -- that sits in the middle of the network?
10 Do you see that, sir?

11 A. Yes, I do.

12 Q. Do you understand what a collaboration media
13 abstraction layer is?

14 A. Yes, it is. Yes, I do.

15 Q. What is it, sir?

16 A. Okay. So in paragraph 23, this application
17 notes that the collaboration media abstraction layer,
18 130, can facilitate execution of user-commands in a
19 collaboration session.

20 So it is an element of this overall invention that
21 supports collaboration between what is referred to in
22 the application as a "local computer" and a "remote
23 computer."

24 Q. Okay.

25 (Thereupon, an informal discussion was

1 held off the record with the shorthand
2 reporter.)

3 BY MR. MEEKER:

4 Q. All right. So the -- the big oval that sits
5 in the middle, this collaboration abstraction in the
6 middle of the network --

7 Do you have any understanding of what that is
8 implemented on in Figure 1?

9 A. Yes. It's described as being implemented in
10 modules that reside at both the server and the client.

11 Q. Okay. You're referring to Figure 2, but in
12 Figure 1, where is [sic] that module reside?

13 A. This figure shows it as residing in the
14 network.

15 Q. Okay. So at least in one embodiment, that of
16 Figure 1, the collaboration media abstraction layer
17 resides in the network; correct, sir?

18 MR. FRIESEN: Objection to form.

19 (Thereupon, an informal discussion was
20 held off the record with the shorthand
21 reporter.)

22 THE WITNESS: Okay. Paragraph 22 talks
23 about it being between the server and the
24 client, generally speaking, so yes, I -- I
25 would say that it is described as being at

1 least part of the network.

2 BY MR. MEEKER:

3 Q. Okay, and -- and how would you implement a
4 collaboration abstraction layer in the network?

5 It just doesn't sit on a switch; right, sir? It --
6 it sits on a computer, correct?

7 A. It -- it would have to. Generally speaking,
8 the network only goes up as far as the network layer
9 and, of course, the lower layers.

10 So the abstraction layer would reside -- again, as
11 described in the application -- in modules on both the
12 server and the client.

13 Q. It -- now, that's with respect to Figure 2
14 but as shown in Figure 1, it actually resides in the
15 network; right, sir?

16 A. Yes, but as you just noted in your previous
17 question, that --

18 It would not be, for example, on routers that are
19 part of the network. It would have to be at an end
20 point of the network.

21 Q. Or a -- a server in the network; right, sir?

22 MR. FRIESEN: Objection to form.

23 THE WITNESS: It's not described that way
24 in the application but yes, you could
25 implement it on a server in the network.

1 BY MR. MEEKER:

2 Q. Okay, and that would be consistent with
3 Figure 1; right, sir?

4 MR. FRIESEN: Objection to form.

5 THE WITNESS: Figure 1 is a highly
6 abstract rendering. It simply shows network,
7 106, with the abstraction layer, 100, in the
8 network.

9 It does not provide any description, for
10 example, of implementing it on a server in the
11 network.

12 BY MR. MEEKER:

13 Q. Okay, but that didn't answer my question.

14 The implementation where abstraction layer --
15 collaboration media abstraction layer, 130, is
16 implemented on a server in the network would be
17 consistent with Figure 1 of Mahajan; correct, sir?

18 MR. FRIESEN: Objection to form.

19 THE WITNESS: Such an implementation
20 would not be inconsistent with the drawing on
21 the front of the patent.

22 BY MR. MEEKER:

23 Q. Okay. So in such an implementation, Mahajan
24 would, in fact, show a three-element system with a
25 client, a collaboration media layer within the network,

1 and a server, 102; correct, sir?

2 MR. FRIESEN: Objection to form.

3 THE WITNESS: No. You're -- you're
4 reading a lot into simply -- you know, having
5 a network cloud drawn on a diagram with the
6 media abstraction layer in the middle.

7 There -- there is no description in this
8 application of the implementation you just
9 described.

10 BY MR. MEEKER:

11 Q. Your contention is one skilled in the art,
12 having a collaboration media abstraction layer in the
13 network, wouldn't know how to implement that design,
14 sir?

15 A. If I told a person of skill to construct a
16 server for me that implements a media abstraction layer
17 that does certain things and provide connectivity
18 through a network from that server to a client and to
19 a -- another server, I think that person could do it.

20 Q. Okay. One skilled in the art could do that?

21 A. Yes, sir.

22 Q. Okay, and have you heard of distributed
23 computing systems, sir?

24 A. Yes.

25 Q. Okay. Is it fair to say that a distributed

1 computing system will allow computing to occur at
2 various points across the system? Right?

3 A. That is the point of the distribution, yes.

4 Q. Okay, so some of that distribution could be
5 shared by, for example, a client; some of it could be
6 shared by servers in a network or other computers in a
7 network; and some of it could be handled by a server
8 that has a display attached to it; right, sir?

9 A. Certainly. A distributed computing system
10 could make use of servers, clients. You could even
11 provide some computing capability within the switches.

12 Q. And knowing how to distribute certain tasks
13 across a network in a distributed computing system was
14 well-known to those skilled in the art in 2011; right,
15 sir?

