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Transcript of David Lett

Date: March 7, 2025

Case: Comcast Cable Communications, LLC -v- Touchstream Technologies, Inc.
(PTAB)

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

Touchstream Tech., Inc | Ex. 2027

Comcast, et al. v. Touchstream Tech., Inc. IPR2024-00322

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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMCAST CABLE	)	
COMMUNICATIONS, LLC,	)	
CHARTER COMMUNICATIONS,	)	
INC., ALTICE USA, INC.,	)	
	)	CASE NO.:
Petitioners,	)	IPR2024-00322
	)	
VS.	)	U.S. Patent No.
	)	8,356,251
TOUCHSTREAM TECHNOLOGIES,	)	
INC.,	)	
	)	
Patent Owner.	)	
	)	

ORAL, REALTIMED, VIDEOTAPED DEPOSITION OF

DAVID LETT

MARCH 7, 2025

TAKEN VIA ZOOM VIDEOCONFERENCE

JOB NO.: 575265

PAGES: 1 - 104

REPORTED BY: ANNETTE PELTIER

Transcript of David Lett
Conducted on March 7, 2025

2

1 ORAL, REALTIMED, VIDEOTAPED DEPOSITION
2 OF DAVID LETT, produced as a witness at the
3 instance of the Patent Owner, and duly sworn,
4 was taken in the above-styled and numbered
5 cause on March 7, 2025, from 7:48 a.m.
6 Central Time to 11:05 a.m., before Annette
7 Peltier, CSR, Texas Certified Realtime
8 Reporter, in and for the State of Texas,
9 reported by machine shorthand pursuant to the
10 PTAB Rules of Procedure and the provisions
11 stated on the record or attached hereto.

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A P P E A R A N C E S

(All appearing via Zoom videoconference)

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Transcript of David Lett
Conducted on March 7, 2025

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20
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Index		Page
Appearances.....		3
Examination by Mr. Friesen.....		7
Adjournment.....		102
Court Reporter's Certificate.....		103
Exhibits		
Number	Description	Page
Exhibit 1101	'251 Patent.....	73
Exhibit 1112	Danciu Patent.....	89
Exhibit 1114	Majahan Patent.....	13
Exhibit 1198	Lett Reply Declaration...	11

* * * * *

Transcript of David Lett
Conducted on March 7, 2025

5

1	THE COURT REPORTER: Do you	07:48:06
2	need a rush transcript?	07:53:29
3	MR. FRIESEN: If the rush	07:53:34
4	standard turnaround time is basically one	07:53:44
5	week, then I think that should be okay.	07:53:46
6	THE COURT REPORTER: It's due	07:53:46
7	to the office on March 19th.	07:53:46
8	MR. FRIESEN: Yeah, we would	07:53:57
9	need a rush, then.	07:53:59
10	THE COURT REPORTER: So one	07:54:00
11	week?	07:54:02
12	MR. FRIESEN: I would need the	07:54:02
13	final a week from today at the latest. You	07:54:06
14	know, whatever that means for your turnaround	07:54:09
15	time, I don't know, but that's what I need.	07:54:11
16	THE COURT REPORTER: Do you	07:54:20
17	need a rough draft today?	07:54:21
18	MR. FRIESEN: Yes, please, and	07:54:23
19	the realtime.	07:54:36
20	THE COURT REPORTER: Hi, Paul.	07:55:53
21	I see you're connected to realtime.	07:55:55
22	MR. QUALEY: Yes.	07:56:00

Transcript of David Lett
Conducted on March 7, 2025

6

1 THE COURT REPORTER: Do you
2 need a rough draft today?

07:56:01

07:56:02

3 MR. QUALEY: Sure.

07:56:03

4 THE COURT REPORTER: And do you
5 need a rush on the final for next week?

07:56:08

07:56:09

6 MR. QUALEY: No.

07:56:12

7 * * * * *

08:01:05

8 THE VIDEOGRAPHER: Here begins
9 media number one in the videotaped deposition
10 of David Lett in the matter of Comcast Cable
11 Communications, LLC, Charter Communications,
12 Inc., Altice USA, Inc., v. Touchstream
13 Technologies, Inc., in the United States
14 Patent and Trademark Office Before the Patent
15 Trial and Appeal Board, Case Number
16 IPR2024-00322.

08:01:05

17 Today's date is March 7, 2025,
18 and the time on the video monitor is 8:01.

19 The remote videographer today
20 is James Williams, representing Planet Depos.
21 All parties of this video deposition are
22 attending remotely.

Transcript of David Lett
Conducted on March 7, 2025

7

1	Would counsel please	08:02:06
2	voice-identify themselves and state whom they	08:02:06
3	represent.	08:02:09
4	MR. FRIESEN: Kyle Friesen,	08:02:09
5	representing the patent owner, Touchstream --	08:02:13
6	Touchstream Technologies, yeah.	08:02:19
7	MR. QUALEY: Paul Qualey from	08:02:20
8	Banner Witcoff, representing petitioner	08:02:22
9	Comcast, and also online with me is Josh	08:02:25
10	Davenport, also from Banner Witcoff for	08:02:28
11	Comcast.	08:02:32
12	THE VIDEOGRAPHER: The court	08:02:34
13	reporter today is Annette Peltier,	08:02:34
14	representing Planet Depos.	08:02:34
15	The witness will now be sworn.	08:02:37
16	DAVID LETT,	08:02:37
17	Having been first duly sworn, testified upon	08:02:37
18	his oath as follows:	08:02:40
19	EXAMINATION	08:02:40
20	BY MR. FRIESEN:	08:02:40
21	Q. Good morning, Mr. Lett.	08:02:40
22	A. Good morning.	08:02:59

Transcript of David Lett
Conducted on March 7, 2025

8

1	How are you?	08:03:00
2	Q. I'm doing reasonably well. A	08:03:01
3	little bit earlier for me than it is for you.	08:03:04
4	So we've -- we've spoken	08:03:07
5	previously via deposition the last time you	08:03:09
6	were deposed in this case, correct?	08:03:14
7	A. Yes, that's right.	08:03:15
8	Q. And you remember from that	08:03:16
9	deposition, don't you, that there's, you	08:03:20
10	know, a few basic ground rules: Just wait	08:03:23
11	for me to finish asking the question before	08:03:26
12	you start answering, and I'll try to give you	08:03:28
13	the same courtesy, and that way we can get a	08:03:32
14	good, clean record.	08:03:35
15	Do you agree?	08:03:36
16	A. Yes.	08:03:37
17	Q. And this morning, are you	08:03:37
18	experiencing any conditions that might	08:03:44
19	interfere with your ability to recall any	08:03:46
20	information or provide truthful, accurate	08:03:48
21	testimony?	08:03:53
22	A. Not that I'm aware of.	08:03:53

Transcript of David Lett
Conducted on March 7, 2025

9

1	Q. If you have any confusion about	08:03:55
2	the question that I'm asking, please let me	08:04:00
3	know; otherwise, I will assume that you	08:04:04
4	understand the question that I'm asking.	08:04:06
5	Fair?	08:04:08
6	A. Yes.	08:04:08
7	Q. Okay. I will -- I will go ahead	08:04:09
8	and share some exhibits so that we can	08:04:21
9	cross-reference -- well, before -- I'll do	08:04:27
10	that, but I would also appreciate it if you	08:04:30
11	would let me know, do you have paper copies	08:04:34
12	of any documents there with you?	08:04:38
13	A. I do. I have some of them on	08:04:43
14	paper.	08:04:46
15	Q. Okay.	08:04:47
16	A. I have -- just like the last time	08:04:48
17	I think we did this, I have a thumb drive	08:04:52
18	that -- I have that folder open that lists	08:04:55
19	all of the exhibits, should we need them. So	08:05:00
20	I should be able to pull them up	08:05:03
21	electronically on P -- you know, PDF if we	08:05:05
22	need them.	08:05:09

Transcript of David Lett
Conducted on March 7, 2025

10

1	Q. Okay. And do you have -- so you	08:05:10
2	have copies of the -- the prior art	08:05:15
3	references, by which I mean Mahajan, Danciu,	08:05:19
4	Aldrey, and Calvert, correct?	08:05:29
5	A. That's right.	08:05:30
6	Q. Okay. And you have a copy of	08:05:30
7	your reply declaration, the new one, that's	08:05:36
8	the reason for this deposition, correct?	08:05:40
9	A. I do.	08:05:41
10	Q. And just in case we need it, you	08:05:42
11	have a copy of your original declaration,	08:05:45
12	Exhibit 1102?	08:05:48
13	A. I have that also, yes.	08:05:49
14	Q. Okay. And Exhibit 1101, which is	08:05:51
15	the patent-at-issue in this case, you have a	08:05:58
16	copy of that?	08:06:01
17	A. I do.	08:06:02
18	Q. All right. That should cover	08:06:02
19	most of what I expect we might need, unless	08:06:07
20	something comes up.	08:06:16
21	Let's go ahead and start with	08:06:17
22	your declaration here.	08:06:19

Transcript of David Lett
Conducted on March 7, 2025

11

1	So do you see the -- do you see	08:06:25
2	the copy of the -- your declaration, your	08:06:26
3	reply declaration that I am sharing?	08:06:28
4	A. I do, although it's a little hard	08:06:31
5	to see. If you don't mind, I'll look at my	08:06:32
6	copy, but if we -- if that's okay.	08:06:36
7	Q. That's fine for purposes of	08:06:38
8	reading it. I just want to make sure that	08:06:41
9	you can see what I'm seeing so that we can	08:06:43
10	confirm we're both looking at the same thing.	08:06:46
11	A. Yes.	08:06:48
12	Q. All right. So -- and unless I	08:06:49
13	say otherwise, if I'm talking about your	08:06:53
14	declaration, I'm talking about Exhibit 1198,	08:06:55
15	the reply declaration, just to avoid any	08:06:59
16	confusion.	08:07:02
17	Do you understand?	08:07:03
18	A. Okay. I understand.	08:07:03
19	(Whereupon Exhibit 1198 was	08:07:03
20	shown.)	08:07:03
21	(BY MR. FRIESEN)	08:07:04
22	Q. Okay. So I'm looking at Page 2	08:07:04

1	of your declaration, which includes	08:07:07
2	paragraphs 6, 7, and 8.	08:07:11
3	In paragraph -- in paragraph 7	08:07:15
4	and 8, you are referring to Mahajan.	08:07:22
5	And that is Exhibit 1114,	08:07:26
6	correct?	08:07:29
7	A. Yes, I think that's correct.	08:07:40
8	Q. And you -- you state that Mahajan	08:07:42
9	describes that it can operate in a	08:07:50
10	distributed environment. That's in paragraph	08:07:53
11	7 of your declaration.	08:07:55
12	Do you see that?	08:07:57
13	A. Yes, that's correct.	08:07:58
14	Q. Okay. And in the next paragraph,	08:08:00
15	you describe a particular -- a particular	08:08:03
16	place in Mahajan where it describes a	08:08:06
17	distributed computing environment, right?	08:08:11
18	A. Among other things. You're	08:08:15
19	talking about paragraph 18?	08:08:17
20	Q. Yes, the paragraph 18 --	08:08:19
21	A. Of my coy -- yes --	08:08:21
22	Q. -- describes --	08:08:23

1	A. Sorry.	08:08:24
2	Q. -- operations in a distributed	08:08:25
3	computing environment.	08:08:27
4	A. Yes.	08:08:28
5	Q. Let's go ahead and take a look at	08:08:29
6	Mahajan paragraph 18. Again, I'll -- I'll	08:08:37
7	put this on the screen just so that we -- we	08:08:42
8	can both look at it.	08:08:48
9	(Whereupon Exhibit 1114 was	08:08:48
10	shown.)	08:08:48
11	(BY MR. FRIESEN)	08:08:48
12	Q. And you see this is the paragraph	08:08:56
13	that begins, "Various examples may be"	08:08:57
14	distributed in -- "may be practiced in	08:09:00
15	distributed computing environments."	08:09:03
16	Do you see that paragraph? We're	08:09:04
17	looking at the same one?	08:09:06
18	A. Yes.	08:09:07
19	Is the light okay?	08:09:08
20	Q. All right. I mean, I don't have	08:09:11
21	a problem with it.	08:09:15
22	A. Okay.	08:09:16

1 Q. And in this paragraph, when it 08:09:16
2 says -- when it's referring to a "distributed 08:09:28
3 computing environment," it says that that's 08:09:30
4 an environment "where tasks are performed by 08:09:34
5 remote processing devices that are linked 08:09:37
6 through a communications network." 08:09:40

7 And is it your understanding that 08:09:42
8 that's what Mahajan means when it's talking 08:09:44
9 about a "distributed computing environment"? 08:09:46

10 A. At least that's true. There may 08:09:57
11 be other examples of what he's describing as 08:09:59
12 a "distributed computing environment." 08:10:02

13 Q. I mean, that's a very general 08:10:05
14 description, correct? 08:10:11

15 A. Sure. It's a high-level 08:10:13
16 description. 08:10:16

17 Q. And you -- can you think of 08:10:16
18 anything that would be -- that would 08:10:18
19 constitute a distributed computing 08:10:20
20 environment that doesn't fit that 08:10:22
21 description? 08:10:24

22 A. Well, sometimes a POSITA would 08:10:37

1 probably consider remote processing -- so 08:10:44
2 sometimes it's used to describe various 08:11:06
3 processes or applications that are 08:11:17
4 distributed that may not necessarily be 08:11:19
5 through a communications network. 08:11:21

6 So -- so I'm not sure that this 08:11:25
7 is inclusive of all of the examples that 08:11:27
8 include a distributed computing environment. 08:11:31

9 Q. So you're saying that a 08:11:40
10 distributed computing environment could 08:11:41
11 include tasks distributed across multiple 08:11:46
12 processing devices that are not linked 08:11:51
13 together through any kind of communications 08:11:54
14 network? 08:11:56

15 A. Maybe that's true, but -- but 08:11:57
16 what Mahajan is describing is the 08:11:58
17 functionality that could be distributed 08:12:08
18 across many components of a system in his 08:12:12
19 example of distributed computing 08:12:18
20 environments. 08:12:20

21 Q. Right. 08:12:24
22 In his example in the next 08:12:24

1 sentence, it says, "In a" distributing -- "in
2 a distributed computing environment, program
3 modules may be located in both local and
4 remote memory storage devices."

5 And just as an example, that
6 could mean that there -- there are program
7 modules located at both a server and a
8 client, as an example, correct?

9 A. That's right.

10 Q. And Mahajan uses the terms
11 "server" and "client" throughout to describe
12 processing devices in this distributed
13 computing environment, correct?

14 MR. QUALEY: Objection to form.

15 A. So, Mahajan -- or excuse me,
16 Danc- -- Mahajan is clear that, you know, in
17 that sentence, "the terms server and client
18 as used herein do not" conate -- "connotate
19 any relative capabilities of the two
20 devices."

21 So, basically, he's just talking
22 about two devices and -- throughout the

1 patent, so he -- so that's it.

08:14:01

2 (BY MR. FRIESEN)

08:14:08

3 Q. Yeah. It says -- and it says --
4 two sentences after that, it will -- it says,
5 "Rather, in this description, the names
6 server and client describes the relative
7 relationship of the two components."

08:14:08

08:14:15

08:14:18

08:14:21

08:14:25

8 A. That's right.

08:14:29

9 Q. So -- so that means that what
10 it's calling a server is really just any
11 computing devices that -- any computing
12 device that does the things Mahajan says the
13 server does.

08:14:29

08:14:37

08:14:39

08:14:41

08:14:44

14 MR. QUALEY: Objection to form.

08:14:45

15 A. Can you read that question back,
16 please?

08:14:49

08:14:51

17 (BY MR. FRIESEN)

08:14:55

18 Q. Sure, I can do that.

08:14:56

19 That sentence that I just read,
20 that means that what -- what Mahajan is
21 calling a server is any computing device that
22 does the things Mahajan -- Mahajan says the

08:15:01

08:15:04

08:15:07

08:15:10

1	server does?	08:15:13
2	MR. QUALEY: Objection to form.	08:15:16
3	A. So what -- what Mahajan does is	08:15:23
4	he describes a functionality of a system, and	08:15:26
5	the processing components of the system can	08:15:31
6	be located in a number of different areas.	08:15:35
7	He's a -- very flexible architecture.	08:15:41
8	Mostly -- and I did not rely on Mahajan for	08:15:44
9	the architecture in my opinions.	08:15:46
10	I relied on architecture of	08:15:49
11	Danciu and the architecture of Aldrey -- of	08:15:54
12	Aldrey, and so what I used Mahajan for was	08:15:58
13	the teaching of conversion of commands and	08:16:03
14	translation of commands from, for example, a	08:16:10
15	generic format to a media-specific format.	08:16:18
16	(BY MR. FRIESEN)	08:16:30
17	Q. I'm not asking about that; I'm	08:16:30
18	asking what that sentence means to you	08:16:31
19	because Mahajan is saying that -- Mahajan	08:16:37
20	has -- is saying something right here,	08:16:40
21	that -- about what the terms "client" --	08:16:41
22	"server" and "client" mean in the context of	08:16:45

1	this disclosure.	08:16:48
2	You understand that, right?	08:16:49
3	A. Well, what he's saying here is	08:16:51
4	that the -- the names "client and server" are	08:16:53
5	arbitrary. In sections of his patent where	08:16:57
6	he's describing functionality between two of	08:17:01
7	these -- let's call it processing	08:17:04
8	components -- he uses the words "client and	08:17:07
9	server."	08:17:12
10	But the names "client and server"	08:17:13
11	don't literally mean "client and server";	08:17:16
12	they just mean two components.	08:17:19
13	Q. Right. They mean two components	08:17:25
14	that have the described relationship between	08:17:27
15	them that -- that are doing the things that	08:17:29
16	Mahajan is describing those two components	08:17:31
17	doing.	08:17:33
18	A. Right.	08:17:35
19	And when he's talking about	08:17:36
20	various examples, which is the first -- first	08:17:37
21	two words of that paragraph, he's setting up	08:17:40
22	the -- the assumption that further on in the	08:17:43

1 patent, when he's talking about -- he's 08:17:51
2 talking about more than just two components 08:17:53
3 in the system, right? 08:17:56

4 He -- but -- but when he's 08:17:57
5 talking about any particular -- you know, of 08:17:59
6 the multiple components, when he's talking 08:18:01
7 about any particular two, you know, this to 08:18:03
8 this, two components, he uses the words 08:18:08
9 "client and server." That -- I think that's 08:18:11
10 what he means by this paragraph. 08:18:13

11 Q. Right. 08:18:17

12 So if he's talking about what a 08:18:17
13 client does and what a server does -- well, 08:18:20
14 strike that. I'll start that over. 08:18:26

15 When Mahajan is talking about 08:18:27
16 what a server does, he's talking about what 08:18:29
17 that component does in relation to the other 08:18:32
18 component that he's called a "client," right? 08:18:37

19 A. That's right. 08:18:40

20 MR. QUALEY: Objection, form. 08:18:40

21 A. And the names -- 08:18:41

22 THE WITNESS: Sorry. 08:18:43

1	A. That's right.	08:18:44
2	And the names "client and server"	08:18:45
3	are arbitrary is another point he's making.	08:18:47
4	(BY MR. FRIESEN)	08:18:51
5	Q. Right.	08:18:51
6	But -- but the -- the -- that	08:18:52
7	also means that what he calls the "client,"	08:18:54
8	that is -- he's talking about that same	08:19:00
9	component every time he talks about the	08:19:05
10	"client" in terms of describing what it does	08:19:07
11	in relationship with the server.	08:19:10
12	MR. QUALEY: Objection to form.	08:19:13
13	A. I'm not sure that's true. You	08:19:16
14	would have to look at a particular paragraph	08:19:19
15	to see what he's talking about when he --	08:19:21
16	when he's talking about a particular	08:19:26
17	description.	08:19:29
18	I think that the pre- -- the	08:19:33
19	pretext here of 18 is the words "client and	08:19:35
20	server" don't literally mean "client and	08:19:38
21	server." They just mean two components.	08:19:41
22	(BY MR. FRIESEN)	08:19:44

1	Q. He does provide an example of	08:20:00
2	the -- of a relationship between a first	08:20:01
3	server -- a first device and a second device	08:20:05
4	in the -- in the sentence immediately after	08:20:07
5	the one we're talking about.	08:20:10
6	Do you see that?	08:20:12
7	MR. QUALEY: Objection to form.	08:20:14
8	A. Can you point out which sentence	08:20:21
9	you're looking at?	08:20:23
10	(BY MR. FRIESEN)	08:20:27
11	Q. I believe it is -- I'm -- I'm	08:20:27
12	trying to highlight this, and it says: "For	08:20:29
13	example, a computing environment of a first	08:20:33
14	or server device is remoted to a second or	08:20:36
15	client device."	08:20:39
16	A. Right, just a -- one example.	08:20:40
17	Q. Right.	08:20:44
18	And so in that -- in that	08:20:45
19	example, the -- the -- the server device is	08:20:49
20	the one that -- is the one that the computing	08:20:55
21	environment comes from, and the client device	08:21:01
22	is the one that -- that the computing	08:21:04

1 environment is remoted to? 08:21:06

2 A. Well, he describes bidirectional 08:21:53

3 communications. 08:21:59

4 Q. I -- that's not responsive to the 08:22:02

5 question I'm asking. 08:22:04

6 In the example that he's 08:22:07

7 providing in that sentence, the server device 08:22:09

8 is the one that the client -- that the 08:22:13

9 computing environment is remoted from, and 08:22:16

10 the client device or the second device is the 08:22:19

11 one that the computing environment is remoted 08:22:23

12 to. 08:22:26

13 A. Well, if you restrict the answer 08:22:38

14 to that one sentence, that's -- yes; but 08:22:41

15 later, I mean, just a few sentences later, 08:22:43

16 and throughout the document, he's using other 08:22:48

17 examples. 08:22:51

18 I mean, for example, it is to be 08:22:53

19 appreciated and -- in other implementations, 08:22:54

20 may include one or more servers multi- -- 08:22:58

21 supporting multiple clients; and then later 08:23:00

22 on, he talks about the bidirectional 08:23:03

1	communications between two components and	08:23:06
2	so --	08:23:09
3	Q. Well --	08:23:10
4	A. Using --	08:23:11
5	(Talking over each other.)	08:23:11
6	A. -- the terms "server" and	08:23:13
7	"client" doesn't necessarily apply to	08:23:14
8	bidirectional communications; in fact, I	08:23:17
9	think it would be more appropriate to call it	08:23:19
10	peer-to-peer.	08:23:21
11	(BY MR. FRIESEN)	08:23:24
12	Q. Which would be another example of	08:23:24
13	a computing environment -- a distributed	08:23:25
14	computing environment, correct?	08:23:30
15	A. Sure, because the communications	08:23:31
16	between two components is what he's talking	08:23:34
17	about.	08:23:36
18	Q. Yeah, and if a -- if one of those	08:23:38
19	components is receiving a remote computing	08:23:41
20	environment from another component, then, in	08:23:47
21	that example, the computer receiving the	08:23:53
22	remote computing environment is the client,	08:23:59

1 even if it's not a client in a traditional
2 server/client sense.

