

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD  
3

4  
5 LG ELECTRONICS INC., LG ELECTRONICS U.S.A., INC.,  
6 Petitioner

7 v.

8 MULTIMEDIA TECHNOLOGIES PTE. LTD.,  
9 Patent Owner

10  
11 Case IPR2024-00351

12 U.S. Patent No. 9,510,040  
13

14  
15  
16 DEPOSITION OF DR. ANDREW B. LIPPMAN  
17 TAKEN REMOTELY BY VIDEOCONFERENCE  
18 July 15, 2024  
19

20  
21  
22  
23  
24 Reported by: Mary Ann Payonk

25 Job No. 1481

July 15, 2024

9:00 a.m.

DEPOSITION OF DR. ANDREW B. LIPPMAN, taken  
remotely by videoconference pursuant to Notice and  
agreement of counsel, stenographically reported by Mary  
Ann Payonk, Shorthand Reporter and Notary Public, CA CSR  
No. 13431.

All attorneys participating in this deposition  
acknowledge that the reporter is not physically present  
in the deposition room and there is no objection to the  
oath being administered remotely.

1 APPEARANCES:

2 ON BEHALF OF PETITIONER:

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21  
22 ALSO PRESENT:

23 Deric Shults, Exhibit Tech, BlueBear

24 Anniliese Coleman, Director of Reporting, BlueBear

1 THE REPORTER: First let me give you my  
2 California license number, which is required. It's  
3 13431. And now I'll swear the witness.

4 DR. ANDREW B. LIPPMAN,

5 called as a witness, having been duly  
6 sworn, was examined and testified as  
7 follows:

8 EXAMINATION

9 BY ATTORNEY SCHREINER:

10 Q. Good morning, Dr. Lippman. How are you today?

11 A. Fine. Good morning.

12 Q. Today we're going to be talking about  
13 IPR2024-00351 involving US Patent Number 9,510,040,  
14 which I'll refer to as the '040 patent.

15 Does that work okay for you?

16 A. That's fine.

17 Q. Great.

18 And this proceeding involves LG Electronics  
19 against Multimedia Technologies.

20 Can you please state your full name for the  
21 record.

22 A. Andrew Benjamin Lippman, L-I-P-P-M-A-N.

23 Q. And what is your residential address?

24 A. 28 Chestnut Street, Salem, Massachusetts  
25 01970.

1 Q. And what is your current work address?

2 A. MIT Media Laboratory, 75 Amherst Street,  
3 A-M-H-E-R-S-T, Cambridge, Massachusetts 02139.

4 Q. Great.

5 And just picking up on the discussion we had  
6 before we started here on the handling of exhibits, I'm  
7 fine if you look at a clean copy of an exhibit on your  
8 computer screen. That's your own electronic version but  
9 it's a clean copy. That's fine with me. I'm also fine  
10 if you look at a copy of the exhibit that's a paper copy  
11 that's clean.

12 Does that make sense to you?

13 A. Yes, it does.

14 Q. Okay. Can you confirm right now that all  
15 applications and documents on your computer are closed  
16 except for the Zoom application that's running right now  
17 for the deposition?

18 A. What do you mean by all applications are  
19 closed?

20 Q. That you only have Windows or the equivalent  
21 and Zoom running.

22 A. Sure.

23 Q. Okay, thank you.

24 A. Wait, wait. Let me just make sure that that's  
25 actually true. I have the finder running so I can find

1 things.

2 Q. That's fine.

3 A. Okay.

4 Q. Thank you for clarifying that.

5 And describe for me what paper copies of any  
6 exhibits you have at hand for this deposition right now.

7 A. I have this booklet of paper copies. It has  
8 in it Exhibit 1001, which is a copy of the patent,  
9 printed on two sides; Exhibit 1003, my declaration;  
10 Exhibit 1004, my CV; Exhibit 1005, which is -- I'm going  
11 to call it the Kim patent, if that's okay with you.