16 A. Well, this is an area of research in computer
17 science that's been ongoing for decades. It was at a
18 particular point in 2011. It's certainly much further
19 advanced now.

20 But generally speaking, the distribution of
21 processing across a system was at least understood to
22 some extent.

23 (Thereupon, an informal discussion was
24 held off the record with the shorthand
25 reporter.)

1 BY MR. MEEKER:

2 Q. And the distribution of computing across
3 client servers and network was, in fact, known going
4 back 40, 50 years; right, sir?

5 A. That's fair, yes. Certainly into the '60s.

6 Q. And certainly in 2011, it was well-known to
7 those skilled in the art; right, sir?

8 MR. FRIESEN: Objection to form.

9 THE WITNESS: Distributed computing,
10 generally speaking, yes, was known in 2011.

11 My point was that our ability to
12 distribute processing capabilities across a
13 system continues to improve, even today.

14 BY MR. MEEKER:

15 Q. As of the filing date of the patent and the
16 priority date in 2011, it -- it was well-known to move
17 and distribute certain components of the computing in
18 various locations in a network, whether it be a client,
19 a server, or a computer connected to a display device;
20 right, sir?

21 A. Yes, that's correct.

22 Q. Turning now to the '251 patent, if we could
23 turn to Figure 8, for example --

24 A. Okay.

25 Q. -- is it fair to say that the '251 patent

1 also contemplates a two-element system such as a
2 smartphone connected directly to the display device
3 without a server in between?

4 MR. FRIESEN: Objection to form.

5 (Pause.)

6 THE WITNESS: Figure 8 is -- is an
7 example of a scenario in which the invention
8 can be used, and Figure 8 does show just a
9 smartphone and a display device.

10 BY MR. MEEKER:

11 Q. And -- and that's also true of Figure 9?

12 It can be used in a two-element system with a
13 plurality of smartphones and one display device; right,
14 sir?

15 A. That is --

16 MR. FRIESEN: Objection to form.

17 THE WITNESS: That is what Figure 9
18 shows, that's right.

19 BY MR. MEEKER:

20 Q. Okay, and -- and Figure 10 also shows a
21 plurality of smartphones coupled to a display device,
22 one of those smartphones having increased functionality
23 of a moderator; correct, sir?

24 MR. FRIESEN: Objection to form.

25 THE WITNESS: That's what Figure 10

1 shows:

2 Three smartphones communicating with a
3 display device, one of the smartphones being
4 designated as the moderator.

5 BY MR. MEEKER:

6 Q. Okay, and -- and Figure 11 shows a smartphone
7 coupled to two display devices as another embodiment of
8 the '251 patent, right, without a network in between?

9 A. Figure 11 shows, as you stated, a smartphone
10 communicating with two display devices, and Figure 11 is
11 described as a scenario in which the invention can be
12 used.

13 (Pause.)

14 BY MR. MEEKER:

15 Q. If you could turn your attention to Column
16 10, line 23 through line 26, where it says, in pertinent
17 part:

18 "A computer program can be deployed to be executed
19 on one computer or multiple computers that are located
20 at one site or distributed across multiple sites and
21 interconnected by a communication network."

22 Do you see that, sir?

23 A. Yes, I do.

24 Q. Do you understand that a computer program as
25 contemplated by the '251 invention can be distributed

1 across a series of computer systems and an
2 interconnected communication network?

3 MR. FRIESEN: Objection, form.

4 THE WITNESS: Column 10, beginning on
5 line 7, states a generality:

6 "The apparatus and execution environment
7 can realize various different computing model
8 infrastructures," and then it proceeds with a
9 description of computer programs to the part
10 that you described.

11 So yes, I would agree with your
12 statement, generally speaking.

13 BY MR. MEEKER:

14 Q. So in the '251 patent, the computer
15 processing associated with the conversion of commands to
16 generic commands or from generic commands to specific
17 commands could be implemented on -- in a distributed
18 fashion on any number of computers in the system or
19 across the network; correct, sir?

20 MR. FRIESEN: Objection, form.

21 THE WITNESS: Well, the part you're
22 pointing to does not have any discussion of
23 the conversion process.

24 BY MR. MEEKER:

25 Q. But it's generically referring to the

1 computer programs described in the invention; correct,
2 sir?

3 A. It is, speaking in a generic sense, about
4 computer programs, and it does indeed say that they can
5 be distributed across multiple sites and interconnected
6 by a communication network.

7 BY MR. MEEKER:

8 Q. And the entire point of statements like this
9 in patents, as you know, is to expand the scope of the
10 patent, correct?

11 MR. FRIESEN: Objection, form.

12 THE WITNESS: As you know, I am not a
13 lawyer, but I have over the years noted
14 similar statements in other patents.

15 BY MR. MEEKER:

16 Q. And those similar statements are intended to
17 expand the scope of the patent, sir, right, to cover
18 various scenarios, including distributed computing
19 scenarios?

20 MR. FRIESEN: Objection, form.

21 THE WITNESS: Generally speaking, yes, I
22 would agree with that. Again, from a
23 technical perspective, not a legal one.

24 (Thereupon, an informal discussion was
25 held off the record with the shorthand

1 reporter.)