3 MR. QUALEY: Objection to form.
4 (BY MR. FRIESEN)

5 Q. Is that correct?

6 A. So what Mahajan is saying is that
7 when he's talking about all these components
8 where communications is going all over the
9 place, and the processing can be in a number
10 of different places, he's saying that
11 sometimes he uses the words "client and
12 server."

13 Q. Yeah.

14 And he uses those terms to be
15 able to differentiate between which device is
16 doing which things, correct, even if they're
17 arbitrary terms?

18 A. He's just identifying the two
19 devices with those names.

20 Like I said, in the patent, he's
21 talking about bidirectional communications,
22 so when -- when commune- -- when the

08:24:04

08:24:08

08:24:10

08:24:12

08:24:14

08:24:14

08:24:22

08:24:24

08:24:26

08:24:28

08:24:32

08:24:37

08:24:40

08:24:46

08:24:50

08:24:55

08:25:00

08:25:02

08:25:04

08:25:06

08:25:10

08:25:13

1	communication goes from one component to	08:25:17
2	another and from -- from the -- let's call it	08:25:19
3	component A to component B, then it -- also	08:25:22
4	he's talking about communications between	08:25:26
5	component B and component A, right?	08:25:29
6	And he just has to -- and he's	08:25:32
7	making it very clear in paragraph 18 that	08:25:34
8	he's just arbitrarily calling one of them a	08:25:38
9	client and one of them a server.	08:25:41
10	Q. I understand that.	08:25:42
11	So my point is -- is a little	08:25:46
12	different than that. Let's -- let's go	08:25:50
13	with -- you know, let's assume that the words	08:25:53
14	"server" and "client" are interchangeable	08:25:57
15	with the words "first device" and "second	08:26:00
16	device" in Mahajan.	08:26:03
17	A. Okay.	08:26:09
18	Q. What I'm trying -- what I'm	08:26:09
19	trying to get at is: Even though they may be	08:26:11
20	assigned arbitrarily, when he's describing	08:26:14
21	a -- a particular implementation, he doesn't	08:26:19
22	arbitrarily switch labels midstream in	08:26:24

1	describing that implementation, correct?	08:26:27
2	A. I'm not sure. I'd have to look.	08:26:30
3	Q. Are you aware of any instance	08:26:33
4	where he does that?	08:26:35
5	A. I don't know. I'd have to read	08:26:42
6	through it and -- to see.	08:26:45
7	Q. I mean, that's -- that sentence	08:26:46
8	that we looked at earlier that says the names	08:26:49
9	"server" and "client" describe the relative	08:26:53
10	relationship of the two components, that	08:26:55
11	seems to state that he isn't intentionally	08:26:58
12	going to swap labels midstream if he's using	08:27:03
13	those terms to describe the relationship	08:27:08
14	between two components.	08:27:09
15	Do you agree that that's what	08:27:12
16	that means?	08:27:13
17	MR. QUALEY: Objection, form.	08:27:15
18	A. Can you read that question back,	08:27:59
19	please?	08:28:01
20	(BY MR. FRIESEN)	08:28:04
21	Q. Let me ask that slightly	08:28:04
22	differently.	08:28:05

1 Mahajan says the names "server"
2 and "client" describe the relative
3 relationships of the two components. He
4 isn't -- he -- strike that.

5 When he -- when Mahajan says that
6 the names "server" and "client" describe the
7 relative relationship of the two components,
8 "server" will, in any implementation, refer
9 to the same component throughout that
10 implementation, correct?

11 MR. QUALEY: Objection to form.

12 A. Perhaps you could point me to a
13 particular example, because there's multiple
14 examples in his patent, so that we can see if
15 he switches the names, because I know this
16 bidirectional capability that he describes,
17 you know --

18 (BY MR. FRIESEN)

19 Q. We're --

20 A. -- there is a possibility where
21 he could -- he could say that he switches in
22 the middle. I mean, I don't -- I don't know

1	the answer to your question without probably	08:29:28
2	reading a particular example.	08:29:30
3	Q. Where -- where does this -- where	08:29:34
4	does Mahajan talk about this bidirectional	08:29:39
5	capability that you're talking about? Which	08:29:41
6	paragraph is that?	08:29:43
7	A. Okay. So if you look at	08:32:36
8	paragraph 26 of Mahajan, he's describing	08:32:38
9	Figure 2 of Mahajan.	08:32:43
10	For example, paragraph 26, in the	08:32:50
11	first sentence, it says, "The server 202 can	08:32:53
12	send data relating to the server's desktop	08:32:58
13	216 to the client 204," so on and so forth.	08:33:02
14	And then he also describes	08:33:06
15	communication going the other way.	08:33:11
16	If you look at paragraph 31 of	08:33:14
17	Mahajan, "User-interface channel 224 can	08:33:17
18	communicate" to the client.	08:33:26
19	And then looking at the	08:33:44
20	communications user-commands 230 -- and I'm	08:33:50
21	looking at Figure 2 -- the communication is	08:33:55
22	going from the client to the server.	08:33:59

1 So we've got communications going 08:34:02
2 from the names "client" and "server," from 08:34:05
3 the client to the server and from the server 08:34:10
4 to the client, as described in relationship 08:34:12
5 to Figure 2 of Mahajan. 08:34:15

6 Q. Okay. And so that describes 08:34:20
7 bidirectional communication. 08:34:23

8 Is that the bidirectional 08:34:24
9 communication you're talking about? 08:34:26

10 A. That's at least one example of 08:34:28
11 the bidirectional communications I was 08:34:29
12 talking about. 08:34:31

13 Q. Okay. And in Figure 2, you know, 08:34:32
14 "Media Channel 226" and "UI Channel 224," 08:34:40
15 those -- those have a -- an arrow on them 08:34:44
16 with a particular direction, right? 08:34:48

17 A. That's right. 08:34:53

18 Q. And "User-Commands 230," that has 08:34:55
19 an arrow with a particular direction. Those 08:34:58
20 "User-Commands 230" go from the client to the 08:35:01
21 server, correct? 08:35:04

22 A. In that diagram, that's right; 08:35:06

1 but it's not limited to that. 08:35:08

2 Q. Well, and this kind of gets to 08:35:10

3 what I'm saying before, if we had a 08:35:15

4 peer-to-peer network where any component in 08:35:17

5 the network could operate as a server and any 08:35:20

6 component in the network could operate as a 08:35:22

7 client, then based on Mahajan's description 08:35:24

8 of Figure 2, if the communications are 08:35:29

9 flowing in the way shown in Figure 2, then 08:35:36

10 the first device is the server and the second 08:35:40

11 device is the client. 08:35:43

12 If you flipped all the 08:35:45

13 communications around, then the relationship 08:35:46

14 would be reversed; the first device would be 08:35:48

15 the client and the second device would be the 08:35:50

16 server. 08:35:52

17 Do you agree with that? 08:35:53

18 A. Well, that's a hypothetical. 08:35:57

19 You know, he also describes that 08:35:59

20 this RTS Media Abstraction layer can be -- 08:36:02

21 RTS Media Abstraction module could be in a 08:36:08

22 number of different places. In fact, he even 08:36:14

1	shows that -- in Figure 1 that --	08:36:17
2	Q. You're not answering my question.	08:36:22
3	A. -- it's in the middle, it's --	08:36:23
4	Q. I'm sorry, I'm going to interrupt	08:36:24
5	you because --	08:36:26
6	(Talking over each other.)	08:36:26
7	A. -- describing three components	08:36:26
8	that are communicating as he's describing	08:36:28
9	Figure 1.	08:36:32
10	(BY MR. FRIESEN)	08:36:33
11	Q. Well, hold that thought because	08:36:33
12	that is not my question. We'll get to that.	08:36:34
13	I am -- I am literally just	08:36:40
14	asking you to tell me whether or not "server"	08:36:43
15	and "client" are specific enough that we know	08:36:46
16	which computer he's talking about when he's	08:36:53
17	describing how Figure 2 works.	08:36:55
18	A. Yes, I think so.	08:36:59
19	Q. Okay. So when he's describing	08:37:01
20	Figure 2 and he's talking about Server 202 in	08:37:05
21	his description of Figure 2, he's always	08:37:09
22	referring to the same computer throughout	08:37:11

1	that example -- throughout his description of	08:37:14
2	that example.	08:37:17
3	Now, that -- that's -- that's the	08:37:21
4	question, so I want to explain that I'm not	08:37:25
5	saying the -- you know, the -- that server	08:37:28
6	could be a client in some other con- --	08:37:31
7	context; but when Mahajan is describing	08:37:33
8	Figure 2 and he refers to the server, he's	08:37:39
9	always referring to the same computer in	08:37:43
10	that -- in his description of that	08:37:48
11	embodiment, right?	08:37:52
12	A. I need to read that entire	08:37:57
13	section to be able to answer your question	08:37:59
14	correctly.	08:38:02
15	Would you like me to do that?	08:38:06
16	Q. I -- I'm just trying to	08:38:08
17	understand here: Do you think that it's	08:38:11
18	possible that he is saying that, in his	08:38:13
19	description of this figure, that -- that the	08:38:17
20	server could be the client that he was	08:38:20
21	talking about in the previous sentence?	08:38:22
22	Because that doesn't make sense to me. None	08:38:25

1	of the description of this figure would even	08:38:27
2	be coherent if that were true.	08:38:30
3	Is that what you're suggesting?	08:38:34
4	A. I'm confused by your question.	08:38:37
5	Would you mind restating it?	08:38:39
6	Q. Sure.	08:38:42
7	When Mahajan is describing	08:38:43
8	Figure 2 and he refers to the Server 202,	08:38:47
9	he's always talking about the same computer	08:38:55
10	throughout that description, correct?	08:39:00
11	A. I need to read the section about	08:39:12
12	Figure 2 to see if that's correct. I don't	08:39:15
13	know the answer without reading the entire	08:39:18
14	section.	08:39:20
15	Would you like me to do that?	08:39:24
16	Q. Can you think of an instance,	08:39:37
17	based on your familiarity with this document,	08:39:40
18	when it would make sense for Server 202 to be	08:39:43
19	a different computer at some point in the	08:39:48
20	description?	08:39:51
21	A. The reason I'm struggling to	08:39:54
22	answer the question is because Mahajan makes	08:39:56

1	a great deal of effort to explain that the	08:40:00
2	names "server" and "client" are arbitrary	08:40:10
3	and -- and because he went to such great	08:40:15
4	length to set that up before talking about	08:40:17
5	any examples, then I'm not sure that he	08:40:21
6	doesn't switch in the middle of this example,	08:40:26
7	because again, he's talking about distributed	08:40:27
8	systems that have processing at different	08:40:35
9	points, different components in the system,	08:40:40
10	and it's a very flexible teaching.	08:40:43
11	Q. In some of the components of the	08:40:49
12	system -- one of -- strike that.	08:40:51
13	The Server 202 is one of the	08:40:53
14	components in the system shown on Figure 2,	08:40:56
15	correct?	08:40:58
16	A. That's right.	08:40:59
17	Q. And there's processing happening	08:41:00
18	at Server 202, right?	08:41:03
19	A. That's right.	08:41:05
20	Q. And Client 204 is another	08:41:05
21	component in the system, correct?	08:41:10
22	A. As shown in Figure 2, that's	08:41:11

1	right.	08:41:13
2	Q. And there's processing happening	08:41:13
3	at the Client 204, correct?	08:41:15
4	A. That's right.	08:41:19
5	Q. So that is a distributed	08:41:20
6	computing environment as shown in Figure 2,	08:41:23
7	correct?	08:41:25
8	A. Yes, and computing is going on in	08:41:26
9	other places in that diagram, also, like the	08:41:29
10	RTS Media Abstraction Module.	08:41:32
11	Q. And that RTS Media Abstraction	08:41:35
12	Module, there's two of those, correct, in	08:41:41
13	Figure 2?	08:41:43
14	A. That's right.	08:41:44
15	Q. And those modules in Figure 2 are	08:41:44
16	located on the server and on the client	08:41:47
17	respectively, correct?	08:41:51
18	A. Yes, but Figure 1 shows that it's	08:41:57
19	in between the server and client. So it's --	08:41:59
20	can be -- that functionality could be in a	08:42:01
21	number of places.	08:42:03
22	Again, I did not rely on Mahajan	08:42:12

1	for the architecture of -- of the system. I	08:42:16
2	relied on Danciu for the architecture of the	08:42:18
3	system and the grounds related to Danciu; and	08:42:22
4	the architecture for Aldrey I relied on in	08:42:25
5	the grounds -- in the combi- -- in the	08:42:28
6	combination with Aldrey.	08:42:30
7	Q. Let's take a look at Figure 1.	08:43:08
8	In Figure 1, this shows a Server 102 and a	08:43:10
9	Client 104, correct?	08:43:22
10	A. That's right.	08:43:23
11	Q. And the Server 102 includes a	08:43:24
12	Media Platform and a Media Player, and those	08:43:29
13	are identified as 122 and 120.	08:43:32
14	You see those?	08:43:34
15	A. That's right.	08:43:39
16	Q. And the client has a Media	08:43:40
17	Platform and a Media Player, and those are	08:43:45
18	126 and 124, correct?	08:43:47
19	A. Well, it -- I guess you could	08:43:51
20	call that the client. Yes, I think that's	08:43:54
21	correct.	08:43:58
22	Q. And then Network 106 is	08:43:58

1	connecting the server to the client, right?	08:44:05
2	A. Yeah, it's a communications	08:44:13
3	network -- includes a server, I think,	08:44:17
4	because it shows that 100 is in the middle,	08:44:19
5	and 100 includes the RTS Media Abstraction --	08:44:32
6	Abstraction layer.	08:44:37
7	Q. Right.	08:44:39
8	And the Media Abstraction layer	08:44:39
9	includes both of the RTS Abstraction Modules,	08:44:42
10	correct?	08:44:46
11	A. So the RTS Media Abstraction	08:46:19
12	layer can be located in a number of places;	08:46:23
13	and if you don't mind, I would like to -- to	08:46:29
14	point you to Dr. Wicker's testimony that says	08:46:34
15	that. In paragraph 45 of Dr. Wicker's	08:46:37
16	testimony --	08:46:42
17	Q. Mr. Lett?	08:46:43
18	A. -- he -- he --	08:46:44
19	(Talking over each other.)	08:46:46
20	(BY MR. FRIESEN)	08:46:46
21	Q. -- we're not --	08:46:46
22	A. -- please --	08:46:46

1	Q. That's not a response -- that's	08:46:47
2	not an answer to my question.	08:46:48
3	A. I'm answering your question.	08:46:49
4	Q. No, you're not.	08:46:49
5	A. Can I please answer the question?	08:46:50
6	Q. I'm not asking about the	08:46:51
7	location. I'm asking if -- I'm asking if,	08:46:53
8	functionally, the Collaboration Media	08:46:55
9	Abstraction layer 130 includes both of the	08:46:59
10	abstraction modules?	08:47:02
11	A. I'm trying to answer your	08:47:06
12	question.	08:47:07
13	Can you let me finish, please?	08:47:10
14	Because I think of -- the -- the answer to	08:47:13
15	your question is what I'm about to quote from	08:47:15
16	Dr. Wicker's testimony.	08:47:17
17	(As read) The server's RTS	08:47:21
18	Abstraction Module converts the	08:47:23
19	platform-specific media commands into generic	08:47:27
20	commands to be sent to the client's RTS	08:47:29
21	Abstraction Module. Then the client's RTS	08:47:34
22	Abstraction Module 214 can translate the	08:47:39

1 generic media commands into media commands
2 that are specific to the client's media
3 platform.

08:47:42

08:47:46

08:47:48

4 In this way, the two abstraction
5 modules work together to create a
6 Collaboration Abstraction layer that can
7 abstract or genericize media playback
8 commands specific to Media Platform 122.

08:47:49

08:47:53

08:47:55

08:47:58

08:48:02

9 Q. So first question is, where did
10 you read that from?

08:48:11

08:48:15

11 A. I read that from paragraph 45 of
12 Dr. Wicker's declaration.

08:48:16

08:48:19

13 Q. And is your understanding of that
14 testimony that the two RTS Abstraction
15 Modules combined work together to create a
16 Collaboration Abstraction layer?

08:48:28

08:48:30

08:48:39

08:48:43

17 MR. QUALEY: Objection to form.

08:48:47

18 A. So there's two steps, right,
19 the -- the conversion from platform-specific
20 media commands into generic commands, and
21 then there's a second step, which converting
22 the generic commands to medias -- media

08:49:34

08:49:39

08:49:47

08:49:51

08:49:57

1	platform-specific commands.	08:50:13
2	And so I think in this example,	08:50:20
3	when he's describing Figure 1 -- that is	08:50:23
4	Mahajan is describing Figure 1 -- that's what	08:50:26
5	he's talking about is in the Component 100.	08:50:30
6	(BY MR. FRIESEN)	08:50:46
7	Q. So both of those steps are	08:50:47
8	performed by the Collaboration Media	08:50:49
9	Abstraction layer 130 in Figure 1.	08:50:52
10	I will point you to paragraph 22	08:51:12
11	of Mahajan's specification. The last two	08:51:15
12	sentences of that paragraph, I believe,	08:51:20
13	provide the answer to what I'm asking.	08:51:25
14	A. Okay. So what was your question?	08:54:03
15	Q. Figure 1, Collaboration Media	08:54:06
16	Abstraction layer 130, includes the functions	08:54:13
17	performed by both of the RTS Abstraction	08:54:22
18	Modules that are described later on in	08:54:27
19	Mahajan, correct?	08:54:29
20	A. Yes, but the functionality of the	08:54:47
21	RTS Media Abstraction layer is not restricted	08:54:49
22	to being implemented in one place; and I did	08:54:52

1 not rely on that for the architecture of 08:54:59
2 my -- of Danciu combination or Aldrey 08:55:02
3 combination. 08:55:08

4 Q. So you did not rely on the 08:55:09
5 architecture disclosed in Figure 1 for any of 08:55:11
6 your opinions regarding the combination of 08:55:15
7 Mahajan with the other prior art? 08:55:18

8 A. I did not rely on Mahajan for the 08:55:21
9 architecture. I relied on Mahajan's teaching 08:55:24
10 of conversion from generic commands to 08:55:30
11 specific media commands and vice versa. 08:55:36

12 Q. And Mahajan teaches converting 08:55:52
13 specific commands into generic commands in -- 08:55:55
14 and converting generic commands into specific 08:55:58
15 commands, both happening within Collaboration 08:56:02
16 Media Abstraction layer 130, correct? 08:56:06

17 A. Well, so Figure 3 is a better 08:56:12
18 illustration of the conversion of commands in 08:56:15
19 both directions, from generic to specific and 08:56:22
20 specific to generic. 08:56:25

21 Q. Let me ask that in a slightly 08:56:35
22 different way. 08:56:37

1	Mahajan describes this	08:56:39
2	translation process as one process, correct?	08:56:42
3	MR. QUALEY: Objection to form.	08:56:50
4	A. I don't understand the question.	08:56:52
5	(BY MR. FRIESEN)	08:56:54
6	Q. Mahajan describes that the goal	08:56:54
7	of the Media Abstraction layer that is	08:56:56
8	illustrated in detail on -- in Figure 3, the	08:57:01
9	goal of this is to get from a specific	08:57:10
10	command for one platform and translate it	08:57:13
11	into a specific command for another platform,	08:57:18
12	right?	08:57:21
13	A. So first of all, Figure 3 shows	08:57:25
14	Media Abstraction Modules, two modules, 210	08:57:30
15	and 214.	08:57:34
16	Q. Yeah.	08:57:36
17	A. And it's showing conversions of	08:57:37
18	commands from one format to another.	08:57:42
19	Q. Let me ask you a question --	08:57:44
20	A. It's not restricted to --	08:57:46
21	Q. Go ahead.	08:57:47
22	A. -- it's not restricted to the	08:57:48

1 examples you used, but he teaches a very gen- 08:57:53
2 -- a very flexible way to convert commands 08:57:58
3 and convert from one type of commands [sic] 08:58:03
4 to another. 08:58:12

5 Q. Earlier you read to me from 08:58:17
6 Dr. Wicker's declaration. You read a passage 08:58:21
7 from that. 08:58:26

8 Do you remember? 08:58:27

9 A. Yes. 08:58:28

10 Q. Do you agree with the testimony 08:58:28
11 from Dr. Wicker's declaration that you read? 08:58:31

12 A. Restricted to that one section, I 08:59:51
13 do. 08:59:54

14 Q. Right. 08:59:55

15 So the part that you -- the part 08:59:56
16 that you actually read here on the 08:59:58
17 transcript, you agree with that part? 09:00:01

18 A. That's right. I think I probably 09:00:03
19 cite those same sections in my declaration. 09:00:17

20 Q. And if you cited a section of -- 09:00:21

21 A. And when I say "my declaration," 09:00:23
22 I should say "my first declaration." 09:00:25

1	Q. I'm not sure I follow you.	09:00:40
2	You cite those same sections of	09:00:42
3	Dr. Wicker's declaration in your first	09:00:45
4	declaration?	09:00:47
5	A. Let me check.	09:00:52
6	Q. All right. I just want to know	09:00:59
7	what you're saying when you say "cite those	09:01:00
8	same sections," because are you -- do you	09:01:03
9	mean Dr. Wicker's declaration, or do you mean	09:01:06
10	sections of -- of Mahajan that he was	09:01:08
11	discussing or -- or something else?	09:01:11
12	A. I'm talking about paragraph 22	09:01:13
13	of -- of --	09:01:19
14	Q. Of Mahajan?	09:01:23
15	A. Of Mahajan.	09:01:24
16	Q. Okay.	09:01:27
17	A. But I cite that in my first	09:01:29
18	declaration, is all I'm saying -- paragraph	09:01:31
19	22, that is, of Mahajan.	09:01:40
20	Q. And going back to Figure 1 of	09:01:42
21	Mahajan, quickly, your -- you agree	09:01:44
22	Collaboration Media Abstraction layer 130 is	09:01:52

1	located on whatever item 100 is?	09:01:55
2	MR. QUALEY: Objection to form.	09:02:10
3	A. So I think that Figure 1 is -- I	09:02:29
4	mean, excuse me -- 100 is talking about the	09:02:37
5	entire diagram. This is Figure -- Figure 1	09:02:42
6	illustrates an exemplary system, 100, which	09:02:49
7	is paragraph 15 of Mahajan.	09:02:53
8	So he's not pointing to that --	09:02:56
9	that bar in Figure 1.	09:03:00
10	(BY MR. FRIESEN)	09:03:02
11	Q. Okay.	09:03:02
12	A. I think he's talking about the	09:03:03
13	whole diagram.	09:03:04
14	Q. Okay. And then -- so then that	09:03:06
15	bar in the middle, that's the Collaboration	09:03:11
16	Media Abstraction layer only?	09:03:15
17	A. That seems to be correct, yes.	09:03:19
18	Do you mind if we take a break?	09:04:17
19	MR. FRIESEN: No, that's fine.	09:04:20
20	We can take a break now, that's --	09:04:21
21	THE VIDEOGRAPHER: I'll take us	09:04:23
22	off the record.	09:04:24