12 Q. Sure, certainly.

13 A. I'm going to -- I have Exhibit 1006, which I'm  
14 going to call Lee-1, if that's okay with you.

15 Q. That's fine, yeah.

16 A. I have Exhibit 1007, which I'm going to call  
17 Choi, but I'm happy to refer to it however you want.  
18 And I have Exhibit 1010, which is Lee-2.

19 Q. And those are all unmarked copies.

20 Is that correct?

21 A. Yes.

22 Q. Okay, great.

23 And you understand that you're under oath  
24 today. Correct?

25 A. Yes.

1 Q. Is there any reason that you cannot give  
2 truthful, complete, and accurate testimony today?

3 A. No.

4 Q. Are you under the influence of any sickness or  
5 medication that may hinder your ability to give  
6 complete, truthful, and accurate testimony today?

7 A. No.

8 Q. I'll try to make my questions clear today. If  
9 I ask you a question that you have difficulty  
10 understanding, just let me know and I'll try to rephrase  
11 it. I'm not going to try to ask -- I don't try to ask  
12 tricky questions to confuse you, so if a question is  
13 confusing, it's inadvertent. And like I said, just ask  
14 me and I'll rephrase it.

15 Do you understand that?

16 A. Yes.

17 Q. And do you understand that you're obligated to  
18 provide answers to my questions unless your counsel  
19 instructs you not to answer?

20 A. Yes.

21 Q. And when I provide a question, I need to get  
22 an audible answer today so that the court reporter can  
23 hear that, so a "yes" or "no," something that's audible.

24 You understand that, correct?

25 A. I do. I'll do my best.

1 Q. Understand, understand.

2 And we'll have a break about once every hour  
3 during this deposition. If there's a -- if you get to a  
4 point where you're feeling like you need a break for  
5 whatever reason, you know, before I've announced a  
6 break, just let me know and we'll go ahead and schedule  
7 a break. Usually if I'm in the middle of a line of  
8 questioning I'll want to finish that line of  
9 questioning, but we'll go ahead and endeavor to get that  
10 break.

11 Does that sound okay?

12 A. Thank you.

13 Q. When I ask you questions today I'll be  
14 treating the time frame as of the assumed date of the  
15 invention of the '040 patent, which is August 17, 2012.  
16 This is in paragraph 22 of your declaration,  
17 Exhibit 1003.

18 And before I introduce that exhibit, do you  
19 remember in your declaration that you assumed a date of  
20 invention or a priority date of August 17, 2012 for the  
21 '040 patent?

22 ATTORNEY HUH: Objection. Form.

23 THE WITNESS: Can I -- you said where is that  
24 in my declaration?

25 ATTORNEY SCHREINER: Yeah, let me go ahead.

1 Let's go ahead and introduce Exhibit 1003. That is the  
2 declaration of Mr. Lippman. And if the tech could  
3 please email that to everybody and then go ahead and put  
4 that on the screen showing the first page.

5 (Exhibit No. 1003, previously marked, was  
6 referenced and indexed.)

7 BY ATTORNEY SCHREINER:

8 Q. So Dr. Lippman, looking at Exhibit 1003 that's  
9 on the screen, labeled Declaration of Andrew Lippman, at  
10 the bottom it says LG Electronics, Inc. page 1 of 156.

11 Do you see that?

12 A. I do.

13 Q. Okay. And do you recognize that document?

14 A. Yes.

15 Q. And is that, in fact, the declaration you  
16 prepared in connection with this IPR2024-00351?

17 A. Yes.

18 Q. Right. And you have a paper copy, a clean  
19 paper copy of that handy.

20 Is that correct?

21 A. Yes.

22 Q. Okay. Deric, we can go ahead and take that  
23 exhibit down off the screen.

24 So if I could refer you to paragraph 22 of  
25 your declaration, Dr. Lippman, on page 10.

1 A. Yes.

2 Q. It states at the end: I am applying  
3 August 17, 2012 as the earliest possible priority date  
4 of the '040 patent.