2 BY MR. MEEKER:

3 Q. Okay. Continuing down on paragraph -- or
4 Column 10 around line 40, it says:

5 "Moreover, a computer can be embedded in another
6 device, e.g., a mobile phone, a personal digital
7 assistant, a mobile audio or video player, a game
8 console, a global positioning system, GPS receiver, or a
9 portable storage division, e.g., a universal serial bus,
10 flash drive, just to name a few."

11 Do you see that, sir?

12 A. Yes, I do.

13 Q. So you understand mobile phones can include
14 computers as well; correct, sir?

15 A. They certainly do, yes.

16 Q. And mobile phones, as of 2011 --

17 You're aware that the Apple iPhone was announced in
18 2007 and certainly was available to those skilled in art
19 by 2011, right, sir?

20 A. That is correct, yes.

21 Q. So an iPhone, as of 2011, can serve both as a
22 terminal -- for example, when you're accessing the
23 Internet -- and it can serve as a server?

24 So, for example, if you're distributing pictures
25 you take on your phone to other people with iPhones;

1 correct, sir?

2 MR. FRIESEN: Objection, form.

3 THE WITNESS: It's certainly the case
4 that the iPhone of 2011 could be used as a
5 terminal to assess the Internet, as you
6 described. It can also be used to distribute
7 photos.

8 BY MR. MEEKER:

9 Q. And --

10 A. No doubt about that.

11 (Thereupon, an informal discussion was
12 held off the record with the shorthand
13 reporter.)

14 BY MR. MEEKER:

15 Q. And in that case, it would be used as a
16 server, though, right, when it's distributing photos?

17 MR. FRIESEN: Objection, form.

18 THE WITNESS: If one were distributing
19 photos, one would be actively, for example,
20 messaging -- in 2011, I believe you could do
21 that -- or sending emails with the photos.

22 I'm not sure you could have your iPhone
23 in 2011 act as an independent server where
24 others could access it and download from the
25 iPhone.

1 BY MR. MEEKER:

2 Q. You don't know one way or the other? It may
3 be; maybe it wasn't? You just don't know sitting here
4 today?

5 A. I do not recall from 2011 any iPhone that was
6 capable of acting as a server.

7 Q. Okay. Certainly, other computers -- for
8 example, laptop computers or desktop computers -- could
9 act as both clients and servers as of the time frame of
10 the invention in 2011, right, sir?

11 A. That is correct.

12 Q. And that was known to people skilled in the
13 art at that time, right?

14 A. Yes.

15 Q. Okay.

16 (Pause.)

17 (Thereupon, a document was marked by the
18 shorthand reporter as Exhibit 1187 for
19 identification.)

20 BY MR. MEEKER:

21 Q. I'd like to place before you what's been
22 marked for identification purposes as Exhibit 1187 and
23 ask if you can turn to the definition of "retrieve."

24 Do you see the definition of "retrieve," which is
25 "To find and select specific information"?

1 A. It says something slightly different.

2 Q. Okay.

3 A. It says "in a computer to select specific
4 information."

5 Q. Let me just take a look.

6 MR. MEEKER: Okay, so I'm going to
7 withdraw that question.

8 BY MR. MEEKER:

9 Q. I'll go to Exhibit 1187, which is the Modern
10 Dictionary of Electronics. The definition of "retrieve"
11 is to -- "in a computer, to select specific
12 information."

13 Do you see that definition, sir?

14 A. Yes, I do.

15 Q. Is that definition consistent with your
16 understanding of the term "retrieve"?

17 MR. FRIESEN: Objection, form.

18 THE WITNESS: Yes.

19 BY MR. MEEKER:

20 Q. Okay.

21 MR. MEEKER: Could we go off the record
22 one second?

23 (Thereupon, an informal discussion was
24 held off the record.)

25 (Recess taken at 9:36 a.m.)

1 (Resumed at 9:47 a.m.)

2 (Thereupon, a document was marked by the
3 shorthand reporter as Exhibit 1188 for
4 identification.)

5 BY MR. MEEKER:

6 Q. All right, Mr. Wicker. Showing you what's
7 been marked for identification purposes Exhibit 1188,
8 which is a dictionary definition that defines "retrieve"
9 as "To find and select specific information."

10 Do you see that, sir?

11 (Thereupon, a document was marked by the
12 shorthand reporter as Exhibit 1188 for
13 identification.)

14 THE WITNESS: Yes.

15 (Thereupon, a document was marked by the
16 shorthand reporter as Exhibit 1189 for
17 identification.)

18 BY MR. MEEKER:

19 Q. Dr. Wicker, I've placed before you what's
20 been marked for identification purposes as Exhibit 1189,
21 which is a dictionary definition of "retrieve" which is
22 to -- "To call up data that has been stored in a
23 computer system when a user queries a database the data
24 that is retrieved into the computer first and
25 transmitted to the screen."

1 Do you see that definition, sir?

2 A. Yes, I do.

3 Q. Is that consistent with your understanding of
4 the definition of "retrieve"?

5 A. It is.

6 MR. FRIESEN: Just a moment. Do you have
7 multiple copies of each of these so --

8 MR. MEEKER: I have a single copy. Let
9 me see.

10 Do you have extra multiple copies? You
11 can just give them all to him.

12 MR. LASKER: They are not marked.

13 (Thereupon, an informal discussion was
14 held off the record.)