Transcript of David Lett
Conducted on March 7, 2025

47

1	We're going off the record.	09:04:25
2	The time is 9:04.	09:04:26
3	(Break taken from 9:04 a.m. to	09:04:28
4	9:15 a.m.)	09:15:46
5	THE VIDEOGRAPHER: The time is	09:15:47
6	9:15.	09:16:01
7	(BY MR. FRIESEN)	09:16:05
8	Q. Mr. Lett, during the break, did	09:16:12
9	you speak with anyone about your testimony	09:16:13
10	today?	09:16:16
11	A. No.	09:16:17
12	Q. Let's take a look at Figure 3 of	09:16:18
13	Mahajan again.	09:17:39
14	And in Figure 3 -- we spoke about	09:17:44
15	this before, there's a -- a dashed line down	09:17:53
16	the middle of this figure.	09:17:56
17	Do you see that?	09:17:58
18	A. Yes.	09:17:59
19	Q. And on the left side of the line	09:17:59
20	near the top, it says "Server 202."	09:18:04
21	Do you see that?	09:18:07
22	A. Yes.	09:18:08

1	Q. And on the right side of the line	09:18:09
2	near the top, it says "Client 204."	09:18:11
3	A. Yes.	09:18:14
4	Q. So in this -- in this	09:18:15
5	implementation, as described in Mahajan,	09:18:21
6	everything on the left side of the line is on	09:18:26
7	the server and everything on the right side	09:18:27
8	of the line is on the client, correct?	09:18:30
9	A. I assume that's correct.	09:18:36
10	Q. And let's take a look at	09:18:41
11	paragraph 41 of Mahajan so that you don't	09:18:43
12	have to assume too much.	09:18:48
13	Actually, it's above paragraph 41	09:18:54
14	in the prior paragraph. It says: "It is to	09:19:01
15	be appreciated that the RTS Mapping Table	09:19:04
16	302, 304 at the Server 202 and the Client	09:19:07
17	204, respectively..."	09:19:09
18	So it's describing -- it's	09:19:10
19	referring to those mapping tables based on	09:19:13
20	where they're located.	09:19:15
21	Do you see that?	09:19:16
22	A. I'm sorry. I hadn't caught up	09:19:21

1	with you yet.	09:19:22
2	Q. I'll slow down.	09:19:23
3	A. You're looking at paragraph 41?	09:19:31
4	Q. Paragraphs 40 and 41, but the --	09:19:33
5	the portion of paragraph 40 that's in the --	09:19:40
6	in the column -- in the same column as	09:19:43
7	paragraph 41.	09:19:45
8	A. Okay.	09:19:47
9	Q. And -- are you there?	09:20:08
10	A. Yes.	09:20:10
11	Q. All right. And it refers to "RTS	09:20:10
12	Mapping Table 302, 304," so each of them	09:20:17
13	respectively as being "at the Server 202 and	09:20:22
14	the Client 204, respectively..."	09:20:25
15	Do you see that?	09:20:29
16	A. That sentence says that, yes.	09:20:31
17	Q. Yeah.	09:20:33
18	So at least in -- in this	09:20:34
19	description of this implementation, the	09:20:37
20	mapping tables are located at the server and	09:20:41
21	client respectively, as -- as shown in	09:20:45
22	Figure 3.	09:20:49

1	A. That's right, in this example.	09:20:55
2	Q. And as shown in Figure 3, Server	09:20:59
3	202 has a Media Platform 208 and Client 204	09:21:08
4	has a Media Platform 212, right?	09:21:14
5	A. That's right. That's what the	09:21:17
6	diagram shows.	09:21:21
7	Q. And going back to -- going back	09:21:22
8	to paragraph 41 and just a -- paragraph 41	09:21:34
9	here refers to the server's media platforms	09:21:43
10	and provides two examples, and that would be	09:21:48
11	DShow and Media Foundation.	09:21:53
12	Do you see that?	09:21:55
13	A. Yes.	09:21:56
14	Q. And then the -- it refers to (as	09:22:00
15	read) client media platforms might be	09:22:03
16	QuickTime platform and Ogg platform?	09:22:04
17	A. Yeah, those are examples,	09:22:11
18	correct.	09:22:12
19	Q. Right.	09:22:12
20	And in paragraph 21 of your	09:22:13
21	declaration -- let me know when you're there.	09:22:18
22	A. Okay.	09:22:29

1 Q. Paragraph 41 -- paragraph 21 of 09:22:29
2 your declaration, you cite to the paragraph 09:22:33
3 we just looked at in Mahajan for the -- for 09:22:36
4 the disclosure that the client could have 09:22:44
5 separate media players or media platforms, 09:22:48
6 QuickTime and OGG, right? 09:22:53

7 A. That's right. 09:22:56

8 Q. And that paragraph doesn't 09:22:56
9 mention the fact that the server could also 09:22:58
10 have multiple media platforms that are 09:23:00
11 different from the client media platforms? 09:23:03

12 A. Well, the sentence you just read 09:23:07
13 to me in paragraph 41 says, "For example, the 09:23:09
14 server's media platforms 208 might be DShow 09:23:12
15 and Media Foundation..." 09:23:17

16 Q. Right. 09:23:22

17 You don't -- so you don't 09:23:22
18 reference that in paragraph 21 here of your 09:23:25
19 declaration? 09:23:31

20 A. No, but essentially, we're -- 09:23:33
21 Mahajan is -- is a way to convert -- to 09:23:41
22 translate and convert commands, and this is 09:23:47

1	just one example of this very flexible	09:23:50
2	capability taught by Mahajan.	09:23:55
3	Q. Take a look at Mahajan, paragraph	09:24:12
4	11.	09:24:15
5	A. Okay. I'm there.	09:24:46
6	Q. The first sentence of paragraph	09:24:49
7	11, it says: "The methods and systems	09:24:52
8	described below relate to collaboration	09:24:55
9	sessions and handling media playback	09:24:57
10	operations in collaboration sessions."	09:24:59
11	Did I read that correctly?	09:25:02
12	A. You read it correctly.	09:25:06
13	Q. Now, that doesn't talk about	09:25:10
14	translation in contexts other than	09:25:12
15	collaboration sessions. Well, strike that.	09:25:16
16	That doesn't mention -- at a high	09:25:22
17	level, it doesn't mention translation of	09:25:24
18	media commands at all, right?	09:25:26
19	A. Well, as I cite in paragraph --	09:25:37
20	in -- for paragraph 15 of my declaration,	09:25:40
21	"Mahajan further describes how controlling	09:25:44
22	the playback of media files (such as MPEG	09:25:47

1 files) would be accomplished in its 09:25:50

2 collaboration sessions, including" the -- "by 09:25:53

3 the conversion of platform-specific playback 09:25:56

4 commands to generic playback commands and 09:25:59

5 from generic commands to platform-specific 09:26:03

6 commands." 09:26:07

7 And I cite a number of 09:26:08

8 paragraphs. 09:26:09

9 Q. And in your declaration, you say 09:26:09

10 that -- yeah, you acknowledge that that is a 09:26:14

11 description of how that would be accomplished 09:26:17

12 in collaboration sessions. That's what your 09:26:19

13 declaration says, correct? 09:26:24

14 A. Well, that's -- that paragraph, 09:26:27

15 yes. 09:26:29

16 Q. Okay. And paragraph 13, for 09:26:29

17 example, which you cite in that declaration, 09:26:34

18 says: "The exemplary implementations can 09:26:39

19 provide an abstraction functionality allowing 09:26:43

20 media operations to be effectively conveyed 09:26:46

21 in a collaboration session between server and 09:26:49

22 client." 09:26:52

1	That "abstraction functionality"	09:26:56
2	in that sentence, that's referring to the --	09:26:57
3	you know, the RTS Abstraction Modules as --	09:27:02
4	as an implementation of that, correct?	09:27:06
5	MR. QUALEY: Objection, form.	09:27:13
6	(BY MR. FRIESEN)	09:27:13
7	Q. Strike that. I'll ask that a	09:27:13
8	little bit more cleanly.	09:27:15
9	The RTS Abstraction Modules in	09:27:16
10	Figure 3 are one of the exemplary	09:27:20
11	implementations referred to for the	09:27:23
12	abstraction functionality in that sentence	09:27:26
13	from paragraph 13, correct?	09:27:29
14	A. I'm sorry, can you repeat that	09:27:51
15	slowly so I can follow along and look at the	09:27:54
16	diagrams and see what you're talking about?	09:27:57
17	Q. Figure 3 of Mahajan discloses the	09:28:05
18	two RTS Abstraction Modules that we've been	09:28:09
19	talking about, yeah?	09:28:13
20	A. That we've been talking about	09:28:18
21	that, yes.	09:28:19
22	Q. Yeah.	09:28:20

1	So in this sentence at the	09:28:21
2	beginning of paragraph 13 where it refers to	09:28:25
3	"exemplary implementations" providing an	09:28:29
4	"abstraction functionality," do you agree	09:28:32
5	that a person of ordinary skill in the art	09:28:38
6	would understand that the RTS Abstraction	09:28:42
7	Modules in Figure 3 are one of the	09:28:46
8	implementations that it is talking about?	09:28:48
9	A. I'm sorry, can you read back that	09:29:05
10	last part?	09:29:07
11	Q. A person of ordinary skill in the	09:29:11
12	art would understand that the RTS Abstraction	09:29:15
13	Modules in Figure 3 are one of the	09:29:18
14	implementations that Mahajan is talking about	09:29:20
15	there in Figure 13 -- in paragraph 13.	09:29:24
16	A. Yes.	09:29:32
17	Q. Paragraph 21, you -- you say, the	09:29:33
18	"mapping tables may include translations to	09:30:36
19	commands understandable by multiple client	09:30:41
20	media players..."	09:30:44
21	You know what? I think I should	09:30:45
22	have indicated I'm switching back to your	09:30:48

1	declaration. So I'll start that question	09:30:50
2	over again.	09:30:54
3	Do you have your declaration,	09:30:54
4	paragraph 21, in front of you?	09:30:56
5	A. Yes.	09:30:58
6	Q. In that paragraph, you -- you	09:30:58
7	mention Mahajan describing "mapping tables	09:31:05
8	may include translations to commands	09:31:09
9	understandable by multiple client media	09:31:12
10	players..."	09:31:15
11	A. Yes.	09:31:16
12	Q. Those translations are from	09:31:17
13	something, right? I mean, translation to --	09:31:21
14	translations are always from one thing to	09:31:26
15	another thing.	09:31:28
16	You agree with that?	09:31:30
17	A. Yeah, that's fair.	09:31:30
18	Q. Okay. And Mahajan describes	09:31:31
19	the --	09:31:36
20	A. Or to and from, going in the	09:31:36
21	other direction, right?	09:31:38
22	Q. Well, that would be a second	09:31:39

1	translation, then.	09:31:41
2	A. Right.	09:31:42
3	Q. The commands that are translated	09:31:43
4	into commands understandable by the client	09:31:52
5	media player -- in your opinion, what is the	09:31:55
6	starting point for those translations?	09:31:59
7	Let me ask that -- let me strike	09:32:15
8	that. I'm going to ask that a slightly	09:32:17
9	different way.	09:32:20
10	When Mahajan uses the mapping	09:32:24
11	tables, it describes -- and we can go back to	09:32:28
12	Figure 3 -- it describes a command being	09:32:35
13	input, a platform-specific command being	09:32:43
14	input to the server module on the left, and	09:32:47
15	that command is a platform-specific command	09:32:55
16	that is specific to the server's media	09:33:01
17	platform, right?	09:33:05
18	A. Well, I think it's more general.	09:33:13
19	Like, the title of Figure 3 is -- in	09:33:16
20	paragraph 7 of Mahajan is an illustration of	09:33:18
21	"mapping tables for managing multimedia	09:33:21
22	operations in a collaborative session," as --	09:33:25

1	as we talked about.	09:33:28
2	So it's not restricted to the	09:33:30
3	specific examples that you mentioned.	09:33:34
4	It's -- it's a very generic way of	09:33:37
5	translating mapping tables and -- and	09:33:40
6	translating commands from one format to	09:33:46
7	another.	09:33:48
8	That's the teaching that I used	09:33:57
9	in the -- in my opinion of the -- the	09:33:58
10	translation of those commands in a very	09:34:05
11	generic way.	09:34:07
12	Q. Paragraph 37 of Mahajan also	09:34:43
13	describes what Figure 3 shows.	09:34:48
14	Figure 3 of Mahajan in paragraph	09:34:57
15	37 is described as "an example of how the	09:35:01
16	system 200 can accomplish the media operation	09:35:03
17	abstraction described above in relation to	09:35:07
18	FIG. 2."	09:35:09
19	A. Right.	09:35:11
20	Q. So that means that Figure 3 is a	09:35:12
21	more specific example of a general phenomenon	09:35:21
22	described in Figure 2?	09:35:25

1	A. Yeah, it's an example.	09:35:26
2	Q. Did you hear my question,	09:36:33
3	Mr. Lett?	09:36:35
4	A. No, I did not.	09:36:35
5	Q. What paragraph 37 is stating here	09:36:43
6	is that Figure 3 is a more specific example	09:36:47
7	of the general phenomenon described in	09:36:50
8	Figure 2.	09:36:54
9	A. Well, it says "an example." It	09:36:54
10	doesn't say "more specific example."	09:36:58
11	Q. Well, in this example, as it --	09:37:00
12	as paragraph 37 continues, it says, "RTS	09:37:05
13	Media Abstraction modules" 214, 2 -- "210,	09:37:10
14	214 at the Server 202 and the Client 204	09:37:14
15	respectively, accomplish the media operation	09:37:18
16	abstraction by means of remote terminal	09:37:21
17	session (RTS) Mapping Tables 302, 304."	09:37:24
18	So it's more specific in the	09:37:28
19	sense that Figure 3 uses RTS mapping tables	09:37:29
20	where Figure 2 doesn't specifically require	09:37:34
21	those --	09:37:38
22	A. That's fair.	09:37:41

1	Q. -- would you agree -- specific in	09:37:41
2	that sense?	09:37:42
3	(Talking over each other.)	09:37:44
4	A. Yes.	09:37:44
5	(BY MR. FRIESEN)	09:37:44
6	Q. And for your opinions, you are	09:37:44
7	relying on that more specific teaching in	09:37:49
8	Figure 3, right?	09:37:52
9	MR. QUALEY: Objection to form.	09:37:57
10	A. So as I cite in my declaration,	09:38:07
11	as far as managing multimedia operations,	09:38:11
12	which is what Mahajan is related to, I	09:38:15
13	describe Figure 3 in several examples of my	09:38:23
14	first declaration, you know, with specific	09:38:27
15	references to specific commands for the	09:38:33
16	disclosure of the '251 patents' claim	09:38:39
17	elements -- for example, start, playback,	09:38:46
18	and -- and those kinds of things.	09:38:49
19	(BY MR. FRIESEN)	09:38:59
20	Q. So it's fair to say that your	09:38:59
21	opinions are based, in part, on the teachings	09:39:01
22	related to Figure 3 in Mahajan, correct?	09:39:04

1	A. That's right.	09:39:08
2	Q. Let's turn to Figure 2 again.	09:39:43
3	And just very quickly, I wanted	09:39:46
4	to confirm your understanding that in	09:40:01
5	Figure 3, we've got the numbers for, you	09:40:08
6	know, Media Platform 208, Media Platform 212,	09:40:12
7	RTS Abstraction Module 210, RTS me- -- sorry,	09:40:17
8	I left out a word there, but I'll summarize.	09:40:21
9	In Module 214 and Server 202,	09:40:24
10	Client 204, all of those same numbers and	09:40:28
11	those labels and numbers, those all appear in	09:40:32
12	Figure 2 as well.	09:40:35
13	Do you see that?	09:40:41
14	A. Yeah. I see 208, 210, 212, 214,	09:41:09
15	202, and 204 in Figure 2.	09:41:16
16	Q. Right.	09:41:19
17	And that's all consistent with	09:41:23
18	Figure 3 being a -- an -- an exemplary [sic] --	09:41:24
19	exemplary implementation -- let me strike	09:41:29
20	that, and I'll start over.	09:41:33
21	That's all consistent with	09:41:34
22	Figure 3 being an exemplary implementation	09:41:36

1 of, you know, one process happening in 09:41:40

2 Figure 2, right? 09:41:44

3 A. Well, Figure 2 is talking about 09:42:04

4 managing multimedia operations, the entire 09:42:06

5 system; and Figure 3 is talking about the 09:42:11

6 translation and conversion of commands from 09:42:16

7 one format to another. 09:42:19

8 Q. Right, which is one part of 09:42:21

9 what's happening in Figure 2, correct? 09:42:23

10 A. I think so, yes. 09:42:34

11 Q. And previously you've pointed to 09:42:39

12 these User Commands 230 going from the Client 09:42:42

13 204 to the Server 202 as an example of 09:42:47

14 communication in -- you know, from the client 09:42:51

15 to the server. 09:42:53

16 A. I was -- yeah, I was just 09:42:57

17 illustrating that the communication goes in 09:42:59

18 both directions. 09:43:01

19 Q. And you agree that those Commands 09:43:05

20 230 are processed on the server to -- to turn 09:43:17

21 them into the platform-specific media 09:43:28

22 commands for the server's media platform, 09:43:31

1	right?	09:43:35
2	MR. QUALEY: Objection to form.	09:43:45
3	A. Would you mind restating that?	09:43:56
4	(BY MR. FRIESEN)	09:44:10
5	Q. Let me state it -- let me ask	09:44:10
6	this question in a slightly different way.	09:44:12
7	Do platform-specific commands for	09:44:14
8	the server's media platform that get	09:44:23
9	translated through the abstraction modules,	09:44:29
10	like -- you would describe that as an input	09:44:39
11	to the translation process, right?	09:44:42
12	I'm just trying to get a	09:45:02
13	terminology point down here, right, because	09:45:04
14	that's a mouthful to say, platform-specific	09:45:06
15	commands for the server's media platforms. I	09:45:11
16	want to be able to just say that's -- that's	09:45:14
17	the input to what's happening in Figure 3.	09:45:17
18	Do you agree with that?	09:45:25
19	A. I'm not sure I understand the	09:45:27
20	question.	09:45:36
21	Q. Well, look at -- let's take a	09:45:36
22	look at the description of Figure 3.	09:45:37

1	So paragraph 37 -- if it helps,	09:45:47
2	I'll highlight on the screen where I'm	09:45:50
3	looking.	09:45:52
4	Do you see my highlighting?	09:45:54
5	A. Barely, but I have to match it up	09:45:59
6	to my copy so I can see it.	09:46:01
7	Okay. I'm there.	09:46:12
8	Q. Okay. This says, "The server's	09:46:14
9	RTS Media Abstraction Module 210 can receive	09:46:21
10	media commands that are specific to the	09:46:24
11	Server's Media Platform 208," right?	09:46:27
12	A. Yes.	09:46:29
13	Q. All right. So instead of me	09:46:29
14	saying "media commands that are specific to	09:46:32
15	the Server's Media Platform 208," that whole	09:46:34
16	mouthful, right, I just -- I'm going to say,	09:46:37
17	you know, the -- the commands, the input	09:46:42
18	commands for the translation.	09:46:46
19	And you understand that I'm	09:46:51
20	referring to these media commands that are	09:46:52
21	specific to the Server's Media Platform 208	09:46:56
22	when I say that?	09:46:59

1	I'm just looking to make sure	09:47:18
2	that we're on the same page when I say "the	09:47:19
3	input commands for the" tran- -- "to the	09:47:21
4	translation."	09:47:24
5	Mr. Lett, are you -- are you	09:47:39
6	getting the audio?	09:47:40
7	A. Yes. I'm trying to answer your	09:47:43
8	question, but you keep asking more before I	09:47:44
9	have a chance to answer the question.	09:47:47
10	Perhaps we could -- I'm losing track of the	09:47:52
11	question now.	09:47:56
12	Q. All right. Well, let's strike it	09:47:56
13	and start over.	09:48:00
14	Do you see the highlighted	09:48:01
15	sentence on my screen that starts, "For	09:48:07
16	example, the server's RTS Media Abstraction	09:48:09
17	Module 210 can receive..."	09:48:13
18	Do you see that?	09:48:15
19	A. Yes.	09:48:16
20	Q. Okay. And the thing that it says	09:48:16
21	it's receiving is "media commands that are	09:48:22
22	specific to the Server's Media Platform 208."	09:48:24

1	Do you see that?	09:48:28
2	A. Yes.	09:48:28
3	Q. I don't want to have to repeat	09:48:29
4	that over and over again because that's going	09:48:35
5	to make it hard for you to follow my	09:48:36
6	questions. So I'm just going to say "the	09:48:39
7	input commands."	09:48:43
8	Do you understand that I'm	09:48:45
9	referring -- will you understand that I'm	09:48:47
10	referring to these media commands that are	09:48:49
11	specific to the Server's Media Platform 208	09:48:51
12	when I say "input commands"?	09:48:54
13	A. I'm struggling with that	09:49:00
14	terminology because the module could have	09:49:02
15	been asked for some information that it	09:49:24
16	receives; so "input" and "output" is a little	09:49:29
17	bit arbitrary. It's -- it's a communications	09:49:35
18	network, you know. Multimedia -- you know,	09:49:45
19	multimedia operations means that there's --	09:49:50
20	there's commands going both directions, you	09:49:53
21	know, all the time, right, in -- in terms of	09:49:56
22	managing these multimedia operations.	09:50:01

1	So declaring something as an	09:50:03
2	input is a little difficult for me to	09:50:05
3	understand.	09:50:18
4	Q. All right. Well, what if we just	09:50:18
5	call them "the received commands"?	09:50:21
6	A. For the example in Figure 3, I'm	09:50:26
7	okay with that.	09:50:28
8	Q. Okay. And because Figure 3 is	09:50:29
9	providing an example of how something in	09:50:39
10	Figure 2 works, I'd like to talk about it in	09:50:41
11	the context of Figure 2, as well.	09:50:45
12	Now I've highlighted a -- a	09:51:38
13	sentence in paragraph 35 of Mahajan.	09:51:40
14	Do you see that on your screen?	09:51:42
15	A. Yes.	09:51:46
16	Q. And that sentence says that, "The	09:51:47
17	Commands 230 can be processed on the Server	09:51:55
18	202 by Media Platform 208 into	09:51:57
19	platform-specific media commands."	09:52:02
20	A. Yes.	09:52:09
21	Q. Those platform-specific media	09:52:09
22	commands it's referring to, the same kind of	09:52:16

1	commands that we just identified as being the	09:52:19
2	received commands, correct?	09:52:21
3	A. Yes.	09:52:56
4	Q. And previously in that same	09:52:56
5	paragraph, it talks about where the Commands	09:53:12
6	230 come from.	09:53:16
7	Do you see that? Am I correctly	09:53:22
8	identifying what that describes?	09:53:26
9	A. Yes.	09:53:48
10	Q. And so the thing that triggers	09:53:49
11	the Commands 230 being sent to the server	09:54:04
12	from the client is the user at the client is	09:54:06
13	entering media playback commands relating to	09:54:12
14	the remote desktop.	09:54:15
15	A. Do you -- do you see where it	09:54:18
16	says that?	09:54:20
17	Q. Well, the first sentence.	09:54:21
18	A. First sentence of what?	09:54:25
19	Q. Of paragraph 35.	09:54:26
20	A. It's a hypothetical scenario	09:54:32
21	where a user at the Client 204 enters user	09:54:33
22	media playback commands relating to the	09:54:41