5 Do you see that?

6 A. Yes.

7 Q. So that's the priority date you used for  
8 purposes of your analysis of the '040 patent.

9 Is that correct?

10 A. Well, it says I'm applying August 17 as the  
11 earliest possible priority date.

12 Q. Okay. So your assumed priority date for  
13 purposes of your analysis is August 17, 2012. Correct?

14 ATTORNEY HUH: Objection. Form.

15 A. I'm using that date as the earliest priority  
16 date of the patent.

17 BY ATTORNEY SCHREINER:

18 Q. Okay. And as you put in it your last  
19 sentence, you applied that as the earliest possible  
20 priority date of the '040 patent, right?

21 A. I'm not sure I understand the distinction  
22 between applied and using it as, but if there is one,  
23 can you clarify that?

24 Q. Yeah, I'm not trying to -- these are not trick  
25 questions here.

1           Okay, your statement in paragraph 22 that you  
2 applied August 17, 2012, quote, as the earliest possible  
3 priority date of the '040 patent, that's a correct  
4 statement, right?

5           A.    Yes.

6           Q.    Okay, great.

7           When I ask you questions today, you should be  
8 treating the time frame of the date of the invention or  
9 the priority date of the '040 patent as August 17, 2012.  
10 I just want you to have that general understanding for  
11 my questions.

12           Do you follow that?

13           A.    Yes.

14           Q.    Thank you.

15           Approximately how many times have you been  
16 have you been deposed in patents cases?

17           A.    Over what time period?

18           Q.    Let me withdraw that question.

19           Let me ask you, when did you start working as  
20 an expert for patent cases? What year, approximately?

21           A.    I think the first time I was an expert was  
22 probably around 2000.

23           Q.    So 23, 24 years?

24           A.    Not continuously. Sporadically, but yes.

25           Q.    Takes a little time to fall in love with that

1 type of thing.

2 A. I'm not sure.

3 Q. Approximately how many times would you say  
4 you've been deposed in connection with patent cases  
5 throughout the course of your work as an expert?

6 A. Again, I haven't counted. If you asked me to  
7 guess, I would say on the order of 20.

8 Q. And the work you're doing here as an expert is  
9 in connection with an IPR, an Inter Partes Review.  
10 Correct?

11 A. Yes.

12 Q. And how many times have you been deposed in  
13 connection with Inter Partes Reviews?

14 A. I'm not sure. I don't think we did that 23  
15 years ago. Several.

16 Q. Would you say more than five or less than  
17 five?

18 A. I suppose it could be on the order of five.  
19 It could be more; it could be less. I don't know.

20 Q. Probably less than 10?

21 A. Probably.

22 Q. You're aware that there's a parallel District  
23 Court proceeding between Multimedia Technologies and  
24 LG Electronics in connection with this '040 patent?

25 A. Yes.

1 Q. Are you engaged as an expert in the District  
2 Court proceeding?

3 A. No.

4 Q. Have you had any communications with any  
5 experts that are involved in the District Court  
6 proceeding?

7 A. No.

8 Q. Approximately how many times have you been an  
9 expert for LG Electronics? And when I say  
10 "LG Electronics," I mean LG Electronics or any LG  
11 affiliate.

12 A. I have to think about that.

13 Q. Sure. Take your time.

14 A. Do you want me to look at my CV and count?  
15 Because I don't recall offhand any.

16 ATTORNEY SCHREINER: Sure. Why don't we go  
17 ahead and let's introduce Exhibit 1004, which is the CV  
18 of Dr. Lippman. And, Deric, if you could please email  
19 that to the group and go ahead and post it on the  
20 screen.

21 (Exhibit No. 1004, previously marked, was  
22 referenced and indexed.)

23 ATTORNEY SCHREINER: That's Exhibit 1004.  
24 That would be appreciated.

25 BY ATTORNEY SCHREINER:

1 Q. Dr. Lippman, do you see Exhibit 1004, your CV,  
2 posted on the screen?

3 A. I do.

4 Q. And do you recognize that document?

5 A. I do.

6 Q. And is that the CV that you presented in  
7 connection with the declaration for this IPR2024-00351  
8 for the '040 patent?