15 MR. MEEKER: Let's just go off the record
16 a minute.

17 MR. FRIESEN: That would be helpful.
18 Thank you.

19 (An informal discussion was held off the
20 record.)

21 (Thereupon, multiple documents were marked
22 by the shorthand reporter as Exhibit 1190,
23 Exhibit 1191, Exhibit 1192, Exhibit 1193,
24 Exhibit 1194, Exhibit 1195, and Exhibit 1196 for
25 identification.)

1 BY MR. MEEKER:

2 Q. All right, sir. I'm going to place before
3 you Exhibits 1190, 1191, 1192, 1193, 1194, 1195, and
4 1196, which are various dictionary definitions for
5 "retrieve" or related terms.

6 Can you take a look at those and let me know if
7 those are consistent with your understanding of the
8 definitions for "retrieve" or "retrieval"?

9 A. Certainly. Most of these certainly reflect
10 my understanding of "retrieve" or "retrieval."

11 Exhibit 1196, which is the McGraw-Hill Dictionary
12 of Scientific and Technical Terms, the 5th edition, says
13 "retrieve" is "to find and select specific information."

14 As long as we understand "selecting" to mean
15 actually recovering or reading from the database, then
16 yes, I agree with all of them.

17 Q. In a computer network, sir, when I'm
18 accessing the Internet, for example, and I'm a client,
19 say a browser, and I'm going to retrieve a web page over
20 the Internet.

21 Do you have an understanding how that process
22 works?

23 A. Yes, I do.

24 Q. Okay. Is it the case, sir, that I will
25 request data from that Internet site using a certain

1 protocol; correct, sir?

2 A. Yes. It's called the "Hypertext Transfer
3 Protocol," and to obtain the web page, you would
4 probably be using what's called a "GET command."

5 Q. Tell me what that GET command is, sir. How
6 does it work?

7 A. HTTP has several possible commands. "Get" is
8 designed to obtain a file that is associated with a
9 particular URL.

10 Q. Okay, and those skilled in the art, at the
11 time of the invention in 2011, certainly understood how
12 to access web pages using, for example, the GET command,
13 correct? HTTP GET Commands?

14 A. Yes. At that point --

15 MR. FRIESEN: Objection. Objection to
16 scope.

17 THE WITNESS: -- the GET command and HTTP
18 in general was about 21 years old in 2011.

19 BY MR. MEEKER:

20 Q. So very well understood by those in the art?

21 A. Yes. I had certainly been teaching it for a
22 while at that point.

23 Q. And "retrieve," in sort of a colloquial
24 sense -- there might be a game of fetch, right?
25 Somebody throws a stick and a dog retrieves the stick,

1 right, sir?

2 A. I have certainly used the term that way, yes.

3 Q. But in computers, it's a little more

4 complicated, right?

5 You don't actually go physically into the computer
6 network; you use a protocol to get information exchanged
7 between computers, such as HTTP; correct, sir?

8 A. That's right.

9 One would send a command that causes the retrieval
10 in the sense that the server responds to the command by
11 sending the requested information.

12 (Pause.)

13 BY MR. MEEKER:

14 Q. I'd like to show you what's been marked for
15 identification purposes as Exhibit 1112, Danciu. Do you
16 recognize that document, sir?

17 A. Yes, I do. This is U.S. Patent 9,490,998.

18 Q. Okay. If you could turn to Column 7, line 2,
19 which states, in pertinent part:

20 "In some examples, the authorization of remote
21 control, 14, in control device, 18, uses HTTP header
22 information to identify remote control, 14, in control
23 device, 18, as being associated with the user account."

24 Do you see that, sir?

25 A. Yes, I do.

1 Q. And the HTTP header information is the HTTP
2 protocol that you referenced in your testimony
3 concerning the HTTP GET command; correct, sir?

4 A. Yes. This -- this is a more general
5 reference, but certainly, the GET command is an example
6 of a command that's within HTTP.

7 Q. Okay, and if you could turn to Column 12,
8 lines ... 63 to 67 which states in pertinent part:

9 "Network module may, 100, may communicate with one
10 or more servers associated with the network according to
11 a network communication protocol such as, for example,
12 Hypertext Transfer Protocol (HTTP), HTTP secured by
13 transport layer security or secure sockets" -- going
14 over to Column 13 -- "layer (HTTPS), a [sic] simple mail
15 transfer protocol or simple object process protocol or
16 other communication protocols."

17 Do you see that, sir?

18 A. Yes, I do.

19 Q. The HTTP protocol is consistent with your
20 prior testimony concerning the HTTP GET command;
21 correct, sir?

22 MR. FRIESEN: Objection to form.

23 THE WITNESS: It's certainly the case
24 that HTTP includes the GET command. It also
25 has POST commands and other commands as well.

1 BY MR. MEEKER:

2 Q. And one skilled in the art would know to use
3 the HTTP GET command as an example of how to get
4 information exchanged between clients and servers?