1	Remote Desktop 218.	09:54:49
2	Okay, I see that.	09:54:51
3	Q. Right.	09:54:53
4	And then those are -- those --	09:54:54
5	those user commands become the Commands 230	09:54:57
6	that are sent to the server?	09:55:01
7	A. Yes.	09:55:17
8	Q. So I'm looking at your	09:55:17
9	declaration -- paragraph -- starting at	09:56:33
10	paragraph 23, but really just more -- we're	09:56:35
11	going to talk about the section identified as	09:56:39
12	5.1, which includes paragraphs 23 through 26.	09:56:42
13	So take a moment, get yourself situated.	09:56:46
14	A. Okay.	09:57:38
15	Q. First things first.	09:57:38
16	A. Oh, my camera went wacko. Sorry,	09:57:50
17	I got to straighten it up. I didn't realize	09:57:53
18	how long it had been like that.	09:57:56
19	Q. I just noticed it, so...	09:57:57
20	A. Okay.	09:57:59
21	Q. So it must not have been long.	09:58:00
22	A. I must have just kicked it when I	09:58:03

1	moved my paper just now.	09:58:05
2	Q. So in this section, 5.1, I don't	09:58:08
3	see any -- I don't see that you've expressed	09:58:16
4	any specific opinion on the scope of the term	09:58:21
5	"retrieving" as opposed to "transmitting."	09:58:28
6	Did I miss something?	09:58:34
7	A. I don't think I described that,	09:58:45
8	no.	09:58:47
9	Q. Is your opinion that "retrieving"	09:58:47
10	and "transmitting" have the same scope in the	09:58:55
11	context of the '251 patent claims?	09:58:59
12	A. So I see "retrieving" as asking	09:59:22
13	for information and then "receiving" that	09:59:26
14	information, you know, in this example from a	09:59:28
15	server. So it's -- it's a -- it includes the	09:59:31
16	transmission by the server to provide that	09:59:42
17	information.	09:59:46
18	Q. Well, "retrieving" requires more	09:59:49
19	than just the server transmitting	09:59:52
20	information, right?	09:59:56
21	A. I think so, yes. It -- it	09:59:59
22	generally involves asking for something and	10:00:05

1 getting -- getting it back. 10:00:07

2 So as I described, you know, 10:00:09

3 later, I was talking about the "GET" commands 10:00:12

4 of HTTP, for example, that's disclosed, with 10:00:14

5 that functionality. 10:00:20

6 Q. And would you generally agree 10:00:21

7 that retrieving some information requires 10:00:24

8 asking for that information and -- and then 10:00:27

9 receiving it? 10:00:30

10 A. I mean, it at least includes 10:00:31

11 that. It may include other things. I 10:00:34

12 haven't really thought about it in, you know, 10:00:36

13 just absolute general terms, but -- but if -- 10:00:39

14 you know, if I had a box and it's called 10:00:42

15 "retrieving," at least part of that box would 10:00:45

16 be asking for something and getting it back. 10:00:48

17 Q. Okay. And in contrast, 10:00:50

18 transmitting information doesn't have to 10:00:53

19 involve any request for that information at 10:00:56

20 all? 10:01:01

21 A. I think that's fair to say. 10:01:01

22 "Transmission" could be just sending 10:01:03

1	something. It may include other things, but	10:01:06
2	I -- I think that would be definitely	10:01:10
3	included in "transmitting."	10:01:12
4	Q. Okay. So something that is	10:01:14
5	transmitted -- strike that. We'll ask a	10:01:17
6	slightly more specific question.	10:01:24
7	So claims in the '251 patent -- I	10:01:25
8	could pull them up if you want to. I'm --	10:01:29
9	I'm just going to ask a very general	10:01:31
10	question, but the claims refer to -- well,	10:01:33
11	let me -- well, strike that. I'll start	10:01:43
12	over.	10:01:45
13	Claims 1 and 11 generally refer	10:01:45
14	to storing certain information for	10:01:48
15	transmission to or retrieval by the display	10:01:50
16	device.	10:01:56
17	Let me pull that... well, you	10:02:11
18	know what? I think I can -- I think we can	10:02:24
19	go ahead and actually skip that.	10:02:26
20	So Claim 22, column 14, line 5 of	10:02:29
21	the '251 patent -- do you see that? You --	10:02:47
22	are you in the right place?	10:02:50

1	A. Give me just a second. Claim 22,	10:02:51
2	column 14, what lines?	10:03:13
3	Q. Line 5.	10:03:17
4	A. Okay.	10:03:18
5	Q. So --	10:03:19
6	A. Okay.	10:03:24
7	(Whereupon Exhibit 1101 was	10:03:24
8	shown.)	10:03:24
9	(BY MR. FRIESEN)	10:03:25
10	Q. I just -- I'm just putting in	10:03:25
11	context what you already said. We were	10:03:27
12	talking about retrieving by the display	10:03:30
13	device from a server system, so there's a --	10:03:33
14	the rest of that retrieving step lists	10:03:38
15	information to be retrieved. That just means	10:03:42
16	that the display device needs -- that means	10:03:46
17	that the display device needs to ask for that	10:03:49
18	information from the server system and	10:03:52
19	then -- and receive that information from the	10:03:54
20	server system.	10:03:56
21	MR. QUALEY: Objection to form.	10:03:57
22	A. Well, that's one example of	10:04:08

1	retrieving the information.	10:04:10
2	Asking for it -- the display	10:04:11
3	device asks for it from the server system,	10:04:15
4	and the server system sends that information.	10:04:17
5	(BY MR. FRIESEN)	10:04:24
6	Q. And your -- your discussion of	10:04:24
7	the GET command in your declaration, it's	10:04:27
8	your opinion that that's -- that that is an	10:04:32
9	example of the display device asking for	10:04:37
10	something and receiving it, right?	10:04:41
11	A. Yeah. I mean, it was well-known,	10:04:49
12	as I say, for HTTP-implemented GET commands	10:04:51
13	for requesting data by a client from a server	10:04:57
14	and then providing the received data to the	10:04:59
15	processor application.	10:05:03
16	Q. Right.	10:05:09
17	And that can apply to any kind of	10:05:10
18	data that might be requested by a client from	10:05:13
19	a server, right?	10:05:15
20	A. Well, I think in general that's	10:05:17
21	true with the sentence I read, but I was just	10:05:19
22	using HTTP of [sic] an example of -- of	10:05:21

1 implement -- of -- of ways of retrieving 10:05:25
2 information; but I also state, you know, in 10:05:30
3 other sections of that declaration that 10:05:36
4 there's other reasons that I give for 10:05:38
5 disputing the argument Dr. Wicker gave. 10:05:43

6 Q. It's your understanding that 10:05:56
7 asking for information would be an active 10:05:58
8 step; it would be an example of an active 10:06:00
9 step. I believe that was Dr. Wicker's term. 10:06:06

10 A. Well, as I describe in paragraph 10:06:39
11 26, Danciu describes that the controlled 10:06:41
12 device can initiate contact with Danciu's 10:06:45
13 servers for various other reasons by being 10:06:49
14 powered -- powered on; and so I think that, 10:06:53
15 you know, applying power to the display 10:07:03
16 device is not an active step. 10:07:08

17 So in that case, you know, using 10:07:46
18 the description of the '251 patent, once the 10:07:48
19 message is retrieved or sent to the display 10:07:51
20 device, the display device proceeds to 10:07:55
21 execute the command. 10:07:58

22 So in the case I just was 10:07:59

1 describing and Danciu discloses, that when
2 the display device is powered on, "the
3 message is retrieved or sent to the display
4 device" as described in the '251 patent and
5 proceeds to execute the command.

6 I'm quoting paragraph 6:60
7 through 62 of the '251 patent.

8 Q. I believe that's a column and
9 line number, but let's -- well, I'm going to
10 pull up Danciu so we can have a conversation
11 about that, as well.

12 THE WITNESS: Do you mind if we
13 take another break?

14 MR. FRIESEN: No, that's fine,
15 we can take another break.

16 THE WITNESS: Do you think
17 we're going to be going through lunch?
18 Because I -- if we do, I probably need to
19 order some lunch to be delivered. We can go
20 off the record, if you want, for this
21 discussion.

22 MR. FRIESEN: Yeah, let's go

10:08:01
10:08:07
10:08:15
10:08:21
10:08:26
10:08:30
10:08:34
10:08:39
10:08:41
10:08:48
10:08:51
10:08:57
10:08:58
10:09:01
10:09:02
10:09:03
10:09:04
10:09:10
10:09:12
10:09:17
10:09:18
10:09:19

Transcript of David Lett
Conducted on March 7, 2025

77

1	off the record, and we'll figure this out	10:09:20
2	real quick.	10:09:22
3	THE VIDEOGRAPHER: Stand by.	10:09:23
4	We're going off the record. The time is	10:09:24
5	10:09.	10:09:26
6	(Break taken from 10:09 a.m. to	10:09:28
7	10:20 a.m.)	10:20:40
8	THE VIDEOGRAPHER: We are back	10:20:42
9	on the record. The time is 10:20.	10:20:49
10	(BY MR. FRIESEN)	10:20:51
11	Q. Welcome back, Mr. Lett.	10:20:56
12	A. Thank you.	10:20:59
13	Q. During -- during the break, did	10:20:59
14	you speak to anyone about your testimony?	10:21:02
15	A. No.	10:21:04
16	Q. Okay. Let's -- I'm again sharing	10:21:04
17	a few of the documents that we were talking	10:21:23
18	about here.	10:21:26
19	Now in paragraph 24 of your	10:21:27
20	declaration, you refer to -- there's one	10:21:31
21	portion of the '251 specification as the sole	10:21:38
22	description regarding "retrieving," and it	10:21:42

1	says: "Once the message is retrieved by or	10:21:47
2	sent to the display device 22," that -- I	10:21:49
3	just want to make -- make clear, your under-	10:21:56
4	-- your opinion is that a -- you know, the	10:21:59
5	display device could retrieve the message by	10:22:05
6	asking for it and then receiving it, right?	10:22:10
7	That would be one way it could retrieve the	10:22:13
8	message?	10:22:16
9	A. That's right.	10:22:16
10	Q. And at the time of the invention	10:22:17
11	claimed in the '251 patent, a person of	10:22:23
12	ordinary skill in the art would have	10:22:27
13	understood what "retrieving" meant in this	10:22:29
14	context and how to do it, right?	10:22:33
15	A. I mean, I'm not sure.	10:22:49
16	Probably.	10:22:59
17	Q. All right. So the specification	10:23:03
18	doesn't need to provide a detailed	10:23:06
19	explanation of the protocols used in	10:23:09
20	retrieving data over a network for a person	10:23:13
21	of ordinary skill in the art to be able to --	10:23:17
22	to do that in a system?	10:23:21

1 A. I mean, all I'm relying on is --
2 is what it says, which is, "the message is
3 retrieved or sent to the display device" for
4 the understanding of what is being described
5 in the '251 patent.

6 Q. Right, and that's using -- it
7 uses the same word or, you know, a
8 conjugation of the same word, "retrieved,"
9 that the claims use, right?

10 A. Yeah. It says, "or sent to the
11 display device."

12 Q. Yeah. And --

13 A. Either one.

14 Q. -- and -- and if -- and if we
15 look at, you know, Claim 1, for example,
16 Claim 1 of the '251 patent, column 11,
17 starting at line 52 -- I'll highlight this
18 and zoom in.

19 And Claim 1 says, "storing, in a
20 database associated with the server system,
21 information for transmission to or retrieval
22 by the display device."

10:23:30

10:23:33

10:23:35

10:23:41

10:23:44

10:23:48

10:23:50

10:23:54

10:23:58

10:24:02

10:24:05

10:24:06

10:24:08

10:24:10

10:24:13

10:24:17

10:24:26

10:24:34

10:24:36

10:24:39

10:24:42

10:24:44

1 But Claim 22, as we looked at 10:24:57
2 before, says something different, right? 10:25:00

3 Claim 22 just says, "retrieving 10:25:08
4 by the display device from a server system." 10:25:10

5 A. Well, so if you were to go back 10:25:13
6 to my box, it says "retrieving." When you -- 10:25:16
7 and you -- and the box is labeled 10:25:20
8 "retrieving." I don't think it's necessarily 10:25:21
9 limited to asking for the information and 10:25:27
10 receiving information. It could just 10:25:28
11 specifically -- mean that I simply received 10:25:31
12 the information. 10:25:34

13 I think that would also be in the 10:25:34
14 "retrieving" box. 10:25:36

15 Q. So if -- if -- so then, in that 10:25:39
16 case, if you -- if information is simply 10:25:42
17 transmitted from the server to the display 10:25:45
18 device, then that also counts as 10:25:50
19 "retrieving"? 10:25:54

20 A. I'm not sure. 10:26:36

21 Q. Earlier -- earlier this morning, 10:26:42
22 you -- you said that "transmitting" and 10:26:44

1 "retrieving" are -- are different, they have 10:26:51
2 different meanings. I mean, I think I'm 10:26:56
3 paraphrasing, but I believe you said -- I 10:26:59
4 believe you testified to that. 10:27:02

5 A. I'm not sure if that's exactly 10:27:03
6 what I said. I was talking about -- 10:27:04

7 Q. Let me ask you about that -- 10:27:10

8 A. About -- go ahead. Sorry. 10:27:12

9 Q. Let me ask you now. 10:27:14

10 In the claims of the '251 patent, 10:27:16
11 do you agree that "transmitting" or 10:27:22
12 "transmission" or other variations of that 10:27:27
13 has a different scope than "retrieving" or 10:27:33
14 "retrieval" and the variations of that? 10:27:35

15 A. So I think I'm going to go back 10:28:00
16 to what I said earlier, which is, in general, 10:28:02
17 "retrieving" is asking for something and 10:28:05
18 getting it back. 10:28:06

19 Q. Okay. And "transmission" is 10:28:13
20 broader than that, correct? 10:28:17

21 A. Or maybe narrower, right, 10:28:20
22 because -- because when you ask for something 10:28:26

1	and get it back, the -- the getting it back	10:28:28
2	part involves the transmission, as well as	10:28:33
3	the asking for it involves a transmission.	10:28:35
4	Q. Well, let's -- let's take a step	10:28:38
5	back.	10:28:43
6	If I say the server transmits	10:28:43
7	A -- transmits data package A to the client,	10:28:46
8	then if the client retrieves data package A	10:28:55
9	from the server, there is a transmission of	10:29:01
10	data package A involved in that, correct?	10:29:03
11	A. That's right.	10:29:07
12	Q. But there are also other ways	10:29:08
13	that data package A could be transmitted from	10:29:12
14	the server to the client that don't involve	10:29:15
15	retrieving.	10:29:19
16	A. I think that's correct.	10:29:23
17	So one example might be, you	10:29:24
18	know, authorization of services that are	10:29:28
19	directed from the server for the client to be	10:29:32
20	able to view, like a -- you know, you're	10:29:36
21	authorized to receive HBO or something, as an	10:29:42
22	example.	10:29:50

1 But even then there's a -- 10:29:50
2 there's an exchange both directions in 10:29:53
3 communications. You know, the -- the network 10:29:55
4 module of Danciu is, you know, bidirectional, 10:29:58
5 right? 10:30:01

6 So essentially, you know, even 10:30:02
7 when you're, you know, functionally sending 10:30:04
8 information from point A to point B, there's 10:30:09
9 all kinds of interactions with 10:30:12
10 acknowledgments and so on in a two-way 10:30:14
11 network. 10:30:17

12 So there's communications going 10:30:21
13 both ways for almost any type of 10:30:23
14 communications in a two-way network. 10:30:25

15 Q. Right, communications can go both 10:30:28
16 ways; but communications going both ways is 10:30:32
17 not -- is not always a request for something 10:30:35
18 and then receiving that thing. 10:30:41

19 A. Well, I think it involves 10:30:47
20 communications both ways. When you request 10:30:49
21 something and you receive it -- 10:30:52

22 Q. It does, but that doesn't mean 10:30:53

1	that every instance of communications both	10:30:56
2	ways fits that description of "retrieving."	10:30:58
3	A. I'm not sure I understand the	10:31:08
4	question.	10:31:09
5	Q. Let me give you an example	10:31:09
6	outside the scope of this, but just to -- to	10:31:11
7	kind of get a clear understanding of what	10:31:14
8	we're talking about.	10:31:15
9	Are you familiar with the way	10:31:18
10	that e-mail servers work, generally?	10:31:20
11	A. Generally. Well, give me a try,	10:31:29
12	because I may not know the specific details	10:31:32
13	you're going to describe.	10:31:34
14	Q. Well, in -- so an e-mail client	10:31:37
15	running on my phone specifically, the e-mail	10:31:42
16	client running on my -- my cell phone will	10:31:47
17	receive -- will receive push, you know, data,	10:31:50
18	e-mails pushed to my phone; and obviously,	10:31:57
19	that could be implemented more than one way:	10:32:02
20	The software on my phone could ask for the	10:32:04
21	data, or the server could, you know, just	10:32:07
22	send it without waiting for the -- the	10:32:11

1	software on the phone to ask, right?	10:32:13
2	Those are two different	10:32:15
3	implementations. Both are possible. Does	10:32:17
4	that make sense?	10:32:22
5	A. I guess, but I don't know how	10:32:26
6	this relates to what we're talking about.	10:32:27
7	I really haven't spent much time	10:32:29
8	thinking about e-mail servers in a while,	10:32:32
9	so --	10:32:35
10	(Talking over each other.)	10:32:35
11	A. -- I'm not sure I am really	10:32:35
12	comfortable rendering an opinion based on	10:32:37
13	e-mail servers.	10:32:42
14	(BY MR. FRIESEN)	10:32:42
15	Q. If the server sends data without	10:32:42
16	being asked for it, that's still a	10:32:46
17	transmission, correct?	10:32:49
18	A. Again, transmission of	10:32:56
19	information is involved in all these	10:32:58
20	bidirectional communications.	10:33:01
21	Q. But if the server sends	10:33:05
22	information that has not been requested,	10:33:08

1 that's not a -- that's not "retrieving"; it 10:33:12
2 might be "transmitting," but it's not 10:33:16
3 "retrieving," right? 10:33:18

4 A. So I'm not sure what point we're 10:33:21
5 trying to get to. You know, I was trying to 10:33:23
6 respond to Dr. Wicker's argument that the 10:33:25
7 "retrieving" step would require an active 10:33:28
8 step by the display device to initiate 10:33:31
9 transfer of information, and that's what I 10:33:34
10 opined on in this in section; and I was using 10:33:37
11 the example of the powering on, like that 10:33:40
12 could be a result of a power outage and it 10:33:43
13 came back on, and -- and so to describe my 10:33:47
14 reply -- and I -- I don't -- I don't know 10:33:53
15 where we're going or -- 10:33:56

16 Q. Do you think -- 10:33:57

17 A. -- if we're focused on the 10:33:58
18 patents or what we're talking about in your 10:34:00
19 discussion just now. 10:34:04

20 Q. We're -- I understand the scope 10:34:06
21 of the term "retrieve" and how it's different 10:34:10
22 from the scope of the word "transmit." 10:34:15

1 A. So I'm not an attorney, and I am
2 doing my best to answer the questions that's
3 asked, but I don't think that I'm
4 comfortable, you know, providing a generic
5 definition of terms.

6 What I'm trying to do -- reply
7 to, specifically, is the issue at hand in the
8 paragraphs we've been discussing.

9 Q. So then, you don't -- you don't
10 have an opinion about the scope of the term
11 "retrieving" and how it's different from the
12 scope of the term "transmitting"?

13 A. I know one thing for sure --

14 MR. QUALEY: Objection to form.

15 THE WITNESS: Sorry, go ahead.

16 Oh, Paul, I didn't hear what
17 you said.

18 MR. QUALEY: I just said
19 "objection to form."

20 THE WITNESS: Okay.

21 MR. QUALEY: You -- you can go
22 ahead and answer the question.

10:34:16

10:34:24

10:34:28

10:34:33

10:34:36

10:34:38

10:34:40

10:34:46

10:34:50

10:34:53

10:34:57

10:35:00

10:35:02

10:35:03

10:35:06

10:35:09

10:35:12

10:35:13

10:35:14

10:35:14

10:35:17

10:35:18

1	A. Danciu discloses that inasmuch as	10:35:23
2	it is disclosed in the '251 patent, which is	10:35:27
3	the last sentence of my section, where I'm	10:35:29
4	basically countering Dr. Wicker's argument	10:35:33
5	that an active step from the display device	10:35:37
6	is required to initiate the "retrieving"	10:35:39
7	step.	10:35:42

8	And a perfect example is the box	10:35:47
9	being powered on, the display device being	10:35:50
10	powered on; it can include an active step --	10:35:53

11	(Talking over each other.)	10:35:53
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12	A. I mean, it can include an active	10:36:04
13	step, but it does not have to, as disclosed	10:36:05
14	by Danciu.	10:36:09

15	(BY MR. FRIESEN)	10:36:10
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16	Q. Take a look at -- so, for	10:36:14
17	instance, Dan- -- you -- you say -- here,	10:36:21
18	I'll highlight this. Danciu describes that	10:36:25
19	communications between its servers and	10:36:29
20	controlled device are initiated when a unique	10:36:32
21	identification code, i.e., synchronization	10:36:35
22	code, is assigned.	10:36:38

1	A. Right.	10:36:39
2	Q. That's -- that's referring to	10:36:39
3	communications being initiated, right?	10:36:42
4	A. That's right.	10:36:49
5	Q. Right. That's not specifically	10:36:49
6	referring to the transmission of information	10:36:51
7	identified in the "retrieving" step of the	10:36:55
8	'251 patent, Claim 22. You don't mention	10:36:59
9	that information in this sentence.	10:37:05
10	A. I'm sorry, can you read that --	10:37:08
11	is that a question?	10:37:10
12	Q. I'm saying that sentence there	10:37:15
13	does not refer specifically to any of the	10:37:20
14	information recited in the "retrieving" step	10:37:22
15	of Claim 22, correct?	10:37:25
16	A. Can you read that back slowly?	10:37:36
17	Q. Yeah. That sentence which I've	10:37:41
18	highlighted does not refer specifically to	10:37:44
19	any of the information recited in the	10:37:47
20	"retrieving" step of Claim 22, correct?	10:37:49
21	(Whereupon Exhibit 1112 was	10:37:49
22	shown.)	10:39:22

1	A. So I think what I was trying to	10:39:22
2	highlight was "upon connecting to a network	10:39:24
3	service, the" -- and this is paragraph --	10:39:28
4	excuse me -- column 4, line 26 of Danciu.	10:39:33
5	This says: "...upon connecting to a network	10:39:42
6	service, the remote controls and controlled	10:39:46
7	devices may notify the network service that	10:39:50
8	the remote controls and controlled devices	10:39:53
9	are connected to the network."	10:39:56
10	Q. Okay. So then the information in	10:40:07
11	the transmission from the controlled device	10:40:11
12	to the server would -- in that -- in that	10:40:15
13	instance would simply be the information that	10:40:20
14	the controlled device is connected to the	10:40:23
15	network?	10:40:26
16	A. Right.	10:40:30
17	Q. Okay.	10:40:32
18	A. So in other words, it's not	10:40:37
19	initiated by --	10:40:39
20	Q. Do you have more to say? I'm	10:41:01
21	sorry, you stopped in mid sentence, but	10:41:03
22	I'm -- I'm okay to move on if you're done	10:41:06

Transcript of David Lett
Conducted on March 7, 2025

91

1	with that -- with answering that question.	10:41:08
2	A. I was about to say something	10:41:10
3	else.	10:41:12
4	Q. Oh. What were you about to say?	10:41:12
5	A. That's okay. Go ahead.	10:41:36
6	Q. All right. So turn to Page 11,	10:41:55
7	paragraph 29, of your declaration, please.	10:41:59
8	A. Okay.	10:42:11
9	Q. And in this paragraph, you also	10:42:11
10	quote from Danciu, column 13, lines 7 through	10:42:21
11	11, and so it should... I'll highlight that,	10:42:33
12	as well.	10:42:52
13	So the quoted portion here, you	10:43:38
14	say you're -- you -- you're emphasizing the	10:43:46
15	fact that the -- the storage device on the	10:43:52
16	remote control has "application instructions	10:43:56
17	associated with a video application."	10:44:01
18	Do you see that?	10:44:06
19	A. Let me get my bearings. Just a	10:44:12
20	second.	10:44:15
21	Q. All right. I am back to your	10:44:15
22	declaration, paragraph 29, and we will be	10:44:18

1 going back and forth between your declaration 10:44:20
2 and Danciu a bit here, but I'm going to try 10:44:22
3 to stick to just those two documents unless 10:44:25
4 absolutely necessary. 10:44:28

5 A. Yes, I see that. 10:45:03

6 Q. Okay. Is it your opinion that 10:45:10
7 it's -- that the video application it's 10:45:19
8 referring to is a video application on the 10:45:23
9 controlled device? 10:45:27

10 A. So this particular section, 10:45:30
11 Figure 3, which is the remote control, is -- 10:45:32
12 and we're talking about Storage Device 92, 10:45:39
13 which is part of the controlled device -- 10:45:41
14 excuse me, I'm -- scratch that -- part of the 10:45:46
15 remote control. 10:45:50

16 As you can see from -- 10:45:52

17 Q. Well, I'm pulling up Figure 3, so 10:45:56
18 you have -- 10:45:59

19 A. Hang on, hang on. 10:45:59

20 So as you can see from Figure 1, 10:46:01
21 video is displayed on the remote control; and 10:46:03
22 this particular paragraph was talking about 10:46:08

1 the remote control.