9 A. I believe so.

10 Q. And do you have a paper copy of that  
11 Exhibit 1004 handy?

12 A. Yes.

13 Q. Okay.

14 A. I also have it on the screen.

15 Q. That's fine. Deric, you can go ahead and take  
16 that exhibit down. Thank you.

17 So the pending question was how many times  
18 have you been an expert for LG Electronics?

19 I believe, Dr. Lippman, that you said it would  
20 be helpful to refer to your CV.

21 Is that correct?

22 A. Well, as I said, I don't recall. When you  
23 say -- I would use the word "on behalf of."

24 Q. Yeah. How many times have you been an expert  
25 on behalf of LG Electronics or an LG Electronics

1 affiliate?

2 A. Right. I'm looking through the CV now because  
3 I don't recall ever having been involved in a case on  
4 behalf of LG, or at least hired by LG. Hang on, let me  
5 look. There's -- I can't see any notation of being  
6 hired on behalf of LG. If LG was involved in any of the  
7 cases in some other way, that's not in my CV and I don't  
8 recall it.

9 THE REPORTER: We've lost Mr. Schreiner.

10 THE WITNESS: Did we just lose somebody?

11 THE REPORTER: He's gone from my screen.

12 (Recess taken.)

13 ATTORNEY SCHREINER: Dr. Lippman, I apologize  
14 for that technical difficulty. I lost internet access  
15 and so that's why I disappeared on you.

16 THE WITNESS: What time zone are you in?

17 ATTORNEY SCHREINER: It's Eastern, so it's  
18 9:54 AM here.

19 THE WITNESS: Same as me.

20 ATTORNEY SCHREINER: Yeah.

21 BY ATTORNEY SCHREINER:

22 Q. So I think the last question we had pending  
23 was how many times have you been an expert for  
24 LG Electronics. I believe you said you thought this is  
25 the first time you've been an expert for LG.

1 Is that correct?

2 A. I don't recall being an expert for LG. I  
3 looked through my CV and found no reference to LG. If  
4 LG was coincidentally or peripherally involved in any of  
5 the cases in which I was involved, I wouldn't  
6 necessarily know that or would have considered myself  
7 working for them in my CV.

8 Q. Have you worked for LG in the past in any  
9 other capacity?

10 A. No.

11 Q. And who hired you for this engagement as an  
12 expert?

13 A. Haynes Boone.

14 Q. And Haynes Boone is representing  
15 LG Electronics in connection with this matter.

16 Is that your understanding?

17 A. That is my understanding.

18 Q. And who are you representing in this IPR?

19 ATTORNEY HUH: Objection. Form.

20 THE WITNESS: I'm not sure I understand that.

21 BY ATTORNEY SCHREINER:

22 Q. On behalf of whose interests are you acting  
23 for this IPR?

24 ATTORNEY HUH: Objection. Form.

25 A. Well, I'm a technical expert. I'm not a

1 partisan in this case. I'm hired by Haynes Boone as a  
2 technical expert.

3 BY ATTORNEY SCHREINER:

4 Q. You understand that you're hired by  
5 Haynes Boone, but do you understand that you're acting  
6 on behalf of LG Electronics?

7 ATTORNEY HUH: Objection. Form.

8 A. I believe LG Electronics hired Haynes Boone so  
9 I'm not sure whether that's the right terminology or  
10 not, but that's the case.

11 BY ATTORNEY SCHREINER:

12 Q. So LG Electronics hired Haynes Boone and  
13 Haynes Boone, in turn, hired you.

14 Is that correct?

15 A. As an expert witness, yes.

16 Q. Okay. And you're an expert witness on behalf  
17 of LG Electronics because you submitted a declaration  
18 for LG in this case. Correct?

19 A. Did I say in my declaration that it was on  
20 behalf of anyone? I was simply opining on matters in  
21 the cases, I believe. Hold on. It says I'm making this  
22 declaration at the request of LG Electronics in the  
23 matter of the Inter Partes Review.