5 MR. FRIESEN: Objection. Form, scope.

6 THE WITNESS: HTTP GET would be useful.

7 A person of skill would understand it to be
8 useful in a client server application where
9 the client is going to a server to retrieve a
10 web page.

11 BY MR. MEEKER:

12 Q. Okay, and other information besides just web
13 pages; right, sir?

14 A. One can retrieve information using a GET
15 command as long as all that's required is that
16 information being associated with the URL that's being
17 cited and the command.

18 Q. Understanding you said you hadn't designed a
19 content delivery network, do you have an understanding
20 of how media files are distributed across the Internet
21 as of the time of the invention in 2011 as using HTTP
22 and an HTTP GET command?

23 A. Your premise is a little misleading.

24 I have taught this material for decades, so I
25 certainly understand it well, and yes, HTTP is used to

1 recover web pages and in -- even in a distributed
2 environment, it can recover various pieces and then pass
3 off the information so that it can be realized as a
4 fully blown web page from lots of sources.

5 Q. And when you say "to recover various pieces,"
6 you would also agree that it's used to retrieve
7 information such as media files from a client?

8 I mean from the server by the client; right, sir?
9 The HTTP GET command?

10 A. Yes, you can do that.

11 Q. And one skilled in art as of 2011 would
12 understand that; correct, sir?

13 A. That is correct.

14 Q. And that use of "retrieved" is consistent
15 with the dictionary definitions that you've just read;
16 correct, sir?

17 A. With the single exception that I noted from
18 Exhibit 1196, where it simply says "find and select."
19 The others, certainly.

20 Q. Well, certainly, it would meet that
21 definition of finding and selecting?

22 MR. FRIESEN: Objection to form.

23 BY MR. MEEKER:

24 Q. You find it on a server; you select it; it's
25 downloaded to you?

1 A. One can send an HTTP GET command without
2 doing the finding and selecting, unless you assume it's
3 done before you send the command and you know what
4 you're asking for.

5 But certainly, you can have a web page set up where
6 you find things on the page and then you select.

7 Q. Okay.

8 A. And that would be implemented using -- could
9 be implemented using the GET command.

10 (Pause.)

11 BY MR. MEEKER:

12 Q. Sir, in your description of the '251 patent,
13 you referred to a three-element system. Do you recall
14 your description?

15 A. Yes, I do.

16 Q. Do you agree that Danciu also has a
17 three-element system? A remote controller, a server out
18 over the network, and a display device?

19 A. Yes. There are three elements, for example,
20 in Figure 1.

21 Q. It --

22 A. Or more than three, actually. There are
23 multiple servers in Figure 1.

24 Q. Okay. Well, at least a three-element system
25 is shown in all three; correct, sir?

1 MR. FRIESEN: Objection to form.

2 THE WITNESS: In Danciu? Yes, at least
3 three elements are shown.

4 BY MR. MEEKER:

5 Q. Thank you for correcting me. Well, let's get
6 a clean question and answer on the record.

7 Is it fair to say, sir, that in Danciu it shows a
8 three-element -- at least a three-element system? A
9 remote, a server, and then a control display device;
10 correct, sir?

11 MR. FRIESEN: Objection to form.

12 THE WITNESS: Noting that there are
13 actually multiple servers contemplated in
14 Figure 1, I agree.

15 BY MR. MEEKER:

16 Q. I'd like to place before you what's been
17 marked for identification purposes as Exhibit 1115,
18 entitled "Aldrey," and ask if you recognize this
19 document.

20 A. Yes, I do. This is the U.S. Patent
21 Application U.S. 2009/0172757.

22 (Thereupon, an informal discussion was
23 held off the record with the shorthand
24 reporter.)
25

1 BY MR. MEEKER:

2 Q. Is it fair to say, sir, that Aldrey also
3 includes at least a three-element system, including
4 remote application, a server, and a display associated
5 with a set-top box; correct, sir?

6 MR. FRIESEN: Objection to form.

7 THE WITNESS: Figure 2, for example, does
8 have a number of elements.

9 BY MR. MEEKER:

10 Q. And -- and that would be consistent with what
11 you described as a three-element system in your
12 declaration; correct, sir?

13 A. Well, I -- I don't agree that Figure 2, for
14 example, of Aldrey shows the three-element system of the
15 asserted patent but I do agree there are multiple
16 elements in Figure 2.

17 Q. Is it fair to say that Aldrey has a remote
18 control, sir? A remote application?

19 A. 209a is a remote application in Figure 2 of
20 Aldrey.

21 Q. And there's also a remote application 209b;
22 correct, sir?

23 A. That is correct as well.

24 Q. And there's a server, 205; correct, sir?

25 A. That's correct.

1 Q. And there's also a display, 209c?

2 A. 209c, I believe, is the remote application.
3 219 is the display, if I remember correctly.

4 Q. Okay. Is it fair to say Aldrey has a remote
5 application, 209a, a server, 205, operatively coupled to
6 a set-top box with associated display, 219, as a
7 three-element system; correct, sir?

8 MR. FRIESEN: Objection to form.

9 MR. MEEKER: Withdrawn.

10 BY MR. MEEKER:

11 Q. Is it ...

12 MR. MEEKER: Wait.

13 (Pause.)