10:46:11

2 Q. Okay. So --

10:46:24

3 (Talking over each other.)

10:46:28

4 A. And it's illustrating the
5 different, you know, video content from

10:46:28

6 YouTube, Hulu, Netflix, et cetera, could be
7 displayed on the remote control.

10:46:31

10:46:33

10:46:38

8 (BY MR. FRIESEN)

10:46:40

9 Q. Okay. So -- so in this instance,
10 the application instructions stored on
11 Storage Device 92, inside Remote Control 75,
12 right, you're quoting this language that says
13 they're associated with the video application
14 or web browser for displaying video content.
15 So, in this instance, the video application
16 or web browser, those would be also on the
17 remote control.

10:46:40

10:46:43

10:46:46

10:46:52

10:46:55

10:46:56

10:47:00

10:47:04

10:47:11

18 A. That's right, which -- which I

10:47:13

19 basically say in the next sentence: "A

10:47:23

20 POSITA reading Danciu would have understood

10:47:27

21 there would be no point in storing, on the

10:47:30

22 remote control, information specific to

10:47:33

1 particular media players that can be executed 10:47:35
2 on the control device if no information 10:47:37
3 identifying them was conveyed to the server 10:47:41
4 and subsequently to the controlled device via 10:47:44
5 Danciu's control information." 10:47:47

6 Q. And so just to be clear, that 10:47:49
7 sentence that you just read says that there 10:47:50
8 is -- or -- you know, right, is -- is -- you 10:47:55
9 are -- implies that there is information 10:48:01
10 specific to a particular media player that 10:48:03
11 can be executed on the controlled device and 10:48:06
12 that that information is stored on the remote 10:48:10
13 control. 10:48:15

14 A. So it's not the same information, 10:48:22
15 necessarily, but it's information identifying 10:48:26
16 the media player. 10:48:30

17 Q. And in this instance, the media 10:48:32
18 player is the media player playing the 10:48:34
19 content on the remote control, or are you 10:48:37
20 saying that the media player playing content 10:48:43
21 on the remote control and the media player 10:48:46
22 playing content on the controlled device are 10:48:49

1	the same because, as shown in Figure 1, they	10:48:52
2	show -- they are displaying the same content?	10:48:55
3	A. They are displaying the same	10:48:58
4	content --	10:49:00
5	MR. QUALEY: Objection, form.	10:49:01
6	THE WITNESS: Sorry, sorry, I	10:49:02
7	missed that.	10:49:03
8	(BY MR. FRIESEN)	10:49:06
9	Q. Okay.	10:49:08
10	MR. QUALEY: Yeah, I just said	10:49:08
11	objection to form, David. You can go ahead	10:49:09
12	and answer.	10:49:11
13	A. Yeah, so it's the same video	10:49:11
14	program, let's call it, like the picture of	10:49:14
15	the lady there with breaking news, right, as	10:49:17
16	shown in Figure 1 of Danciu.	10:49:20
17	(BY MR. FRIESEN)	10:49:22
18	Q. Right.	10:49:22
19	A. Which -- and the fact that it's	10:49:23
20	playing on the remote control and the	10:49:28
21	controlled device does not mean it's the same	10:49:30
22	media player, because the controlled device	10:49:34

1 is not necessarily the same type of device as 10:49:43
2 the remote control. 10:49:47

3 For example, the -- the 10:49:49
4 application that is most commonly associated 10:49:53
5 with this is that the television, right, 10:49:57
6 the -- the controlled device is a set-top 10:50:01
7 box, you know, with a television -- a set-top 10:50:06
8 box displaying video. 10:50:09

9 So it would have -- even if I'm 10:50:11
10 talking about YouTube, it would have a 10:50:12
11 different media player because it's the -- 10:50:15
12 the hardware and the -- and the operating 10:50:18
13 system and drivers and everything associated 10:50:22
14 with that particular control device are 10:50:24
15 different than the media player on a phone 10:50:30
16 that's also showing that same video with the 10:50:36
17 lady with the breaking news, as indicated in 10:50:41
18 Figure 1. 10:50:44

19 Q. So the phone would be using the 10:50:46
20 mobile device version of YouTube app- -- the 10:50:50
21 YouTube application, and the TV would be 10:50:54
22 using a TV application or a TV YouTube 10:50:58

1 application of some sort, and -- and your 10:51:02
2 testimony is that those would be different 10:51:07
3 media players? 10:51:09

4 A. Probably they would be, yes, 10:51:12
5 because the implementation is different on 10:51:14
6 those two devices. 10:51:19

7 Q. And as you say, though, the -- 10:51:30
8 the mobile phone or the Remote Control 75 in 10:51:33
9 Danciu has application instructions 10:51:37
10 associated with this video application for 10:51:40
11 displaying content. 10:51:46

12 One of the examples here is 10:51:47
13 YouTube content, so it has application 10:51:48
14 instructions associated with the application 10:51:51
15 or browser for displaying, in your -- in your 10:51:54
16 example, YouTube, right? 10:51:58

17 A. Yeah, so it might say -- the 10:52:00
18 remote might say, Hey, I want to watch 10:52:02
19 YouTube and I want to -- you know, I want to 10:52:05
20 watch this particular program on YouTube, 10:52:11
21 or -- and -- and then that's a -- gets 10:52:13
22 converted to a generic command in the remote 10:52:21

1	control.	10:52:23
2	Q. Well, hold on a second. Danciu	10:52:24
3	does not say that. You got that from	10:52:27
4	Mahajan, right?	10:52:30
5	A. I got that from the combination	10:52:31
6	of Danciu --	10:52:33
7	Q. They're not --	10:52:34
8	(Talking over each other.)	10:52:35
9	A. -- the architecture of Danciu	10:52:36
10	using the combination with Mahajan.	10:52:37
11	(BY MR. FRIESEN)	10:52:41
12	Q. Right. Let's -- let's hold off	10:52:41
13	on getting to that because I want to talk	10:52:43
14	about what Danciu says, and we can talk about	10:52:45
15	the combination later. All right? Let's	10:52:47
16	talk about Danciu first.	10:52:50
17	A. Well, all of my testimony is in	10:52:51
18	regard to the combination of using Danciu in	10:52:53
19	combination with Mahajan -- Danciu --	10:52:57
20	Mahajan -- Mahajan in that example, but	10:53:02
21	there's other grounds, too, but they're all	10:53:04
22	combinations that use --	10:53:07

1 Q. Yeah, you -- correct. I mean, I 10:53:08
2 understand what the -- the grounds are and 10:53:12
3 the ultimate opinions, but you also have 10:53:14
4 testimony describing what each of the 10:53:17
5 references independently teaches and -- and 10:53:18
6 then other testimony regarding the 10:53:24
7 combination, correct? 10:53:26

8 A. Right. 10:53:28

9 Q. And this sentence here, "In 10:53:30
10 particular, Danciu describes that the Storage 10:53:33
11 Device 92 inside its Remote Control 75 'may 10:53:36
12 store application instructions associated 10:53:40
13 with a video application or web browser for 10:53:42
14 displaying video content from the World Wide 10:53:45
15 Web, e.g. YouTube content, Hulu content, 10:53:48
16 Netflix content, et cetera.'" 10:53:52

17 I mean, that -- that sentence 10:53:54
18 doesn't say anything about Mahajan, right? 10:53:55

19 A. That's correct. 10:53:57

20 Q. Right. 10:53:57

21 And in the very next sentence, 10:54:00
22 you -- you testified: "A POSITA reading 10:54:05

1 Danciu would have understood that there would 10:54:12
2 be no point to storing, on the remote 10:54:14
3 control, information specific to particular 10:54:16
4 media players that could be executed on the 10:54:18
5 controlled device if no information 10:54:21
6 identifying them was conveyed to the server 10:54:23
7 and subsequently to the controlled device via 10:54:26
8 Danciu's control information." 10:54:31

9 A. Correct. 10:54:36

10 Q. And so just confirming that this 10:54:37
11 application instruction information that is 10:54:38
12 associated with a YouTube application, for 10:54:41
13 example, on a mobile phone, is -- that is the 10:54:42
14 information you're talking about, and you're 10:54:47
15 saying that a POSITA would have understood 10:54:50
16 that that information would -- would get used 10:54:57
17 in the system of Danciu because there would 10:55:00
18 be no point in storing it if it didn't, 10:55:06
19 right? 10:55:08

20 A. That's right. 10:55:08

21 So the information is specific to 10:55:09
22 identify the media player and commands 10:55:11

Transcript of David Lett
Conducted on March 7, 2025

101

1	associated with the media player, or else	10:55:13
2	there would be no point in having it.	10:55:23
3	Q. Right.	10:55:24
4	Okay. Let's set that aside for	10:55:27
5	now.	10:55:31
6	MR. FRIESEN: Actually, why	10:55:52
7	don't we go ahead and take a break.	10:55:53
8	THE WITNESS: Okay.	10:55:55
9	MR. QUALEY: Be back at five	10:55:57
10	after?	10:55:59
11	THE VIDEOGRAPHER: We are going	10:56:00
12	off the record. The time is 10:55.	10:56:02
13	(Break taken from 10:56 a.m. to	10:56:06
14	11:04 a.m.)	11:04:43
15	THE VIDEOGRAPHER: We are back	11:04:43
16	on the record. The time is 11:04.	11:04:58
17	MR. FRIESEN: All right. I	11:05:02
18	have no further questions for the witness.	11:05:03
19	Mr. Qualey, if you have any	11:05:08
20	questions...	11:05:09
21	MR. QUALEY: I do not have any	11:05:10
22	questions, either.	11:05:11

Transcript of David Lett
Conducted on March 7, 2025

102

1	MR. FRIESEN: All right. Then	11:05:12
2	we are concluded with the deposition for	11:05:17
3	today, and you are free to go, Mr. Lett.	11:05:20
4	THE VIDEOGRAPHER: Okay. I	11:05:23
5	will end the deposition for us.	11:05:24
6	This marks the end of the	11:05:25
7	deposition for David Lett. The time on the	11:05:26
8	monitor is 11:05.	11:05:30
9	(Deposition concluded.)	
10		
11		
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1 Certificate of Shorthand Reporter

2 I, Annette Peltier, CSR, Texas

3 Certified Realtime Reporter in and for the
4 State of Texas do hereby certify:

5 That DAVID LETT, the witness whose
6 deposition is herein before set forth, was
7 duly sworn before the commencement of such
8 deposition and that such deposition was taken
9 before me and is a true record of the
10 testimony given by such witness.

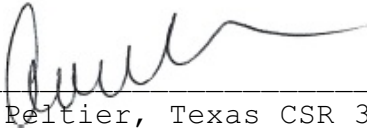
11 I further certify that the adverse
12 party, Petitioner, was represented by counsel
13 at the deposition.

14 I further certify that the deposition
15 of DAVID LETT occurred via Zoom
16 Videoconference on March 7, 2025, commencing
17 at 7:48 a.m. to 11:05 a.m. Central Time.

18 I further certify that I am not related
19 to any of the parties to this action by blood
20 or marriage, I am not employed by or an
21 attorney to any of the parties to this
22 action, and that I am in no way interested,

1 financially or otherwise, in the outcome of
2 this matter.

3 IN WITNESS WHEREOF, I have hereunto set
4 my hand this 13th day of March, 2025.

5 
6

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Transcript of David Lett
Conducted on March 7, 2025

105

A			
ability	99:18, 100:14	active	52:18, 61:10,
8:19	above	75:7, 75:8,	61:11, 61:17,
able	48:13, 58:17	75:16, 86:7,	61:21, 64:13,
9:20, 25:15,	above-styled	88:5, 88:10,	65:12, 66:21,
33:13, 63:16,	2:4	88:12	67:4, 71:20,
78:21, 82:20	absolute	actually	78:17, 79:1,
about	71:13	44:16, 48:13,	83:9, 85:19,
9:1, 11:13,	absolutely	72:19, 101:6	91:6, 91:21,
11:14, 12:19,	92:4	adjournment	98:15, 98:17,
14:9, 16:22,	abstract	4:8	98:21, 101:17,
18:17, 18:21,	40:7	adverse	102:1
19:19, 20:1,	abstraction	103:11	allowing
20:2, 20:5,	31:20, 31:21,	after	53:19
20:7, 20:12,	36:10, 36:11,	17:4, 22:4,	almost
20:15, 20:16,	38:5, 38:6,	101:10	83:13
21:8, 21:9,	38:8, 38:9,	again	along
21:15, 21:16,	38:11, 39:9,	13:6, 35:7,	54:15
22:5, 23:22,	39:10, 39:18,	36:22, 47:13,	already
24:17, 25:7,	39:21, 39:22,	56:2, 61:2,	73:11
25:21, 26:4,	40:4, 40:6,	66:4, 77:16,	also
29:4, 29:5,	40:14, 40:16,	85:18	3:21, 7:9,
30:9, 30:12,	41:9, 41:16,	agree	7:10, 9:10,
32:16, 32:20,	41:17, 41:21,	8:15, 27:15,	10:13, 21:7,
33:21, 34:9,	42:16, 43:7,	31:17, 44:10,	26:3, 29:14,
34:11, 35:4,	43:14, 45:22,	44:17, 45:21,	31:19, 36:9,
35:7, 39:6,	46:16, 53:19,	55:4, 56:16,	51:9, 58:12,
39:15, 41:5,	54:1, 54:3,	60:1, 62:19,	75:2, 80:13,
45:12, 46:4,	54:9, 54:12,	63:18, 71:6,	80:18, 82:12,
46:12, 47:9,	54:18, 55:4,	81:11	91:9, 93:16,
47:14, 52:13,	55:6, 55:12,	ahead	96:16, 99:3
54:16, 54:19,	58:17, 59:13,	9:7, 10:21,	although
54:20, 55:8,	59:16, 61:7,	13:5, 43:21,	11:4
55:14, 58:1,	63:9, 64:9,	72:19, 81:8,	altice
62:3, 62:5,	65:16	87:15, 87:22,	1:7, 6:12
67:10, 68:5,	accomplish	91:5, 95:11,	always
69:11, 71:3,	58:16, 59:15	101:7	32:21, 33:9,
71:12, 73:12,	accomplished	aldrey	34:9, 56:14,
76:11, 77:14,	53:1, 53:11	10:4, 18:11,	83:17
77:18, 81:6,	accurate	18:12, 37:4,	among
81:7, 81:8,	8:20	37:6, 42:2	12:18
84:8, 85:6,	acknowledge	all	annette
85:8, 86:18,	53:10	3:2, 6:21,	1:28, 2:6,
87:10, 91:2,	acknowledgments	9:19, 10:18,	7:13, 103:2,
91:4, 92:12,	83:10	11:12, 13:20,	104:7
92:22, 96:10,	across	15:7, 25:7,	another
98:14, 98:16,	15:11, 15:18	25:8, 31:12,	21:3, 24:12,
	action	43:13, 45:6,	24:20, 26:2,
	103:19, 103:22	45:18, 49:11,	35:20, 43:11,

Transcript of David Lett
Conducted on March 7, 2025

106

43:18, 44:4, 56:15, 58:7, 62:7, 76:13, 76:15 answer 23:13, 29:1, 33:13, 34:13, 34:22, 39:2, 39:5, 39:11, 39:14, 41:13, 65:7, 65:9, 87:2, 87:22, 95:12 answering 8:12, 32:2, 39:3, 91:1 any 8:18, 8:19, 9:1, 9:12, 11:15, 15:13, 16:19, 17:10, 17:11, 17:21, 20:5, 20:7, 27:3, 28:8, 31:4, 31:5, 35:5, 42:5, 70:3, 70:4, 71:19, 74:17, 83:13, 89:13, 89:19, 101:19, 101:21, 103:19, 103:21 anyone 47:9, 77:14 anything 14:18, 99:18 app 96:20 appeal 1:2, 6:15 appear 61:11 appearances 4:4 appearing 3:2 application 74:15, 91:16,	91:17, 92:7, 92:8, 93:10, 93:13, 93:15, 96:4, 96:21, 96:22, 97:1, 97:9, 97:10, 97:13, 97:14, 99:12, 99:13, 100:11, 100:12 applications 15:3 apply 24:7, 74:17 applying 75:15 appreciate 9:10 appreciated 23:19, 48:15 appropriate 24:9 arbitrarily 26:8, 26:20, 26:22 arbitrary 19:5, 21:3, 25:17, 35:2, 66:17 architecture 18:7, 18:9, 18:10, 18:11, 37:1, 37:2, 37:4, 42:1, 42:5, 42:9, 98:9 areas 18:6 argument 75:5, 86:6, 88:4 around 31:13 arrow 30:15, 30:19 art 10:2, 42:7, 55:5, 55:12, 78:12, 78:21 aside 101:4	asked 66:15, 85:16, 87:3 asking 8:11, 9:2, 9:4, 18:17, 18:18, 23:5, 32:14, 39:6, 39:7, 41:13, 65:8, 70:12, 70:22, 71:8, 71:16, 74:2, 74:9, 75:7, 78:6, 80:9, 81:17, 82:3 asks 74:3 assigned 26:20, 88:22 associated 79:20, 91:17, 93:13, 96:4, 96:13, 97:10, 97:14, 99:12, 100:12, 101:1 assume 9:3, 26:13, 48:9, 48:12 assumption 19:22 attached 2:11 attending 6:22 attorney 87:1, 103:21 audio 65:6 authorization 82:18 authorized 82:21 avoid 11:15 aware 8:22, 27:3 B back 17:15, 27:18,	45:20, 50:7, 55:9, 55:22, 57:11, 71:1, 71:16, 77:8, 77:11, 80:5, 81:15, 81:18, 82:1, 82:5, 86:13, 89:16, 91:21, 92:1, 101:9, 101:15 bacon 3:16 banner 3:8, 7:8, 7:10 bar 46:9, 46:15 barely 64:5 based 31:7, 34:17, 48:19, 60:21, 85:12 basic 8:10 basically 5:4, 16:21, 88:4, 93:19 bearings 91:19 because 18:19, 24:15, 28:13, 28:15, 32:5, 32:11, 33:22, 34:22, 35:3, 35:7, 38:4, 39:14, 45:8, 63:13, 66:4, 66:14, 67:8, 76:18, 81:22, 84:12, 95:1, 95:22, 96:11, 97:5, 98:13, 100:17 become 69:5 been 7:17, 54:18, 54:20, 66:15,
--	---	--	--

Transcript of David Lett
Conducted on March 7, 2025

107

69:18, 69:21, 85:22, 87:8 before 1:2, 2:6, 6:14, 8:11, 9:9, 31:3, 35:4, 47:15, 65:8, 80:2, 103:6, 103:7, 103:9 beginning 55:2 begins 6:8, 13:13 behalf 3:4, 3:13 being 41:22, 49:13, 57:12, 57:13, 61:18, 61:22, 68:1, 68:11, 75:13, 79:4, 85:16, 88:9, 89:3 believe 22:11, 41:12, 75:9, 76:8, 81:3, 81:4 below 52:8 best 87:2 better 42:17 between 19:6, 19:14, 22:2, 24:1, 24:16, 25:15, 26:4, 27:14, 36:19, 53:21, 88:19, 92:1 bidirectional 23:2, 23:22, 24:8, 25:21, 28:16, 29:4, 30:7, 30:8, 30:11, 83:4, 85:20 bit 8:3, 54:8,	66:17, 92:2 blood 103:19 board 1:2, 6:15 both 11:10, 13:8, 16:3, 16:7, 38:9, 39:9, 41:7, 41:17, 42:15, 42:19, 62:18, 66:20, 83:2, 83:13, 83:15, 83:16, 83:20, 84:1, 85:3 box 71:14, 71:15, 80:6, 80:7, 80:14, 88:8, 96:7, 96:8 break 46:18, 46:20, 47:3, 47:8, 76:13, 76:15, 77:6, 77:13, 101:7, 101:13 breaking 95:15, 96:17 broaden 81:20 browser 93:14, 93:16, 97:15, 99:13 C cable 1:4, 6:10 call 19:7, 24:9, 26:2, 37:20, 67:5, 95:14 called 20:18, 71:14 calling 17:10, 17:21, 26:8 calls 21:7	calvert 10:4 came 86:13 camera 69:16 capabilities 16:19 capability 28:16, 29:5, 52:2 case 1:8, 6:15, 8:6, 10:10, 10:15, 75:17, 75:22, 80:16 caught 48:22 cause 2:5 cell 84:16 central 2:6, 103:17 certain 72:14 certificate 4:10, 103:1 certified 2:7, 103:3 certify 103:4, 103:11, 103:14, 103:18 cetera 93:6, 99:16 chance 65:9 channel 29:17, 30:14 charter 1:6, 6:11 check 45:5 cite 44:19, 45:2, 45:7, 45:17, 51:2, 52:19, 53:7, 53:17,	60:10 cited 44:20 claim 60:16, 72:20, 73:1, 79:15, 79:16, 79:19, 80:1, 80:3, 89:8, 89:15, 89:20 claimed 78:11 claims 70:11, 72:7, 72:10, 72:13, 79:9, 81:10 clean 8:14 cleanly 54:8 clear 16:16, 26:7, 78:3, 84:7, 94:6 client 16:8, 16:11, 16:17, 17:6, 18:21, 18:22, 19:4, 19:8, 19:10, 19:11, 20:9, 20:13, 20:18, 21:2, 21:7, 21:10, 21:19, 21:20, 22:15, 22:21, 23:8, 23:10, 24:7, 24:22, 25:1, 25:2, 25:11, 26:9, 26:14, 27:9, 28:2, 28:6, 29:13, 29:18, 29:22, 30:2, 30:3, 30:4, 30:20, 31:7, 31:11, 31:15, 32:15, 33:6, 33:20, 35:2, 35:20, 36:3,
--	--	---	---