24 Q. And in response to that request, you agreed to  
25 be an expert for LG Electronics in this matter.

1 Correct?

2 ATTORNEY HUH: Objection. Form.

3 A. I responded to the request and I made this  
4 declaration at their request.

5 BY ATTORNEY SCHREINER:

6 Q. And this declaration was submitted in support  
7 of LG Electronics. Correct?

8 ATTORNEY HUH: Objection. Form.

9 A. Yeah, it was supported as my analysis of the  
10 material presented to me in the case.

11 BY ATTORNEY SCHREINER:

12 Q. And you submitted this declaration -- strike  
13 that.

14 LG is the Petitioner challenging the '040  
15 patent. Correct?

16 A. I believe that's true.

17 Q. Okay. And you submitted this declaration --  
18 strike that.

19 And LG Electronics submitted your declaration  
20 in connection with this IPR. Correct?

21 ATTORNEY HUH: Objection. Form.

22 A. I'm not 100 percent sure of the chain of  
23 events. I'm --

24 Q. Okay.

25 A. Haynes Boone probably submitted my

1 declaration.

2 Q. And Haynes Boone represents LG Electronics.  
3 Correct?

4 A. Represents? I assume so.

5 Q. And you interfaced with LG -- strike that.  
6 You interfaced with Haynes Boone's attorneys  
7 in connection with this declaration. Correct?

8 A. I did.

9 Q. Okay. And if we look at the first --  
10 ATTORNEY HUH: I apologize. Sorry to  
11 interrupt, but Mary Ann, are we getting realtime at all?  
12 Because I have been trying to find it I can't seem to  
13 get it.

14 ATTORNEY SCHREINER: I'm getting it. Off the  
15 record for a moment.

16 (Discussion held off the record to resolve a  
17 technical issue.)

18 BY ATTORNEY SCHREINER:

19 Q. So Dr. Lippman, I'd like to refer you to the  
20 cover page of your declaration, Exhibit 1003. Is it  
21 correct that it states Declaration of Andrew Lippman  
22 Under 37 CFR Section 1.68 in Support of Petition for  
23 Inter Partes Review?

24 Do you see that?

25 A. Yes.

1 Q. So is it correct that this is an expert  
2 declaration you submitted in support of the Petition for  
3 this IPR?

4 A. Yes, it is.

5 Q. Okay. And this Petition for IPR was submitted  
6 by LG Electronics.

7 Is that correct?

8 A. It says on the front page LG Electronics,  
9 Petitioner. Okay.

10 Q. So is the answer to that question yes?

11 A. Yes.

12 Q. Okay. So you submitted an expert declaration  
13 in support of the Petition submitted by LG Electronics  
14 in this case. Correct?

15 A. Says that on the front page of the report.

16 Q. Okay. You're not disputing that what the  
17 front page of your expert declaration states is correct,  
18 are you?

19 A. No, I'm not.

20 Q. And how much are you being paid to be LG's  
21 expert?

22 A. Well, I have to consult my records for that.

23 Q. Okay.

24 A. Do you want me to do that?

25 Q. Sure.

1           A.     That's not -- it requires using my computer,  
2     if that's all right with you.

3           Q.     That's fine.

4           A.     Okay. \$650 an hour.

5           Q.     And is that your standard rate as an expert?

6           A.     It was my standard rate at the time that I  
7     agreed to be an expert in this case.

8           Q.     What's your standard rate these days as an  
9     expert?

10          A.     \$700.

11          Q.     And how much time did you spend preparing for  
12     this deposition?

13          A.     I have not totaled the amount of time that  
14     I've spent preparing.

15          Q.     What would be an estimate of the number of  
16     hours you spent preparing for this deposition?

17          A.     When you say preparing for the deposition,  
18     does that include the time to create the documents or  
19     the time spent since the beginning of the case?

20          Q.     No, I'm just asking how much time you  
21     dedicated specifically for preparation for this  
22     deposition.