14 BY MR. MEEKER:

15 Q. Dr. Wicker, is it fair to say that Aldrey,
16 Exhibit 1115, has a remote application, 209a, a server,
17 205, operatively coupled to a set-top with associated
18 display, 219?

19 Is that correct, sir?

20 A. Yes, it is.

21 Q. And when you refer to your "three-element
22 system," do you exclude the system having a computer
23 associated with the display such as set-top box, 201?

24 MR. FRIESEN: Objection to form.

25 THE WITNESS: No. No, I do not.

1 BY MR. MEEKER:

2 Q. So this, in fact, would include a
3 three-element system of a remote application, a server,
4 and a display, 219, correct, sir? This Aldrey
5 reference?

6 A. It does have those three elements in a
7 different configuration than the asserted claims, but it
8 does have those three elements.

9 Q. So I didn't ask you about the asserted
10 claims.

11 We're talking about just a three-element system.
12 Can you answer the question that I asked?

13 MR. FRIESEN: Objection to scope.

14 THE WITNESS: Please repeat the question.

15 BY MR. MEEKER:

16 Q. Dr. Wicker, is it correct that Aldrey
17 includes a three-element system comprising the remote
18 application, 209a, server, 205, and display, 219?

19 A. Those are certainly three of the elements in
20 Aldrey. For example, on Figure 2.

21 Q. Returning to the '25 -- I --

22 I mean returning to the '251 patent, is it fair to
23 say that the '251 patent contemplates the use of
24 two-element systems where a remote control such as a
25 smartphone is connected directly to a display and a

1 three-element system where the smartphone is connected
2 to a network which is then connected to a server and the
3 server is then connected to a display also through the
4 network?

5 MR. FRIESEN: Objection, form.

6 THE WITNESS: Both of those
7 configurations are considered as means in --
8 mechanisms by which you can use the invention.

9 BY MR. MEEKER:

10 Q. They're embodiments in the '251 patent;
11 right, sir?

12 MR. FRIESEN: Objection to form.

13 THE WITNESS: They're referred to as
14 examples of various scenarios in which the
15 invention can be used.

16 BY MR. MEEKER:

17 Q. So both two-element and three-element systems
18 are examples of the invention in the '251 patent;
19 correct, sir?

20 MR. FRIESEN: Objection to form.

21 THE WITNESS: Of how it can be used,
22 that's correct.

23 BY MR. MEEKER:

24 Q. In fact, if you look at the figure
25 description for Figures to -- 8 to 13, the figure

1 description referring to the two-element systems shown
2 in Figures 8 to 13 or certainly 8, 9, 10, 11, 12 --

3 MR. MEEKER: Well, withdrawn.

4 BY MR. MEEKER:

5 Q. The two-element system shown in Figure 8 is a
6 scenario in which the invention can be used; correct,
7 sir?

8 A. That's correct. You're -- I think you're
9 quoting from Column 2, line 56 and 57.

10 MR. MEEKER: All right. We've been going
11 for a little more than an hour. Let's take a
12 break and then -- maybe a -- a 10-minute
13 break, and then we'll be back.

14 THE WITNESS: Okay.

15 THE SHORTHAND REPORTER: Off the record
16 at 10:15.

17 (Recess taken at 10:15 a.m.)

18 (Resumed at 10:26 a.m.)

19 BY MR. MEEKER:

20 Q. I'd like to redirect your attention back to
21 Exhibit 1115, to Aldrey.

22 A. Okay.

23 Q. We had talked about Figure 2 previously,
24 and -- and I'd like to refer you now to Figure 1.

25 A. Okay.

1 Q. Is it fair to say Figure 1 includes a
2 three-element system in a remote application such as
3 113, a server, and a local set-top box, 101a, at a user
4 premise, 119?

5 MR. FRIESEN: Objection to form.

6 THE WITNESS: Figure 1 shows several
7 elements. Actually, more than three, but
8 certainly it does include the elements that
9 you just listed.

10 BY MR. MEEKER:

11 Q. So if we abstract that, there would be a
12 remote application, a network with an associated server,
13 and a user premise with a set-top box and an associated
14 display shown in Figure 1 of Aldrey; right, sir?

15 MR. FRIESEN: Objection to form.

16 THE WITNESS: Again, the elements that
17 you listed are indeed in Figure 1, among other
18 things.

19 BY MR. MEEKER:

20 Q. If we could turn to the '251 patent and to
21 Claim 1 --

22 A. Okay.

23 Q. -- is it fair to say that Claim 1 of the '251
24 patent, Exhibit 1101, only recites a conversion from
25 generic to specific commands and not, for example,

1 specific to generic conversion?

2 MR. FRIESEN: Objection to form.

3 THE WITNESS: Can you rephrase the
4 question, please?

5 BY MR. MEEKER:

6 Q. Is it fair to say that Claim 1 of the '251
7 patent only recites a conversion from a generic command
8 to a specific command?

9 MR. FRIESEN: Objection to form.

10 THE WITNESS: Okay. I agree that -- that
11 Claim 1 calls for converting by the server
12 system, the universal playback control
13 command, and to corresponding programming code
14 to control playing of the video content on the
15 display device, so code that is specific to a
16 particular media player.