Transcript of David Lett
Conducted on March 7, 2025

108

36:16, 36:19, 37:9, 37:16, 37:20, 38:1, 48:2, 48:8, 48:16, 49:14, 49:21, 50:3, 50:15, 51:4, 51:11, 53:22, 55:19, 56:9, 57:4, 59:14, 61:10, 62:12, 62:14, 68:12, 68:21, 74:13, 74:18, 82:7, 82:8, 82:14, 82:19, 84:14, 84:16 client's 39:20, 39:21, 40:2 clients 23:21 code 88:21, 88:22 coherent 34:2 collaboration 39:8, 40:6, 40:16, 41:8, 41:15, 42:15, 45:22, 46:15, 52:8, 52:10, 52:15, 53:2, 53:12, 53:21 collaborative 57:22 column 49:6, 72:20, 73:2, 76:8, 79:16, 90:4, 91:10 combi 37:5 combination 37:6, 42:2, 42:3, 42:6, 98:5, 98:10, 98:15, 98:18,	98:19, 99:7 combinations 98:22 combined 40:15 comcast 1:4, 6:10, 7:9, 7:11 come 68:6 comes 10:20, 22:21 comfortable 85:12, 87:4 command 43:10, 43:11, 57:12, 57:13, 57:15, 74:7, 75:21, 76:5, 97:22 commands 18:13, 18:14, 39:19, 39:20, 40:1, 40:8, 40:20, 40:22, 41:1, 42:10, 42:11, 42:13, 42:14, 42:15, 42:18, 43:18, 44:2, 44:3, 51:22, 52:18, 53:4, 53:5, 53:6, 55:19, 56:8, 57:3, 57:4, 58:6, 58:10, 60:15, 62:6, 62:12, 62:19, 62:22, 63:7, 63:15, 64:10, 64:14, 64:17, 64:18, 64:20, 65:3, 65:21, 66:7, 66:10, 66:12, 66:20, 67:5, 67:17, 67:19, 67:22, 68:1, 68:2, 68:5,	68:11, 68:13, 68:22, 69:5, 71:3, 74:12, 100:22 commencement 103:7 commencing 103:16 commonly 96:4 commune 25:22 communicate 29:18 communicating 32:8 communication 26:1, 29:15, 29:21, 30:7, 30:9, 62:14, 62:17 communications 1:5, 1:6, 6:11, 14:6, 15:5, 15:13, 23:3, 24:1, 24:8, 24:15, 25:8, 25:21, 26:4, 29:20, 30:1, 30:11, 31:8, 31:13, 38:2, 66:17, 83:3, 83:12, 83:14, 83:15, 83:16, 83:20, 84:1, 85:20, 88:19, 89:3 component 20:17, 20:18, 21:9, 24:20, 26:1, 26:3, 26:5, 28:9, 31:4, 31:6, 35:21, 41:5 components 15:18, 17:7, 18:5, 19:8, 19:12, 19:13,	19:16, 20:2, 20:6, 20:8, 21:21, 24:1, 24:16, 24:19, 25:7, 27:10, 27:14, 28:3, 28:7, 32:7, 35:9, 35:11, 35:14 computer 24:21, 32:16, 32:22, 33:9, 34:9, 34:19 computing 12:17, 13:3, 13:15, 14:3, 14:9, 14:12, 14:19, 15:8, 15:10, 15:19, 16:2, 16:13, 17:11, 17:21, 22:13, 22:20, 22:22, 23:9, 23:11, 24:13, 24:14, 24:19, 24:22, 36:6, 36:8 con 33:6 conate 16:18 concluded 102:2, 102:9 conditions 8:18 confirm 11:10, 61:4 confirming 100:10 confused 34:4 confusion 9:1, 11:16 conjugation 79:8 connected 5:21, 90:9, 90:14
--	---	---	--

Transcript of David Lett
Conducted on March 7, 2025

109

connecting 38:1, 90:2, 90:5 connotate 16:18 consider 15:1 consistent 61:17, 61:21 constitute 14:19 contact 75:12 content 93:5, 93:14, 94:19, 94:20, 94:22, 95:2, 95:4, 97:11, 97:13, 99:14, 99:15, 99:16 context 18:22, 33:7, 67:11, 70:11, 73:11, 78:14 contexts 52:14 continues 59:12 contrast 71:17 control 91:16, 92:11, 92:15, 92:21, 93:1, 93:7, 93:11, 93:17, 93:22, 94:2, 94:5, 94:13, 94:19, 94:21, 95:20, 96:2, 96:14, 97:8, 98:1, 99:11, 100:3, 100:8 controlled 75:11, 88:20, 90:6, 90:8, 90:11, 90:14, 92:9, 92:13, 94:4, 94:11,	94:22, 95:21, 95:22, 96:6, 100:5, 100:7 controlling 52:21 controls 90:6, 90:8 conversation 76:10 conversion 18:13, 40:19, 42:10, 42:18, 53:3, 62:6 conversions 43:17 convert 44:2, 44:3, 51:21, 51:22 converted 97:22 converting 40:21, 42:12, 42:14 converts 39:18 conveyed 53:20, 94:3, 100:6 copies 9:11, 10:2 copy 10:6, 10:11, 10:16, 11:2, 11:6, 64:6 correct 8:6, 10:4, 10:8, 12:6, 12:7, 12:13, 14:14, 16:8, 16:13, 24:14, 25:5, 25:16, 27:1, 28:10, 30:21, 34:10, 34:12, 35:15, 35:21, 36:3, 36:7, 36:12, 36:17, 37:9, 37:18, 37:21,	38:10, 41:19, 42:16, 43:2, 46:17, 48:8, 48:9, 50:18, 53:13, 54:4, 54:13, 60:22, 62:9, 68:2, 81:20, 82:10, 82:16, 85:17, 89:15, 89:20, 99:1, 99:7, 99:19, 100:9 correctly 33:14, 52:11, 52:12, 68:7 could 15:10, 15:17, 16:6, 28:12, 28:21, 31:5, 31:6, 31:21, 33:6, 33:20, 36:20, 37:19, 51:4, 51:9, 65:10, 66:14, 71:22, 72:8, 78:5, 78:7, 80:10, 82:13, 84:19, 84:20, 84:21, 86:12, 93:6, 100:4 counsel 7:1, 103:12 countering 88:4 counts 80:18 court 4:10, 5:1, 5:6, 5:10, 5:16, 5:20, 6:1, 6:4, 7:12 courtesy 8:13 cover 10:18 coy 12:21 create 40:5, 40:15	cross-reference 9:9 csr 2:7, 103:2, 104:7 D dan 88:17 danc 16:16 danciu 4:18, 10:3, 18:11, 37:2, 37:3, 42:2, 75:11, 76:1, 76:10, 83:4, 88:1, 88:14, 88:18, 90:4, 91:10, 92:2, 93:20, 95:16, 97:9, 98:2, 98:6, 98:9, 98:14, 98:16, 98:18, 98:19, 99:10, 100:1, 100:17 danciu's 75:12, 94:5, 100:8 dashed 47:15 data 29:12, 74:13, 74:14, 74:18, 78:20, 82:7, 82:8, 82:10, 82:13, 84:17, 84:21, 85:15 database 79:20 date 6:17, 104:8 davenport 3:7, 7:10 david 1:20, 2:2, 6:10, 7:16,
---	---	--	--

Transcript of David Lett
Conducted on March 7, 2025

110

95:11, 102:7, 103:5, 103:15 day 104:4 deal 35:1 declaration 4:23, 10:7, 10:11, 10:22, 11:2, 11:3, 11:14, 11:15, 12:1, 12:11, 40:12, 44:6, 44:11, 44:19, 44:21, 44:22, 45:3, 45:4, 45:9, 45:18, 50:21, 51:2, 51:19, 52:20, 53:9, 53:13, 53:17, 56:1, 56:3, 60:10, 60:14, 69:9, 74:7, 75:3, 77:20, 91:7, 91:22, 92:1 declaring 67:1 definitely 72:2 definition 87:5 delivered 76:19 depos 6:20, 7:14 deposed 8:6 deposition 1:19, 2:1, 6:9, 6:21, 8:5, 8:9, 10:8, 102:2, 102:5, 102:7, 102:9, 103:6, 103:8, 103:13, 103:14 describe 12:15, 15:2,	16:11, 27:9, 27:13, 28:2, 28:6, 60:13, 63:10, 75:10, 84:13, 86:13 described 19:14, 30:4, 41:18, 48:5, 52:8, 58:15, 58:17, 58:22, 59:7, 70:7, 71:2, 76:4, 79:4 describes 12:9, 12:16, 12:22, 17:6, 18:4, 23:2, 28:16, 29:14, 30:6, 31:19, 43:1, 43:6, 52:21, 56:18, 57:11, 57:12, 58:13, 68:8, 75:11, 88:18, 99:10 describing 14:11, 15:16, 19:6, 19:16, 21:10, 26:20, 27:1, 29:8, 32:7, 32:8, 32:17, 32:19, 33:7, 34:7, 41:3, 41:4, 48:18, 56:7, 76:1, 99:4 description 4:13, 14:14, 14:16, 14:21, 17:5, 21:17, 31:7, 32:21, 33:1, 33:10, 33:19, 34:1, 34:10, 34:20, 49:19, 53:11, 63:22, 75:18, 77:22, 84:2 desktop 29:12, 68:14,	69:1 detail 43:8 detailed 78:18 details 84:12 device 17:12, 17:21, 22:3, 22:14, 22:15, 22:19, 22:21, 23:7, 23:10, 25:15, 26:15, 26:16, 31:10, 31:11, 31:14, 31:15, 72:16, 73:13, 73:16, 73:17, 74:3, 74:9, 75:12, 75:16, 75:20, 76:2, 76:4, 78:2, 78:5, 79:3, 79:11, 79:22, 80:4, 80:18, 86:8, 88:5, 88:9, 88:20, 90:11, 90:14, 91:15, 92:9, 92:12, 92:13, 93:11, 94:2, 94:4, 94:11, 94:22, 95:21, 95:22, 96:1, 96:6, 96:14, 96:20, 99:11, 100:5, 100:7 devices 14:5, 15:12, 16:4, 16:12, 16:20, 16:22, 17:11, 25:19, 90:7, 90:8, 97:6 diagram 30:22, 36:9, 46:5, 46:13, 50:6 diagrams 54:16	different 18:6, 25:10, 26:12, 31:22, 34:19, 35:8, 35:9, 42:22, 51:11, 57:9, 63:6, 80:2, 81:1, 81:2, 81:13, 85:2, 86:21, 87:11, 93:5, 96:11, 96:15, 97:2, 97:5 differentiate 25:15 differently 27:22 difficult 67:2 directed 82:19 direction 30:16, 30:19, 56:21 directions 42:19, 62:18, 66:20, 83:2 disclosed 42:5, 71:4, 88:2, 88:13 discloses 54:17, 76:1, 88:1 disclosure 19:1, 51:4, 60:16 discussing 45:11, 87:8 discussion 74:6, 76:21, 86:19 display 72:15, 73:12, 73:16, 73:17, 74:2, 74:9, 75:15, 75:19, 75:20, 76:2, 76:3, 78:2,
--	--	--	---

Transcript of David Lett
Conducted on March 7, 2025

111

78:5, 79:3, 79:11, 79:22, 80:4, 80:17, 86:8, 88:5, 88:9 displayed 92:21, 93:7 displaying 93:14, 95:2, 95:3, 96:8, 97:11, 97:15, 99:14 disputing 75:5 distributed 12:10, 12:17, 13:2, 13:14, 13:15, 14:2, 14:9, 14:12, 14:19, 15:4, 15:8, 15:10, 15:11, 15:17, 15:19, 16:2, 16:12, 24:13, 35:7, 36:5 distributing 16:1 document 23:16, 34:17 documents 9:12, 77:17, 92:3 doing 8:2, 19:15, 19:17, 25:16, 87:2 done 90:22 down 47:15, 49:2, 63:13 dr 38:14, 38:15, 39:16, 40:12, 44:6, 44:11, 45:3, 45:9, 75:5, 75:9, 86:6, 88:4 draft 5:17, 6:2	drive 9:17, 104:10 drivers 96:13 dshow 50:11, 51:14 due 5:6 duly 2:3, 7:17, 103:7 during 47:8, 77:13	employed 103:20 end 102:5, 102:6 enough 32:15 entering 68:13 enters 68:21 entire 33:12, 34:13, 46:5, 62:4 environment 12:10, 12:17, 13:3, 14:3, 14:4, 14:9, 14:12, 14:20, 15:8, 15:10, 16:2, 16:13, 22:13, 22:21, 23:1, 23:9, 23:11, 24:13, 24:14, 24:20, 24:22, 36:6 environments 13:15, 15:20 esquire 3:6, 3:7, 3:15 essentially 51:20, 83:6 et 93:6, 99:16 even 25:1, 25:16, 26:19, 31:22, 34:1, 83:1, 83:6, 96:9 every 21:9, 84:1 everything 48:6, 48:7, 96:13 exactly 81:5 examination 4:6, 7:19 example 15:19, 15:22,	16:5, 16:8, 18:14, 22:1, 22:13, 22:16, 22:19, 23:6, 23:18, 24:12, 24:21, 28:13, 29:2, 29:10, 30:10, 33:1, 33:2, 35:6, 41:2, 50:1, 51:13, 52:1, 53:17, 58:15, 58:21, 59:1, 59:6, 59:9, 59:10, 59:11, 60:17, 62:13, 65:16, 67:6, 67:9, 70:14, 71:4, 73:22, 74:9, 74:22, 75:8, 79:15, 82:17, 82:22, 84:5, 86:11, 88:8, 96:3, 97:16, 98:20, 100:13 examples 13:13, 14:11, 15:7, 19:20, 23:17, 28:14, 35:5, 44:1, 50:10, 50:17, 58:3, 60:13, 97:12 exchange 83:2 excuse 16:15, 46:4, 90:4, 92:14 execute 75:21, 76:5 executed 94:1, 94:11, 100:4 exemplary 46:6, 53:18, 54:10, 55:3, 61:19, 61:22
E			
	e-mail 84:10, 84:14, 84:15, 85:8, 85:13 e-mails 84:18 each 24:5, 32:6, 38:19, 49:12, 60:3, 85:10, 88:11, 93:3, 98:8, 99:4 earlier 8:3, 27:8, 44:5, 80:21, 81:16 effectively 53:20 effort 35:1 either 79:13, 101:22 electronically 9:21 elements 60:17 else 45:11, 91:3, 101:1 embodiment 33:11 emphasizing 91:14		

Transcript of David Lett
Conducted on March 7, 2025

112

exemplify 61:18 exhibit 4:14, 4:17, 4:19, 4:22, 10:12, 10:14, 11:14, 11:19, 12:5, 13:9, 73:7, 89:21 exhibits 4:12, 9:8, 9:19 expect 10:19 experiencing 8:18 expiration 104:8 explain 33:4, 35:1 explanation 78:19 expressed 70:3	30:5, 30:13, 31:8, 31:9, 32:1, 32:9, 32:17, 32:20, 32:21, 33:8, 33:19, 34:1, 34:8, 34:12, 35:14, 35:22, 36:6, 36:13, 36:15, 36:18, 37:7, 37:8, 41:3, 41:4, 41:9, 41:15, 42:5, 42:17, 43:8, 43:13, 45:20, 46:3, 46:5, 46:9, 47:12, 47:14, 47:16, 49:22, 50:2, 54:10, 54:17, 55:7, 55:13, 55:15, 57:12, 57:19, 58:13, 58:14, 58:20, 58:22, 59:6, 59:8, 59:19, 59:20, 60:8, 60:13, 60:22, 61:2, 61:5, 61:12, 61:15, 61:18, 61:22, 62:2, 62:3, 62:5, 62:9, 63:17, 63:22, 67:6, 67:8, 67:10, 67:11, 77:1, 92:11, 92:17, 92:20, 95:1, 95:16, 96:18 files 52:22, 53:1 final 5:13, 6:5 financially 104:1 fine 11:7, 46:19,	76:14 finish 8:11, 39:13 firm 104:9 first 7:17, 19:20, 22:2, 22:3, 22:13, 26:15, 29:11, 31:10, 31:14, 40:9, 43:13, 44:22, 45:3, 45:17, 52:6, 60:14, 68:17, 68:18, 69:15, 98:16 fit 14:20 fits 84:2 five 101:9 flexible 18:7, 35:10, 44:2, 52:1 flipped 31:12 flowing 31:9 focused 86:17 folder 9:18 follow 45:1, 54:15, 66:5 follows 7:18 form 16:14, 17:14, 18:2, 20:20, 21:12, 22:7, 25:3, 27:17, 28:11, 40:17, 43:3, 46:2, 54:5, 60:9, 63:2, 73:21, 87:14, 87:19,	95:5, 95:11 format 18:15, 43:18, 58:6, 62:7 forth 29:13, 92:1, 103:6 foundation 50:11, 51:15 free 102:3 friesen 3:15, 4:6, 5:3, 5:8, 5:12, 5:18, 7:4, 7:20, 11:21, 13:11, 17:2, 17:17, 18:16, 21:4, 21:22, 22:10, 24:11, 25:4, 27:20, 28:18, 32:10, 38:20, 41:6, 43:5, 46:10, 46:19, 47:7, 54:6, 60:5, 60:19, 63:4, 73:9, 74:5, 76:14, 76:22, 77:10, 85:14, 88:15, 93:8, 95:8, 95:17, 98:11, 101:6, 101:17, 102:1 front 56:4 functionality 15:17, 18:4, 19:6, 36:20, 41:20, 53:19, 54:1, 54:12, 55:4, 71:5 functionally 39:8, 83:7 functions 41:16 further 19:22, 52:21,
F			
fact 24:8, 31:22, 51:9, 91:15, 95:19 fair 9:5, 56:17, 59:22, 60:20, 71:21 familiar 84:9 familiarity 34:17 far 60:11 fax 104:14 few 8:10, 23:15, 77:17 fig 58:18 figure 29:9, 29:21,			

101:18, 103:11, 103:14, 103:18	101:7, 102:3	hardy 3:16	http 71:4, 74:22
G	goal 43:6, 43:9	hbo 82:21	http-implemented 74:12
gave 75:5	goes 26:1, 62:17	hear 59:2, 87:16	hulu 93:6, 99:15
gen 44:1	going 25:8, 27:12, 29:15, 29:22, 30:1, 32:4, 36:8, 45:20, 47:1, 50:7, 56:20, 57:8, 62:12, 64:16, 66:4, 66:6, 66:20, 69:11, 72:9, 76:9, 76:17, 77:4, 81:15, 83:12, 83:16, 84:13, 86:15, 92:1, 92:2, 101:11	helps 64:1	hungerford 104:10
general 14:13, 57:18, 58:21, 59:7, 71:13, 72:9, 74:20, 81:16	good 7:21, 7:22, 8:14	here 6:8, 10:22, 18:20, 19:3, 21:19, 33:17, 44:16, 50:9, 51:18, 59:5, 63:13, 77:18, 88:17, 91:13, 92:2, 97:12, 99:9	hypothetical 31:18, 68:20
generally 70:22, 71:6, 72:13, 84:10, 84:11	great 35:1, 35:3	hereby 103:4	I
generic 18:15, 39:19, 40:1, 40:20, 40:22, 42:10, 42:13, 42:14, 42:19, 42:20, 53:4, 53:5, 58:4, 58:11, 87:4, 97:22	ground 8:10	herein 16:18, 103:6	identification 88:21
genericize 40:7	grounds 37:3, 37:5, 98:21, 99:2	hereto 2:11	identified 37:13, 68:1, 69:11, 89:7
getting 65:6, 71:1, 71:16, 81:18, 82:1, 98:13	guess 37:19, 85:5	hereunto 104:3	identify 100:22
give 8:12, 73:1, 75:4, 84:5, 84:11	H	hey 97:18	identifying 25:18, 68:8, 94:3, 94:15, 100:6
given 103:10	hand 87:7, 104:4	hi 5:20	illustrated 43:8
go 9:7, 10:21, 13:5, 26:12, 30:20, 43:21, 57:11, 72:19, 76:19, 76:22, 80:5, 81:8, 81:15, 83:15, 87:15, 87:21, 91:5, 95:11,	handling 52:9	high 52:16	illustrates 46:6
	hang 92:19	high-level 14:15	illustrating 62:17, 93:4
	happening 35:17, 36:2, 42:15, 62:1, 62:9, 63:17	highlight 22:12, 64:2, 79:17, 88:18, 90:2, 91:11	illustration 42:18, 57:20
	hard 11:4, 66:5	highlighted 65:14, 67:12, 89:18	immediately 22:4
	hardware 96:12	highlighting 64:4	implement 75:1
		hold 32:11, 98:2, 98:12	implementation 26:21, 27:1, 28:8, 28:10, 48:5, 49:19, 54:4, 61:19, 61:22, 97:5
		houston 3:18	implementations 23:19, 53:18, 54:11, 55:3, 55:8, 55:14, 85:3
			implemented 41:22, 84:19

implies 94:9 inasmuch 88:1 inc 1:7, 1:14, 6:12, 6:13 include 15:8, 15:11, 23:20, 55:18, 56:8, 71:11, 72:1, 88:10, 88:12 included 72:3 includes 12:1, 37:11, 38:3, 38:5, 38:9, 39:9, 41:16, 69:12, 70:15, 71:10 including 53:2 inclusive 15:7 independently 99:5 index 4:1 indicated 55:22, 96:17 information 8:20, 66:15, 70:13, 70:14, 70:17, 70:20, 71:7, 71:8, 71:18, 71:19, 72:14, 73:15, 73:18, 73:19, 74:1, 74:4, 75:2, 75:7, 79:21, 80:9, 80:10, 80:12, 80:16, 83:8, 85:19, 85:22, 86:9, 89:6, 89:9, 89:14, 89:19, 90:10,	90:13, 93:22, 94:2, 94:5, 94:9, 94:12, 94:14, 94:15, 100:3, 100:5, 100:8, 100:11, 100:14, 100:16, 100:21 initiate 75:12, 86:8, 88:6 initiated 88:20, 89:3, 90:19 input 57:13, 57:14, 63:10, 63:17, 64:17, 65:3, 66:7, 66:12, 66:16, 67:2 inside 93:11, 99:11 instance 2:3, 27:3, 34:16, 84:1, 88:17, 90:13, 93:9, 93:15, 94:17 instead 64:13 instruction 100:11 instructions 91:16, 93:10, 97:9, 97:14, 99:12 intentionally 27:11 interactions 83:9 interchangeable 26:14 interested 103:22 interfere 8:19 interrupt 32:4	invention 78:10 involve 71:19, 82:14 involved 82:10, 85:19 involves 70:22, 82:2, 82:3, 83:19 ipr 1:9, 6:16 issue 87:7 item 46:1 J james 3:22, 6:20 job 1:26 josh 7:9 joshua 3:7 K keep 65:8 kicked 69:22 kind 15:13, 31:2, 67:22, 74:17, 84:7 kinds 60:18, 83:9 know 5:14, 5:15, 8:10, 9:3, 9:11, 9:21, 16:16, 20:5, 20:7, 26:13, 27:5, 28:15, 28:17, 28:22, 30:13, 31:19, 32:15, 33:5, 34:13, 45:6, 50:21,	54:3, 55:21, 60:14, 61:6, 62:1, 62:14, 64:17, 66:18, 66:21, 70:14, 71:2, 71:12, 71:14, 72:18, 75:2, 75:15, 75:17, 78:4, 79:7, 79:15, 82:18, 82:20, 83:3, 83:4, 83:6, 83:7, 84:12, 84:17, 84:21, 85:5, 86:5, 86:14, 87:4, 87:13, 93:5, 94:8, 96:7, 97:19 kyle 3:15, 7:4 L labeled 80:7 labels 26:22, 27:12, 61:11 lady 95:15, 96:17 language 93:12 last 8:5, 9:16, 41:11, 55:10, 88:3 later 23:15, 23:21, 41:18, 71:3, 98:15 latest 5:13 layer 31:20, 38:6, 38:8, 38:12, 39:9, 40:6, 40:16, 41:9, 41:16, 41:21,
---	--	--	--