23          A.     After everything was submitted.

24          Q.     That's correct.

25                 ATTORNEY SCHREINER:   So, Mary Ann, Madam Court

1 Reporter, could you please read back my question for  
2 Dr. Lippman so we have a clean Q and A?

3 (The reporter read from the record as follows:  
4 I'm just asking how much time you dedicated  
5 specifically for preparation for this deposition.)

6 A. I haven't totaled the number of hours yet.

7 BY ATTORNEY SCHREINER:

8 Q. Can you tell me, who did you meet with to  
9 prepare for this deposition either by phone or in person  
10 or through a video conference?

11 A. I met with Gregory Huh and I worked on my own.

12 Q. Did you meet with anybody else besides  
13 Gregory Huh?

14 A. For this deposition?

15 Q. Yes, sir.

16 A. No.

17 Q. Okay. And how did you meet with Mr. Huh?

18 A. By phone and via Zoom.

19 Q. And how many phone or Zoom calls did you have  
20 with Mr. Huh to prepare for this deposition?

21 A. I have not counted those either. In fact, I  
22 didn't even record them.

23 Q. Okay. But when was the first time you met  
24 with Mr. Huh to prepare for this deposition, today's  
25 deposition for IPR2024-00351?

1 A. Do you want me to consult my calendar?

2 Q. If that will help, please do.

3 A. Looking at my calendar, it would be somewhere  
4 near the beginning of the month, perhaps around July 5  
5 or so.

6 Q. Approximately how many times did you meet with  
7 Mr. Huh by phone or by videoconference to prepare for  
8 this deposition?

9 A. If I were to guess, I would say on the order  
10 of 10.

11 Q. Okay. I don't want you to guess. It's fine  
12 to estimate. I understand some of these questions  
13 require some estimation.

14 So is it your estimate that you met on the  
15 order of 10 times with Mr. Huh for this, to prepare for  
16 this deposition?

17 ATTORNEY HUH: Objection. Form.

18 Counsel, you asked for an approximate, then he  
19 guesses, and now you want an estimate. What's the  
20 difference here?

21 ATTORNEY SCHREINER: Counsel, you know the  
22 difference. And just state your objection. Don't lead  
23 the witness, please.

24 BY ATTORNEY SCHREINER:

25 Q. So Dr. Lippman, can you please estimate the

1 number of times you met with Mr. Huh to prepare for this  
2 deposition?

3 ATTORNEY HUH: Objection. Form.

4 A. I didn't count the number of times we had  
5 telephone calls or Zoom meetings.

6 BY ATTORNEY SCHREINER:

7 Q. Did you meet with him more than 20 times?

8 A. That seems wrong.

9 Q. Too high. Correct?

10 A. Yes, I think so.

11 Q. Did you meet with him 10 times?

12 A. As I said, I would imagine that it was  
13 somewhere near there.

14 Q. So is it your best answer that it was -- you  
15 met with Mr. Huh on the order of 10 times to prepare for  
16 this deposition?

17 ATTORNEY HUH: Objection. Form.

18 A. That would comport with my recollection.

19 BY ATTORNEY SCHREINER:

20 Q. Okay. Did you ever meet with Mr. Huh in  
21 person to prepare for this deposition?

22 A. No.

23 Q. Approximately how many hours did you spend  
24 meeting with Mr. Huh to prepare for this deposition?

25 A. Again, I haven't counted that. By phone or by

1 Zoom?

2 Q. Correct. So let me restate the question.

3 Approximately how many hours did you spend  
4 meeting with Mr. Huh by phone or by videoconference to  
5 prepare for this deposition?

6 A. I have not counted or totaled that up, the  
7 number of hours.

8 Q. Okay. So you don't know -- you don't have an  
9 estimate of the number of hours you met with Mr. Huh to  
10 prepare for this deposition?

11 A. I did not total the number of hours or count  
12 them yet, no.

13 Q. Approximately how many hours did you spend --  
14 strike that.

15 You indicated that you prepared for this  
16 deposition by meeting with Mr. Huh as well as doing some  
17 work on your own.