17 BY MR. MEEKER:

18 Q. Is it fair to say, sir, that Claim 1 of the
19 '251 patent does not require conversion of a specific
20 command to a generic command?

21 (Pause.)

22 MR. FRIESEN: Objection to scope.

23 MR. MEEKER: I'll restate the question.

24 BY MR. MEEKER:

25 Q. Is it fair to say, sir, that Claim 1 of the

1 '251 patent does not require conversion of a specific
2 command to a universal playback control command?

3 A. The only place that converting is explicitly
4 called for in the claim is in the other direction.

5 It's from the universal playback control command
6 into something specific to a particular media player.

7 Q. And -- and when you say "explicitly called
8 out," are you saying there's some implicit claim
9 limitation that's not in the claim that, in fact, exists
10 in Claim 1 of the '251 patent?

11 MR. FRIESEN: Objection to form.

12 THE WITNESS: I was just making sure that
13 I understood your question. In other words,
14 you --

15 You seem to be asking me about the claim
16 language itself, and I would agree that
17 there's only one place "converting" is used in
18 the claim language.

19 BY MR. MEEKER:

20 Q. And that conversion is from ... converting
21 the universal playback command to specific commands,
22 correct?

23 A. To programming code that controls the playing
24 on a particular media player, that's correct.

25 (Pause.)

1 BY MR. MEEKER:

2 Q. If we turn to your expert declaration,
3 Exhibit -- premarked Exhibit 2025 ...

4 (Thereupon, an informal discussion was
5 held off the record with the shorthand
6 reporter.)

7 BY MR. MEEKER:

8 Q. And, in particular, to page 16 --

9 A. Okay.

10 Q. -- in the description of Danciu, there's a
11 figure which color-codes "remote control, 14, servers
12 24a to 24n, and control device, 18." Do you see that,
13 sir?

14 A. Yes, I do.

15 Q. Do you agree that Danciu contains a
16 three-element system of remote control, 14, servers, 24a
17 to 24n, and control device, 18?

18 A. As we discussed, it's at least three
19 elements.

20 I would agree, though, that there are at least
21 three: The remote control, the servers a through n are
22 listed, and the control device.

23 Q. Okay. We're very close to being done here,
24 so let me ask a few more questions.

25 (Thereupon, an informal discussion was

1 held off the record.)

2 BY MR. MEEKER:

3 Q. If you could turn to paragraph 17 of
4 Exhibit 1114, Mahajan ... in particular, the second
5 sentence that says:

6 "For example, various embodiments may be realized
7 in handheld devices, microprocessor system,
8 microprocessor-based or programmable consumer
9 electronics, network PCs, microcomputers, mainframe,
10 cell phone, and the like."

11 Do you see that sentence, sir?

12 A. I -- I apologize. I missed the paragraph
13 number.

14 Q. Paragraph 17.

15 A. Yes.

16 Q. Second sentence.

17 A. I see that.

18 Q. Is it fair to say that mainframe computers
19 would be an example of a server?

20 MR. FRIESEN: Objection to form.

21 THE WITNESS: What this sentence says is
22 that various examples can be implemented in
23 configurations other than a PC, such as --

24 And then there's quite a list, but
25 amongst the list is mainframe computers.

1 BY MR. MEEKER:

2 Q. And mainframe computers are commonly
3 understood to perform a server function; correct, sir?

4 MR. FRIESEN: Objection to form.

5 THE WITNESS: They certainly can.

6 Mainframe computers can also be stand-alone
7 devices used for computational purposes.

8 There's lots of things you can do with a
9 mainframe computer, but you can certainly use
10 one as a server.

11 BY MR. MEEKER:

12 Q. And many --

13 A. Or multiple servers.

14 Q. And many computers can also function as
15 servers; correct, sir?

16 A. That's correct.

17 Q. And if you could also look at paragraph 17,
18 the last sentence, where it says "This single device may
19 in one scenario as a server and in another scenario act
20 as a client. This is but one of many existing and
21 developing examples of the described implementations,"
22 is it correct, sir, that it was known to those skilled
23 in the art in 2011 that a single device in one scenario
24 may act as a server and in another scenario act as a
25 client?

1 A. That's certainly true, yes.

2 Q. And -- and do you see paragraph 18, where it
3 says "Various examples may be practiced in distributed
4 computing environments where tasks are performed by
5 remote processing devices that are linked through
6 communication" -- "through a communication network"?

7 Do you see that, sir -- sentence, sir?

8 A. Yes, I do.

9 Q. Do you understand that as teaching that
10 Mahajan envisions distributed computing environments?

11 MR. FRIESEN: Objection to form.

12 THE WITNESS: Mahajan certainly refers to
13 distributed computing environments.

14 BY MR. MEEKER:

15 Q. Do you see the next sentence, where it says
16 "In a distributed computing environment, program modules
17 may be located in both local and remote memory storage
18 devices"?

19 Do you see that, sir?

20 A. Yes, I do.

21 Q. Is, in fact, that sentence also consistent
22 with Mahajan supporting a distributed computing
23 environment?

24 A. It certainly discloses distributed computing
25 environments.

1 Q. Okay. Turning your attention now to your
2 expert declaration, is it fair to say all of your
3 opinions that you have in this IPR proceeding are
4 contained in this declaration? It --

5 You didn't hide your opinions from us and have
6 secret opinions that aren't rendered in this
7 declaration; is that right, sir?