Transcript of David Lett
Conducted on March 7, 2025

115

42:16, 43:7, 45:22, 46:16 least 14:10, 30:10, 49:18, 71:10, 71:15 left 47:19, 48:6, 57:14, 61:8 length 35:4 let's 10:21, 13:5, 19:7, 26:2, 26:12, 26:13, 37:7, 47:12, 48:10, 61:2, 63:21, 65:12, 76:9, 76:22, 77:16, 82:4, 95:14, 98:12, 98:15, 101:4 lett 1:20, 2:2, 4:23, 6:10, 7:16, 7:21, 38:17, 47:8, 59:3, 65:5, 77:11, 102:3, 102:7, 103:5, 103:15 level 52:17 light 13:19 limited 31:1, 80:9 line 47:15, 47:19, 48:1, 48:6, 48:8, 72:20, 73:3, 76:9, 79:17, 90:4 lines 73:2, 91:10 linked 14:5, 15:12 lists 9:18, 73:14	literally 19:11, 21:20, 32:13 little 8:3, 11:4, 26:11, 54:8, 66:16, 67:2 llc 1:5, 6:11 local 16:3 located 16:3, 16:7, 18:6, 36:16, 38:12, 46:1, 48:20, 49:20 location 39:7 long 69:18, 69:21 look 11:5, 13:5, 13:8, 21:14, 27:2, 29:7, 29:16, 37:7, 47:12, 48:10, 52:3, 54:15, 63:21, 63:22, 79:15, 88:16 looked 27:8, 51:3, 80:1 looking 11:10, 11:22, 13:17, 22:9, 29:19, 29:21, 49:3, 64:3, 65:1, 69:8 losing 65:10 lunch 76:17, 76:19	12:8, 12:16, 13:6, 14:8, 15:16, 16:10, 16:15, 16:16, 17:12, 17:20, 17:22, 18:3, 18:8, 18:12, 18:19, 19:16, 20:15, 25:6, 26:16, 28:1, 28:5, 29:4, 29:8, 29:9, 29:17, 30:5, 33:7, 34:7, 34:22, 36:22, 41:4, 41:19, 42:7, 42:8, 42:12, 43:1, 43:6, 45:10, 45:14, 45:15, 45:19, 45:21, 46:7, 47:13, 48:5, 48:11, 51:3, 51:21, 52:2, 52:3, 52:21, 54:17, 55:14, 56:7, 56:18, 57:10, 57:20, 58:12, 58:14, 60:12, 60:22, 67:13, 98:4, 98:10, 98:19, 98:20, 99:18 mahajan's 31:7, 41:11, 42:9 majahan 4:20 make 11:8, 33:22, 34:18, 65:1, 66:5, 78:3, 85:4 makes 34:22 making 21:3, 26:7 managing 57:21, 60:11,	62:4, 66:22 many 15:18 mapping 48:15, 48:19, 49:12, 49:20, 55:18, 56:7, 57:10, 57:21, 58:5, 59:17, 59:19 march 1:21, 2:5, 5:7, 6:17, 103:16, 104:4 marks 102:6 marriage 103:20 match 64:5 matter 6:10, 104:2 maybe 15:15, 81:21 md 104:12 mean 10:3, 13:20, 14:13, 16:6, 18:22, 19:11, 19:12, 19:13, 21:20, 21:21, 23:15, 23:18, 27:7, 28:22, 45:9, 46:4, 56:13, 71:10, 74:11, 78:15, 79:1, 80:11, 81:2, 83:22, 88:12, 95:21, 99:1, 99:17 meanings 81:2 means 5:14, 14:8, 17:9, 17:20, 18:18, 20:10, 21:7, 27:16,
	M		
	machine 2:9 mahajan 10:3, 12:4,		

Transcript of David Lett
Conducted on March 7, 2025

116

58:20, 59:16, 66:19, 73:15, 73:16 meant 78:13 media 6:9, 30:14, 31:20, 31:21, 36:10, 36:11, 37:12, 37:16, 37:17, 38:5, 38:8, 38:11, 39:8, 39:19, 40:1, 40:2, 40:7, 40:8, 40:20, 40:22, 41:8, 41:15, 41:21, 42:11, 42:16, 43:7, 43:14, 45:22, 46:16, 50:3, 50:4, 50:9, 50:11, 50:15, 51:5, 51:10, 51:11, 51:14, 51:15, 52:9, 52:18, 52:22, 53:20, 55:20, 56:9, 57:5, 57:16, 58:16, 59:13, 59:15, 61:6, 62:21, 62:22, 63:8, 63:15, 64:9, 64:10, 64:11, 64:14, 64:15, 64:20, 64:21, 65:16, 65:21, 65:22, 66:10, 66:11, 67:18, 67:19, 67:21, 68:13, 68:22, 94:1, 94:10, 94:16, 94:17, 94:18, 94:20, 94:21, 95:22, 96:11, 96:15, 97:3, 100:4,	100:22, 101:1 media-specific 18:15 medias 40:22 memory 16:4 mention 51:9, 52:16, 52:17, 56:7, 89:8 mentioned 58:3 message 75:19, 76:3, 78:1, 78:5, 78:8, 79:2 methods 52:7 mid 90:21 middle 28:22, 32:3, 35:6, 38:4, 46:15, 47:16 midstream 26:22, 27:12 might 8:18, 10:19, 50:15, 51:14, 74:18, 82:17, 86:2, 97:17, 97:18 mind 11:5, 34:5, 38:13, 46:18, 63:3, 76:12 miss 70:6 missed 95:7 mobile 96:20, 97:8, 100:13 module 31:21, 36:10, 36:12, 39:18, 39:21, 39:22,	57:14, 61:7, 61:9, 64:9, 65:17, 66:14, 83:4 modules 16:3, 16:7, 36:15, 38:9, 39:10, 40:5, 40:15, 41:18, 43:14, 54:3, 54:9, 54:18, 55:7, 55:13, 59:13, 63:9 moment 69:13 monitor 6:18, 102:8 more 20:2, 23:20, 24:9, 54:8, 57:18, 58:21, 59:6, 59:10, 59:18, 60:7, 65:8, 69:10, 70:18, 72:6, 84:19, 90:20 morning 7:21, 7:22, 8:17, 80:21 most 10:19, 96:4 mostly 18:8 mouthful 63:14, 64:16 move 90:22 moved 70:1 mpeg 52:22 much 48:12, 85:7 multi 23:20 multimedia 57:21, 60:11, 62:4, 66:18,	66:19, 66:22 multiple 15:11, 20:6, 23:21, 28:13, 51:10, 55:19, 56:9 must 69:21, 69:22 N names 17:5, 19:4, 19:10, 20:21, 21:2, 25:19, 27:8, 28:1, 28:6, 28:15, 30:2, 35:2 narrower 81:21 near 47:20, 48:2 necessarily 15:4, 24:7, 80:8, 94:15, 96:1 necessary 92:4 need 5:2, 5:9, 5:12, 5:15, 5:17, 6:2, 6:5, 9:19, 9:22, 10:10, 10:19, 33:12, 34:11, 76:18, 78:18 needs 73:16, 73:17 netflix 93:6, 99:16 network 14:6, 15:5, 15:14, 31:4, 31:5, 31:6, 37:22, 38:3, 66:18, 78:20, 83:3, 83:11, 83:14, 90:2, 90:5, 90:7, 90:9, 90:15
---	--	--	---

Transcript of David Lett
Conducted on March 7, 2025

117

new 10:7 news 95:15, 96:17 next 6:5, 12:14, 15:22, 93:19, 99:21 none 33:22 noticed 69:19 notify 90:7 number 4:13, 6:9, 6:15, 18:6, 25:9, 31:22, 36:21, 38:12, 53:7, 76:9 numbered 2:4 numbers 61:5, 61:10, 61:11 nw 3:9 o oath 7:18 objection 16:14, 17:14, 18:2, 20:20, 21:12, 22:7, 25:3, 27:17, 28:11, 40:17, 43:3, 46:2, 54:5, 60:9, 63:2, 73:21, 87:14, 87:19, 95:5, 95:11 obviously 84:18 occurred 103:15 office 1:1, 5:7, 6:14	ogg 50:16, 51:6 oh 69:16, 87:16, 91:4 okay 5:5, 9:7, 9:15, 10:1, 10:6, 10:14, 11:6, 11:18, 11:22, 12:14, 13:19, 13:22, 26:17, 29:7, 30:6, 30:13, 32:19, 41:14, 45:16, 46:11, 46:14, 49:8, 50:22, 52:5, 53:16, 56:18, 64:7, 64:8, 65:20, 67:7, 67:8, 69:2, 69:14, 69:20, 71:17, 72:4, 73:4, 73:6, 77:16, 81:19, 87:20, 90:10, 90:17, 90:22, 91:5, 91:8, 92:6, 93:2, 93:9, 95:9, 101:4, 101:8, 102:4 once 75:18, 78:1 one 5:4, 5:10, 6:9, 10:7, 13:17, 22:5, 22:16, 22:20, 22:22, 23:8, 23:11, 23:14, 23:20, 24:18, 26:1, 26:8, 26:9, 30:10, 35:12, 35:13, 41:22, 43:2, 43:10, 43:18, 44:3, 44:12, 52:1,	54:10, 55:7, 55:13, 56:14, 58:6, 62:1, 62:7, 62:8, 73:22, 77:20, 78:7, 79:13, 82:17, 84:19, 87:13, 97:12 online 7:9 only 46:16 open 9:18 operate 12:9, 31:5, 31:6 operating 96:12 operation 58:16, 59:15 operations 13:2, 52:10, 53:20, 57:22, 60:11, 62:4, 66:19, 66:22 opined 86:10 opinion 57:5, 58:9, 70:4, 70:9, 74:8, 78:4, 85:12, 87:10, 92:6 opinions 18:9, 42:6, 60:6, 60:21, 99:3 opposed 70:5 oral 1:19, 2:1 order 76:19 ordinary 55:5, 55:11, 78:12, 78:21 original 10:11	other 12:18, 14:11, 20:17, 23:16, 23:19, 24:5, 29:15, 32:6, 33:6, 36:9, 38:19, 42:7, 52:14, 56:21, 60:3, 71:11, 72:1, 75:3, 75:4, 75:13, 81:12, 82:12, 85:10, 88:11, 90:18, 93:3, 98:8, 98:21, 99:6 otherwise 9:3, 11:13, 104:1 out 22:8, 61:8, 77:1 outage 86:12 outcome 104:1 output 66:16 outside 84:6 over 20:14, 24:5, 25:8, 32:6, 38:19, 56:2, 60:3, 61:20, 65:13, 66:4, 72:12, 78:20, 85:10, 88:11, 93:3, 98:8 owner 1:16, 2:3, 3:13, 7:5 P package 82:7, 82:8, 82:10, 82:13 page 4:2, 4:13,
---	--	--	--

11:22, 65:2, 91:6 pages 1:27 paper 9:11, 9:14, 70:1 paragraph 12:3, 12:10, 12:14, 12:19, 12:20, 13:6, 13:12, 13:16, 14:1, 19:21, 20:10, 21:14, 26:7, 29:6, 29:8, 29:10, 29:16, 38:15, 40:11, 41:10, 41:12, 45:12, 45:18, 46:7, 48:11, 48:13, 48:14, 49:3, 49:5, 49:7, 50:8, 50:20, 51:1, 51:2, 51:8, 51:13, 51:18, 52:3, 52:6, 52:19, 52:20, 53:14, 53:16, 54:13, 55:2, 55:15, 55:17, 56:4, 56:6, 57:20, 58:12, 58:14, 59:5, 59:12, 64:1, 67:13, 68:5, 68:19, 69:9, 69:10, 75:10, 76:6, 77:19, 90:3, 91:7, 91:9, 91:22, 92:22 paragraphs 12:2, 49:4, 53:8, 69:12, 87:8 paraphrasing 81:3	part 44:15, 44:17, 55:10, 60:21, 62:8, 71:15, 82:2, 92:13, 92:14 particular 12:15, 20:5, 20:7, 21:14, 21:16, 26:21, 28:13, 29:2, 30:16, 30:19, 92:10, 92:22, 94:1, 94:10, 96:14, 97:20, 99:10, 100:3 parties 6:21, 103:19, 103:21 party 103:12 passage 44:6 patent 1:1, 1:2, 1:11, 1:16, 2:3, 3:13, 4:15, 4:18, 4:20, 6:14, 7:5, 17:1, 19:5, 20:1, 25:20, 28:14, 70:11, 72:7, 72:21, 75:18, 76:4, 76:7, 78:11, 79:5, 79:16, 81:10, 88:2, 89:8 patent-at-issue 10:15 patents 60:16, 86:18 paul 3:6, 5:20, 7:7, 87:16 pdf 9:21 peer-to-peer 24:10, 31:4	peltier 1:28, 2:7, 7:13, 103:2, 104:7 perfect 88:8 performed 14:4, 41:8, 41:17 perhaps 28:12, 65:10 person 55:5, 55:11, 78:11, 78:20 petitioner 3:4, 7:8, 103:12 petitioners 1:9 phenomenon 58:21, 59:7 phone 84:15, 84:16, 84:18, 84:20, 85:1, 96:15, 96:19, 97:8, 100:13, 104:13 picture 95:14 place 12:16, 25:9, 41:22, 72:22 places 25:10, 31:22, 36:9, 36:21, 38:12 planet 6:20, 7:14 platform 37:12, 37:17, 40:3, 40:8, 43:10, 43:11, 50:3, 50:4, 50:16, 57:17, 61:6, 62:22, 63:8, 64:11, 64:15, 64:21, 65:22, 66:11,	67:18 platform-specific 39:19, 40:19, 41:1, 53:3, 53:5, 57:13, 57:15, 62:21, 63:7, 63:14, 67:19, 67:21 platforms 50:9, 50:15, 51:5, 51:10, 51:11, 51:14, 63:15 playback 40:7, 52:9, 52:22, 53:3, 53:4, 60:17, 68:13, 68:22 player 37:12, 37:17, 57:5, 94:10, 94:16, 94:18, 94:20, 94:21, 95:22, 96:11, 96:15, 100:22, 101:1 players 51:5, 55:20, 56:10, 94:1, 97:3, 100:4 playing 94:18, 94:20, 94:22, 95:20 please 5:18, 7:1, 9:2, 17:16, 27:19, 38:22, 39:5, 39:13, 91:7 point 21:3, 22:8, 26:11, 28:12, 34:19, 38:14, 41:10, 57:6, 63:13, 83:8, 86:4, 93:21, 100:2, 100:18, 101:2 pointed 62:11
--	---	--	--

pointing 46:8	63:11	putting 73:10	quoted 91:13
points 35:9	processed 62:20, 67:17	Q	quoting 76:6, 93:12
portion 49:5, 77:21, 91:13	processes 15:3	qualey 3:6, 5:22, 6:3, 6:6, 7:7, 16:14, 17:14, 18:2, 20:20, 21:12, 22:7, 25:3, 27:17, 28:11, 40:17, 43:3, 46:2, 54:5, 60:9, 63:2, 73:21, 87:14, 87:18, 87:21, 95:5, 95:10, 101:9, 101:19, 101:21	R
posita 14:22, 93:20, 99:22, 100:15	processing 14:5, 15:1, 15:12, 16:12, 18:5, 19:7, 25:9, 35:8, 35:17, 36:2	question 8:11, 9:2, 9:4, 17:15, 23:5, 27:18, 29:1, 32:2, 32:12, 33:4, 33:13, 34:4, 34:22, 39:2, 39:3, 39:5, 39:12, 39:15, 40:9, 41:14, 43:4, 43:19, 56:1, 59:2, 63:6, 63:20, 65:8, 65:9, 65:11, 72:6, 72:10, 84:4, 87:22, 89:11, 91:1	rather 17:5
possibility 28:20	processor 74:15	quick 77:2	read 17:15, 17:19, 27:5, 27:18, 33:12, 34:11, 39:17, 40:10, 40:11, 44:5, 44:6, 44:11, 44:16, 50:15, 51:12, 52:11, 52:12, 55:9, 74:21, 89:10, 89:16, 94:7
possible 33:18, 85:3	produced 2:2	questions 66:6, 87:2, 101:18, 101:20, 101:22	reading 11:8, 29:2, 34:13, 93:20, 99:22
power 75:15, 86:12	program 16:2, 16:6, 95:14, 97:20	quickly 45:21, 61:3	real 77:2
powered 75:14, 76:2, 88:9, 88:10	protocols 78:19	quicktime 50:16, 51:6	realize 69:17
powering 86:11	provide 8:20, 22:1, 41:13, 53:19, 70:16, 78:18	quote 39:15, 91:10	really 17:10, 69:10, 71:12, 85:7, 85:11
practiced 13:14	provides 50:10		realtime 2:7, 5:19, 5:21, 103:3
pre 21:18	providing 23:7, 55:3, 67:9, 74:14, 87:4		realtime 1:19, 2:1
present 3:21	provisions 2:10		reason 10:8, 34:21
pretext 21:19	ptab 2:10		reasonably 8:2
previous 33:21	pull 9:20, 72:8, 72:17, 76:10		reasons 75:4, 75:13
previously 8:5, 62:11, 68:4	pulling 92:17		recall 8:19
prior 10:2, 42:7, 48:14	purposes 11:7		receive 64:9, 65:17, 73:19, 82:21,
probably 15:1, 29:1, 44:18, 76:18, 78:16, 97:4	pursuant 2:9		
problem 13:21	push 84:17		
procedure 2:10	pushed 84:18		
proceeds 75:20, 76:5	put 13:7		
process 43:2, 62:1,			

Transcript of David Lett
Conducted on March 7, 2025

120

83:21, 84:17 received 67:5, 68:2, 74:14, 80:11 receives 66:16 receiving 24:19, 24:21, 65:21, 70:13, 71:9, 74:10, 78:6, 80:10, 83:18 recited 89:14, 89:19 record 2:11, 8:14, 46:22, 47:1, 76:20, 77:1, 77:4, 77:9, 101:12, 101:16, 103:9 refer 28:8, 72:10, 72:13, 77:20, 89:13, 89:18 reference 51:18 references 10:3, 60:15, 99:5 referred 54:11 referring 12:4, 14:2, 32:22, 33:9, 48:19, 54:2, 64:20, 66:9, 66:10, 67:22, 89:2, 89:6, 92:8 refers 33:8, 34:8, 49:11, 50:9, 50:14, 55:2 regard 98:18 regarding 42:6, 77:22, 99:6	registration 104:9 relate 52:8 related 37:3, 60:12, 60:22, 103:18 relates 85:6 relating 29:12, 68:13, 68:22 relation 20:17, 58:17 relationship 17:7, 19:14, 21:11, 22:2, 27:10, 27:13, 28:7, 30:4, 31:13 relationships 28:3 relative 16:19, 17:6, 27:9, 28:2, 28:7 relied 18:10, 37:2, 37:4, 42:9 rely 18:8, 36:22, 42:1, 42:4, 42:8 relying 60:7, 79:1 remember 8:8, 44:8 remote 6:19, 14:5, 15:1, 16:4, 24:19, 24:22, 59:16, 68:14, 69:1, 90:6, 90:8, 91:16, 92:11, 92:15, 92:21, 93:1, 93:7, 93:11, 93:17, 93:22, 94:12, 94:19, 94:21, 95:20,	96:2, 97:8, 97:18, 97:22, 99:11, 100:2 remoted 22:14, 23:1, 23:9, 23:11 remotely 6:22 rendering 85:12 repeat 54:14, 66:3 reply 4:23, 10:7, 11:3, 11:15, 86:14, 87:6 reported 1:28, 2:9 reporter 2:8, 5:1, 5:6, 5:10, 5:16, 5:20, 6:1, 6:4, 7:13, 103:1, 103:3 reporter's 4:10 represent 7:3 represented 103:12 representing 6:20, 7:5, 7:8, 7:14 request 71:19, 83:17, 83:20 requested 74:18, 85:22 requesting 74:13 require 59:20, 86:7 required 88:6 requires 70:18, 71:7 respectively 36:17, 48:17,	49:13, 49:14, 49:21, 59:15 respond 86:6 response 39:1 responsive 23:4 rest 73:14 restating 34:5, 63:3 restrict 23:13 restricted 41:21, 43:20, 43:22, 44:12, 58:2 result 86:12 retrieval 72:15, 79:21, 81:14 retrieve 78:5, 78:7, 86:21 retrieved 73:15, 75:19, 76:3, 78:1, 79:3, 79:8 retrieves 82:8 retrieving 70:5, 70:9, 70:12, 70:18, 71:7, 71:15, 73:12, 73:14, 74:1, 75:1, 77:22, 78:13, 78:20, 80:3, 80:6, 80:8, 80:14, 80:19, 81:1, 81:13, 81:17, 82:15, 84:2, 86:3, 86:7, 87:11, 88:6, 89:7, 89:14, 89:20
--	---	---	--

Transcript of David Lett
Conducted on March 7, 2025

121

retrieving" 86:1 reversed 31:14 rockville 104:12 rough 5:17, 6:2 rts 31:20, 31:21, 36:10, 36:11, 38:5, 38:9, 38:11, 39:17, 39:20, 39:21, 40:14, 41:17, 41:21, 48:15, 49:11, 54:3, 54:9, 54:18, 55:6, 55:12, 59:12, 59:17, 59:19, 61:7, 64:9, 65:16 rules 2:10, 8:10 running 84:15, 84:16 rush 5:2, 5:3, 5:9, 6:5	95:1, 95:2, 95:3, 95:13, 95:21, 96:1, 96:16 say 11:13, 28:21, 44:21, 44:22, 45:7, 53:9, 55:17, 59:10, 60:20, 63:14, 63:16, 64:16, 64:22, 65:2, 66:6, 66:12, 71:21, 74:12, 82:6, 88:17, 90:20, 91:2, 91:4, 91:14, 93:19, 97:7, 97:17, 97:18, 98:3, 99:18 saying 15:9, 18:19, 18:20, 19:3, 25:6, 25:10, 31:3, 33:5, 33:18, 45:7, 45:18, 64:14, 89:12, 94:20, 100:15 says 14:2, 14:3, 16:1, 17:3, 17:4, 17:12, 17:22, 22:12, 27:8, 28:1, 28:5, 29:11, 38:14, 47:20, 48:2, 48:14, 49:16, 51:13, 52:7, 53:13, 53:18, 59:9, 59:12, 64:8, 65:20, 67:16, 68:16, 78:1, 79:2, 79:10, 79:19, 80:2, 80:3, 80:6, 90:5, 93:12,	94:7, 98:14 scenario 68:20 scope 70:4, 70:10, 81:13, 84:6, 86:20, 86:22, 87:10, 87:12 scratch 92:14 screen 13:7, 64:2, 65:15, 67:14 second 22:3, 22:14, 23:10, 26:15, 31:10, 31:15, 40:21, 56:22, 73:1, 91:20, 98:2 section 33:13, 34:11, 34:14, 44:12, 44:20, 69:11, 70:2, 86:10, 88:3, 92:10 sections 19:5, 44:19, 45:2, 45:8, 45:10, 75:3 see 5:21, 11:1, 11:5, 11:9, 12:12, 13:12, 13:16, 21:15, 22:6, 27:6, 28:14, 34:12, 37:14, 47:17, 47:21, 48:21, 49:15, 50:12, 54:16, 61:13, 61:14, 64:4, 64:6, 65:14, 65:18, 66:1, 67:14, 68:7, 68:15, 69:2, 70:3, 70:12, 72:21, 91:18,	92:5, 92:16, 92:20 seeing 11:9 seems 27:11, 46:17 send 29:12, 84:22 sending 71:22, 83:7 sends 74:4, 85:15, 85:21 sense 25:2, 33:22, 34:18, 59:19, 60:2, 85:4 sent 39:20, 68:11, 69:6, 75:19, 76:3, 78:2, 79:3, 79:10 sentence 16:1, 16:17, 17:19, 18:18, 22:4, 22:8, 23:7, 23:14, 27:7, 29:11, 33:21, 49:16, 51:12, 52:6, 54:2, 54:12, 55:1, 65:15, 67:13, 67:16, 68:17, 68:18, 74:21, 88:3, 89:9, 89:12, 89:17, 90:21, 93:19, 94:7, 99:9, 99:17, 99:21 sentences 17:4, 23:15, 41:12 separate 51:5 server 16:7, 16:11, 16:17, 17:6,
---	---	---	--

Transcript of David Lett
Conducted on March 7, 2025

122

17:10, 17:13, 17:21, 18:1, 18:22, 19:4, 19:9, 19:10, 20:9, 20:13, 20:16, 21:2, 21:11, 21:20, 21:21, 22:3, 22:14, 22:19, 23:7, 24:6, 25:2, 25:12, 26:9, 26:14, 27:9, 28:1, 28:6, 28:8, 29:11, 29:22, 30:2, 30:3, 30:21, 31:5, 31:10, 31:16, 32:14, 32:20, 33:5, 33:8, 33:20, 34:8, 34:18, 35:2, 35:13, 35:18, 36:16, 36:19, 37:8, 37:11, 38:1, 38:3, 47:20, 48:7, 48:16, 49:13, 49:20, 50:2, 51:9, 53:21, 57:14, 59:14, 61:9, 62:13, 62:15, 62:20, 67:17, 68:11, 69:6, 70:15, 70:16, 70:19, 73:13, 73:18, 73:20, 74:3, 74:4, 74:13, 74:19, 79:20, 80:4, 80:17, 82:6, 82:9, 82:14, 82:19, 84:21, 85:15, 85:21, 90:12, 94:3, 100:6 server" 19:11	server's 29:12, 39:17, 50:9, 51:14, 57:16, 62:22, 63:8, 63:15, 64:8, 64:11, 64:15, 64:21, 65:16, 65:22, 66:11 servers 23:20, 75:13, 84:10, 85:8, 85:13, 88:19 service 90:3, 90:6, 90:7 services 82:18 session 53:21, 57:22, 59:17 sessions 52:9, 52:10, 52:15, 53:2, 53:12 set 35:4, 101:4, 103:6, 104:3 set-top 96:6, 96:7 setting 19:21 several 60:13 share 9:8 sharing 11:3, 77:16 shook 3:16 shorthand 2:9, 103:1 should 5:5, 9:19, 9:20, 10:18, 44:22, 55:21, 91:11 show 95:2	showing 43:17, 96:16 shown 11:20, 13:10, 31:9, 35:14, 35:22, 36:6, 49:21, 50:2, 73:8, 89:22, 95:1, 95:16 shows 32:1, 36:18, 37:8, 38:4, 43:13, 50:6, 58:13 sic 44:3, 61:18, 74:22 side 47:19, 48:1, 48:6, 48:7 signature-bi6ds 104:5 simply 80:11, 80:16, 90:13 situated 69:13 skill 55:5, 55:11, 78:12, 78:21 skip 72:19 slightly 27:21, 42:21, 57:8, 63:6, 72:6 slow 49:2 slowly 54:15, 89:16 software 84:20, 85:1 sole 77:21 some 9:8, 9:13, 33:6, 34:19, 35:11, 66:15, 71:7, 76:19,	97:1 something 10:20, 18:20, 45:11, 56:13, 67:1, 67:9, 70:6, 70:22, 71:16, 72:1, 72:4, 74:10, 80:2, 81:17, 81:22, 82:21, 83:17, 83:21, 91:2 sometimes 14:22, 15:2, 25:11 sorry 13:1, 20:22, 32:4, 48:22, 54:14, 55:9, 61:7, 69:16, 81:8, 87:15, 89:10, 90:21, 95:6 sort 97:1 speak 47:9, 77:14 specific 32:15, 40:2, 40:8, 42:11, 42:13, 42:14, 42:19, 42:20, 43:9, 43:11, 57:16, 58:3, 58:21, 59:6, 59:10, 59:18, 60:1, 60:7, 60:14, 60:15, 64:10, 64:14, 64:21, 65:22, 66:11, 70:4, 72:6, 84:12, 93:22, 94:10, 100:3, 100:21 specifically 59:20, 80:11, 84:15, 87:7, 89:5, 89:13,
---	--	--	---

Transcript of David Lett
Conducted on March 7, 2025

123

89:18 specification 41:11, 77:21, 78:17 spent 85:7 spoke 47:14 spoken 8:4 stand 77:3 standard 5:4 start 8:12, 10:21, 20:14, 56:1, 60:17, 61:20, 65:13, 72:11 starting 57:6, 69:9, 79:17 starts 65:15 state 2:8, 7:2, 12:8, 27:11, 63:5, 75:2, 103:4 stated 2:11 states 1:1, 6:13 stating 59:5 step 40:21, 73:14, 75:8, 75:9, 75:16, 82:4, 86:7, 86:8, 88:5, 88:7, 88:10, 88:13, 89:7, 89:14, 89:20 steps 40:18, 41:7 stick 92:3 still 85:16	stopped 90:21 storage 16:4, 91:15, 92:12, 93:11, 99:10 store 99:12 stored 93:10, 94:12 storing 72:14, 79:19, 93:21, 100:2, 100:18 straighten 69:17 street 3:9, 3:17 strike 20:14, 28:4, 35:12, 52:15, 54:7, 57:7, 61:19, 65:12, 72:5, 72:11 struggling 34:21, 66:13 subsequently 94:4, 100:7 suggesting 34:3 suite 3:9, 3:17, 104:11 summarize 61:8 supporting 23:21 sure 6:3, 11:8, 14:15, 15:6, 17:18, 21:13, 24:15, 27:2, 34:6, 35:5, 45:1, 63:19, 65:1, 78:15, 80:20, 81:5, 84:3, 85:11, 86:4, 87:13	swap 27:12 switch 26:22, 35:6 switches 28:15, 28:21 switching 55:22 sworn 2:3, 7:15, 7:17, 103:7 synchronization 88:21 system 15:18, 18:4, 18:5, 20:3, 35:9, 35:12, 35:14, 35:21, 37:1, 37:3, 46:6, 58:16, 62:5, 73:13, 73:18, 73:20, 74:3, 74:4, 78:22, 79:20, 80:4, 96:13, 100:17 systems 35:8, 52:7 T table 48:15, 49:12 tables 48:19, 49:20, 55:18, 56:7, 57:11, 57:21, 58:5, 59:17, 59:19 take 13:5, 37:7, 46:18, 46:20, 46:21, 47:12, 48:10, 52:3, 63:21, 69:13, 76:13, 76:15, 82:4, 88:16, 101:7 taken 1:22, 2:4,	47:3, 77:6, 101:13, 103:8 talk 29:4, 52:13, 67:10, 69:11, 98:13, 98:14, 98:16 talked 58:1 talking 11:13, 11:14, 12:19, 14:8, 16:21, 19:19, 20:1, 20:2, 20:5, 20:6, 20:12, 20:15, 20:16, 21:8, 21:15, 21:16, 22:5, 24:5, 24:16, 25:7, 25:21, 26:4, 29:5, 30:9, 30:12, 32:6, 32:16, 32:20, 33:21, 34:9, 35:4, 35:7, 38:19, 41:5, 45:12, 46:4, 46:12, 54:16, 54:19, 54:20, 55:8, 55:14, 60:3, 62:3, 62:5, 71:3, 73:12, 77:17, 81:6, 84:8, 85:6, 85:10, 86:18, 88:11, 92:12, 92:22, 93:3, 96:10, 98:8, 100:14 talks 21:9, 23:22, 68:5 tasks 14:4, 15:11 taught 52:2 teaches 42:12, 44:1,
---	--	--	--

Transcript of David Lett
Conducted on March 7, 2025

124

99:5 teaching 18:13, 35:10, 42:9, 58:8, 60:7 teachings 60:21 technologies 1:13, 6:13, 7:6 television 96:5, 96:7 tell 32:14 term 70:4, 75:9, 86:21, 87:10, 87:12 terminal 59:16 terminology 63:13, 66:14 terms 16:10, 16:17, 18:21, 21:10, 24:6, 25:14, 25:17, 27:13, 66:21, 71:13, 87:5 testified 7:17, 81:4, 99:22 testimony 8:21, 38:14, 38:16, 39:16, 40:14, 44:10, 47:9, 77:14, 97:2, 98:17, 99:4, 99:6, 103:10 texas 2:7, 2:8, 3:18, 103:2, 103:4, 104:7 th 3:9, 5:7, 104:4 thank 77:12 themselves 7:2	thing 11:10, 56:14, 56:15, 65:20, 68:10, 83:18, 87:13 things 12:18, 17:12, 17:22, 19:15, 25:16, 60:18, 69:15, 71:11, 72:1 think 5:5, 9:17, 12:7, 14:17, 20:9, 21:18, 24:9, 32:18, 33:17, 34:16, 37:20, 38:3, 39:14, 41:2, 44:18, 46:3, 46:12, 55:21, 57:18, 62:10, 70:7, 70:21, 71:21, 72:2, 72:18, 74:20, 75:14, 76:16, 80:8, 80:13, 81:2, 81:15, 82:16, 83:19, 86:16, 87:3, 90:1 thinking 85:8 thought 32:11, 71:12 three 32:7 through 14:6, 15:5, 15:13, 27:6, 63:9, 69:12, 76:7, 76:17, 91:10 throughout 16:11, 16:22, 23:16, 28:9, 32:22, 33:1, 34:10	thumb 9:17 time 2:6, 5:4, 5:15, 6:18, 8:5, 9:16, 21:9, 47:2, 47:5, 66:21, 77:4, 77:9, 78:10, 85:7, 101:12, 101:16, 102:7, 103:17 title 57:19 today 5:13, 5:17, 6:2, 6:19, 7:13, 47:10, 102:3 today's 6:17 together 15:13, 40:5, 40:15 top 47:20, 48:2 touchstream 1:13, 6:12, 7:5, 7:6 track 65:10 trademark 1:1, 6:14 traditional 25:1 tran 65:3 transcript 5:2, 44:17 transfer 86:9 translate 39:22, 43:10, 51:22 translated 57:3, 63:9 translating 58:5, 58:6 translation 18:14, 43:2,	52:14, 52:17, 56:13, 57:1, 58:10, 62:6, 63:11, 64:18, 65:4 translations 55:18, 56:8, 56:12, 56:14, 57:6 transmission 70:16, 71:22, 72:15, 79:21, 81:12, 81:19, 82:2, 82:3, 82:9, 85:17, 85:18, 89:6, 90:11 transmit 86:22 transmits 82:6, 82:7 transmitted 72:5, 80:17, 82:13 transmitting 70:5, 70:10, 70:19, 71:18, 72:3, 80:22, 81:11, 86:2, 87:12 travis 3:17 trial 1:2, 6:15 triggers 68:10 true 14:10, 15:15, 21:13, 34:2, 74:21, 103:9 truthful 8:20 try 8:12, 84:11, 92:2 trying 22:12, 26:18, 26:19, 33:16,
---	---	--	--

Transcript of David Lett
Conducted on March 7, 2025

125

39:11, 63:12, 65:7, 86:5, 87:6, 90:1 turn 61:2, 62:20, 91:6 turnaround 5:4, 5:14 tv 96:21, 96:22 two 16:19, 16:22, 17:4, 17:7, 19:6, 19:12, 19:13, 19:16, 19:21, 20:2, 20:7, 20:8, 21:21, 24:1, 24:16, 25:18, 27:10, 27:14, 28:3, 28:7, 36:12, 40:4, 40:14, 40:18, 41:11, 43:14, 50:10, 54:18, 85:2, 92:3, 97:6 two-way 83:10, 83:14 type 44:3, 83:13, 96:1 U ui 30:14 ultimate 99:3 under 78:3 understand 9:4, 11:17, 11:18, 19:2, 26:10, 33:17, 43:4, 55:6, 55:12, 63:19, 64:19, 66:8, 66:9, 67:3, 84:3, 86:20,	99:2 understandable 55:19, 56:9, 57:4 understanding 14:7, 40:13, 61:4, 75:6, 79:4, 84:7 understood 78:13, 93:20, 100:1, 100:15 unique 88:20 united 1:1, 6:13 unless 10:19, 11:12, 92:3 usa 1:7, 6:12 use 79:9, 98:22 user 62:12, 68:12, 68:21, 69:5 user-commands 29:20, 30:18, 30:20 user-interface 29:17 uses 16:10, 19:8, 20:8, 25:11, 25:14, 57:10, 59:19, 79:7 using 23:16, 24:4, 27:12, 74:22, 75:17, 79:6, 86:10, 96:19, 96:22, 98:10, 98:18 V variations 81:12, 81:14 various 13:13, 15:2,	19:20, 75:13 versa 42:11 version 96:20 via 1:22, 3:2, 8:5, 94:4, 100:7, 103:15 vice 42:11 video 6:18, 6:21, 91:17, 92:7, 92:8, 92:21, 93:5, 93:13, 93:14, 93:15, 95:13, 96:8, 96:16, 97:10, 99:13, 99:14 videoconference 1:22, 3:2, 103:16 videographer 3:22, 6:8, 6:19, 7:12, 46:21, 47:5, 77:3, 77:8, 101:11, 101:15, 102:4 videotaped 1:19, 2:1, 6:9 view 82:20 voice-identify 7:2 vs 1:11 W wacko 69:16 wait 8:10 waiting 84:22 want 11:8, 33:4,	45:6, 63:16, 66:3, 72:8, 76:20, 78:3, 97:18, 97:19, 98:13 wanted 61:3 washington 3:10 watch 97:18, 97:20 way 8:13, 29:15, 31:9, 40:4, 42:22, 44:2, 51:21, 57:9, 58:4, 58:11, 63:6, 78:7, 84:9, 84:19, 103:22 ways 75:1, 82:12, 83:13, 83:16, 83:20, 84:2 we'll 32:12, 72:5, 77:1 we're 11:10, 13:16, 22:5, 28:19, 38:21, 47:1, 51:20, 65:2, 69:10, 76:17, 77:4, 84:8, 85:6, 86:4, 86:15, 86:17, 86:18, 86:20, 92:12 we've 8:4, 30:1, 54:18, 54:20, 61:5, 87:8 web 93:14, 93:16, 99:13, 99:15 week 5:5, 5:11, 5:13, 6:5
---	---	---	---

Transcript of David Lett
Conducted on March 7, 2025

126

welcome 77:11 well-known 74:11 went 35:3, 69:16 whatever 5:14, 46:1 whereof 104:3 whereupon 11:19, 13:9, 73:7, 89:21 whether 32:14 whole 46:13, 64:15 wicker 75:5 wicker's 38:14, 38:15, 39:16, 40:12, 44:6, 44:11, 45:3, 45:9, 75:9, 86:6, 88:4 wide 99:14 williams 3:22, 6:20 witcoff 3:8, 7:8, 7:10 within 42:15 without 29:1, 34:13, 84:22, 85:15 witness 2:2, 7:15, 20:22, 76:12, 76:16, 87:15, 87:20, 95:6, 101:8, 101:18, 103:5, 103:10, 104:3 word 61:8, 79:7, 79:8, 86:22 words 19:8, 19:21,	20:8, 21:19, 25:11, 26:13, 26:15, 90:18 work 40:5, 40:15, 84:10 works 32:17, 67:10 world 99:14 Y yeah 5:8, 7:6, 17:3, 24:18, 25:13, 38:2, 43:16, 49:17, 50:17, 53:10, 54:19, 54:22, 56:17, 59:1, 61:14, 62:16, 74:11, 76:22, 79:10, 79:12, 89:17, 95:10, 95:13, 97:17, 99:1 yourself 69:13 youtube 93:6, 96:10, 96:20, 96:21, 96:22, 97:13, 97:16, 97:19, 97:20, 99:15, 100:12 Z zoom 1:22, 3:2, 79:18, 103:15 . .3000 3:11 .3767 104:13, 104:14 .8008 3:19 0 00322 1:9, 6:16	01 6:18 04 47:2, 47:3, 101:14, 101:16 05 2:6, 102:8, 103:17 09 77:5, 77:6 1 10 77:5, 77:6, 77:7, 77:9, 101:12, 101:13, 104:8 100 38:4, 38:5, 41:5, 46:1, 46:4, 46:6 102 4:8, 37:8, 37:11 103 4:10 104 1:27, 37:9 106 37:22 11 2:6, 4:23, 52:4, 52:7, 72:13, 79:16, 91:6, 91:11, 101:14, 101:16, 102:8, 103:17 1100 3:9 1101 4:15, 10:14, 73:7 1102 10:12 1112 4:18, 89:21 1114 4:20, 12:5,	13:9 1198 4:23, 11:14, 11:19 120 37:13 1200 3:9 122 37:13, 40:8 124 37:18 126 37:18 13 3:9, 4:20, 53:16, 54:13, 55:2, 55:15, 91:10, 104:4 130 39:9, 41:9, 41:16, 42:16, 45:22 14 72:20, 73:2 15 46:7, 47:4, 47:6, 52:20 18 12:19, 12:20, 13:6, 21:19, 26:7 19 5:7 2 20 77:7, 77:9 200 58:16 20005 3:10 202 29:11, 32:20, 34:8, 34:18, 35:13, 35:18, 47:20, 48:16, 49:13, 50:3,
---	---	---	---

Transcript of David Lett
Conducted on March 7, 2025

127

59:14, 61:9, 61:15, 62:13, 67:18 202.824 3:11 2024 1:9, 6:16 2025 1:21, 2:5, 6:17, 103:16, 104:4 204 29:13, 35:20, 36:3, 48:2, 48:17, 49:14, 50:3, 59:14, 61:10, 61:15, 62:13, 68:21 208 50:3, 51:14, 61:6, 61:14, 64:11, 64:15, 64:21, 65:22, 66:11, 67:18 20850 104:12 21 50:20, 51:1, 51:18, 55:17, 56:4 210 43:14, 59:13, 61:7, 61:14, 64:9, 65:17 212 50:4, 61:6, 61:14 214 39:22, 43:15, 59:13, 59:14, 61:9, 61:14 216 29:13 218 69:1 22 41:10, 45:12, 45:19, 72:20,	73:1, 78:2, 80:1, 80:3, 89:8, 89:15, 89:20 224 29:17, 30:14 226 30:14 23 69:10, 69:12 230 29:20, 30:18, 30:20, 62:12, 62:20, 67:17, 68:6, 68:11, 69:5 24 77:19 25 104:8 251 4:15, 60:16, 70:11, 72:7, 72:21, 75:18, 76:4, 76:7, 77:21, 78:11, 79:5, 79:16, 81:10, 88:2, 89:8 26 29:8, 29:10, 69:12, 75:11, 90:4 29 91:7, 91:22 3 302 48:16, 49:12, 59:17 304 48:16, 49:12, 59:17 31 29:16, 104:8 3253 104:7 3400 3:17	35 67:13, 68:19 37 58:12, 58:15, 59:5, 59:12, 64:1 4 40 49:4, 49:5 400 104:11 41 48:11, 48:13, 49:3, 49:4, 49:7, 50:8, 51:1, 51:13 45 38:15, 40:11 451 104:10 48 2:5, 103:17 5 5.1 69:12, 70:2 52 79:17 55 101:12 56 101:13 575265 1:26 6 6 76:6 60 76:6 600 3:17 62 76:7 686 104:9 7 7 2:5, 103:17	713.227 3:19 73 4:15 75 93:11, 97:8, 99:11 77002 3:18 8 8 6:18 8,356,251 1:12 888.433 104:13 888.503 104:14 89 4:18 9 9 47:2, 47:3, 47:4, 47:6 92 92:12, 93:11, 99:11
--	---	--	--