8 A. That is correct.

9 This declaration includes all of the opinions that
10 I have formed in this particular proceeding.

11 (Pause.)

12 BY MR. MEEKER:

13 Q. If you could, turn back to Mahajan, which has
14 been marked for identification purposes as Comcast
15 Exhibit 1114 to paragraph 41.

16 A. Okay.

17 Q. In particular, where it says "For example,
18 the server's media platforms might be DShow and Media
19 Foundation, while the client's media platforms might be
20 QuickTime and OGG platform," do you see that sentence,
21 sir?

22 A. Yes, I do.

23 Q. In fact, that sentence discloses two media
24 platforms, DShow and Media Foundations, for the server,
25 and two media platforms, QuickTime and OGG, for the

1 client; correct, sir?

2 A. That's correct. That's what this says.

3 Q. And the next sentence says:

4 "Accordingly, in some implementations, the RTS
5 mapping tables, 302, 304, can provide translation
6 between the server media platform and the client media
7 platform."

8 Do you see that, sir?

9 MR. FRIESEN: Objection, form.

10 THE WITNESS: It does say that, yes.

11 BY MR. MEEKER:

12 Q. And, in fact, the RTS mapping provides
13 translations between the server media platform and the
14 client media platform as shown in the previous -- prior
15 sentence; right, sir?

16 MR. FRIESEN: Objection to form.

17 (Pause.)

18 THE WITNESS: That's what this says, yes,
19 sir.

20 MR. MEEKER: Okay. I think that's -- why
21 don't we go off the record and then let me
22 consult with my colleague here, and then we
23 can ... might get you back to Rochester sooner
24 than you expected.

25 THE WITNESS: Yes.

1 (Recess taken at 10:45 a.m.)

2 (Resumed at 10:47 a.m.)

3 MR. MEEKER: Okay. Dr. Wicker, we have
4 no more questions. Thank you.

5 THE WITNESS: Thank you.

6 MR. FRIESEN: Let's go off the record for
7 just a bit, and I might -- I might have some
8 questions, but I'll make that decision.

9 MR. MEEKER: Okay.

10 THE SHORTHAND REPORTER: Okay. Off the
11 record at 10:47 a.m.

12 (Recess taken at 10:47 a.m.)

13 (Resumed at 10:50 a.m.)

14 THE SHORTHAND REPORTER: Back on the
15 record, 10:50 a.m.

16 MR. FRIESEN: No further questions.

17 MR. MEEKER: Okay. Thank you.

18 (Thereupon, the deposition concluded at
19 10:50 a.m.)

20 (The exhibits were retained by the
21 shorthand reporter to be attached to the
22 transcript.)

23 *** **

24

25

1 C E R T I F I C A T E

2 I, CHERYLL KERR, CSR, a Certified Shorthand
3 Reporter and Notary Public, do hereby certify
4 that the witness whose deposition is hereinbefore
5 set forth was duly sworn by me, and that such
6 deposition is a true record of the testimony given
7 by such witness.

8 I further certify that I am not related to
9 any of the parties to this action by blood or
10 marriage; and that I am in no way interested in
11 the outcome of this matter.

12 IN WITNESS WHEREOF, I have hereunto set my
13 hand this 21st day of January, 2025.

14
15 *Cheryll Kerr*

16 -----
CHERYLL KERR, CSR

Notice Date: Tuesday, 21. January 2025

Attention: Stephen B. Wicker, Ph.D.

Re:Comcast Cable Communications, LLC v.
Touchstream Technologies, Inc.
Deposition of Stephen B. Wicker, Ph.D. (1/20/2025)

NOTICE REGARDING SIGNING DEPOSITION TRANSCRIPT

The above referenced transcript is available for review. Within 30 days, or the applicable timeframe of your legal jurisdiction, the witness may read the testimony to verify its accuracy. Any changes can be noted on the following errata page.

Once the transcript has been reviewed, the witness should sign and date the certificate of deponent page. The signed certificate, errata, and original transcript (if provided) must be returned to TP.One per the rules of civil procedure.

If the transcript and errata are not returned within the allotted time, the unsigned transcript may be used as if signed by the witness.

Thank you,

TP.One Production Department
Production@tp.one



Deponent Errata Page

Notice Date: 01/21/2025

Deposition Date: 1/20/2025

Deponent: Stephen B. Wicker, Ph.D.

Case Name: Comcast Cable Communications, LLC v.
Touchstream Technologies, Inc.

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CERTIFICATE OF DEPONENT

I hereby certify that I have read and examined the foregoing transcript, and the same is a true and accurate record of the testimony given by me. Any additions or corrections that I feel are necessary, I will attach on a separate sheet of paper to the original transcript.

Signature of Deponent

I hereby certify that the individual representing himself/herself to be the above-named individual, appeared before me this _____ day of _____, 20__, and executed the above certificate in my presence.

NOTARY PUBLIC IN AND FOR

County Name

MY COMMISSION EXPIRES:

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