18 Is that correct?

19 A. Yes.

20 Q. Okay. Approximately how many hours did you  
21 spend preparing for this deposition cumulatively,  
22 including time spent with Mr. Huh as well as work on  
23 your own?

24 A. Again, I haven't totaled that. I would guess  
25 on the order of 20.

1 Q. What documents did you review to prepare for  
2 this deposition?

3 A. I reviewed the documents that are in this  
4 book, the exhibits.

5 Q. Okay. And can you read me out those exhibit  
6 numbers, please?

7 A. Exhibits 1001, -3, -4, -5, -6, -7, and -10.  
8 Actually, I didn't review my CV until now.

9 Q. Okay. And did you review the Petition that  
10 LG Electronics submitted in connection with this  
11 proceeding?

12 A. Can you tell me what Petition that is?

13 ATTORNEY SCHREINER: Deric, why don't we go  
14 ahead and post the petition. This is the Petition for  
15 Inter Partes Review under 35 USC Section 312 and 35  
16 CFR Section 42.104. And it has IPR2024-00351 on the  
17 cover page. If you could post that on the screen,  
18 Deric, thank you.

19 BY ATTORNEY SCHREINER:

20 Q. Do you recall, Dr. Lippman, that we read the  
21 cover of your expert declaration and it was identified  
22 as a declaration in support of a Petition for  
23 Inter Partes Review?

24 Do you remember that?

25 A. Yes.

1 Q. And did you have an understanding that  
2 LG Electronics had submitted a or was preparing a  
3 Petition to challenge the '040 patent and your  
4 declaration was being submitted in support of that?

5 A. Excuse me. I was a little bit diverted while  
6 you were asking that question.

7 Do you want me to download this?

8 Q. Let me ask you this.

9 You understand that LG submitted a Petition to  
10 challenge the '040 patent. Correct?

11 A. A Petition for Inter Partes Review, an IPR,  
12 yes.

13 Q. And you submitted an expert declaration in  
14 support of that Petition. Correct?

15 A. Says so on the Petition.

16 Q. Let me repeat my question.

17 And you submitted an expert declaration in  
18 support of that Petition. Correct?

19 A. Yes.

20 Q. Thank you.

21 Have you seen the Petition before?

22 A. No.

23 Q. You never read the Petition or reviewed the  
24 Petition?

25 A. No.

1 Q. Okay. Okay, Deric, we can take that down.

2 A. You don't want me to download it?

3 Q. No, you don't have to download that.

4 A. Thank you.

5 Q. Thank you.

6 What's your understanding of the term "smart  
7 TV"?

8 ATTORNEY HUH: Objection. Form.

9 A. I think what a smart TV is is described in the  
10 '040 patent.

11 BY ATTORNEY SCHREINER:

12 Q. What's your understanding as an expert of the  
13 term "smart TV"?

14 ATTORNEY HUH: Same objection.

15 A. I accept for the purposes of my report, not  
16 that that's a definition of a smart TV, but that that's  
17 a description of what a smart TV can be.

18 ATTORNEY SCHREINER: I'm afraid I didn't  
19 follow your answer.

20 Madam Court Reporter, could you please reread  
21 Dr. Lippman's answer to my question?

22 ATTORNEY HUH: Objection. Form. That's not a  
23 question to his own answer.

24 ATTORNEY SCHREINER: Greg, I'm asking the  
25 court reporter to read back his answer.

1 Mary Ann, could you please read back  
2 Dr. Lippman's answer to my question?

3 (The reporter read from the record as follows:  
4 I accept for the purposes of my report, not that  
5 that's a definition of a smart TV, but that that's  
6 a description of what a smart TV can be.)

7 ATTORNEY SCHREINER: I didn't understand your  
8 answer.

9 BY ATTORNEY SCHREINER:

10 Q. My question is -- okay, let me just preface  
11 this by saying I'm going to ask you some foundational  
12 questions. And these are not intended to be trick  
13 questions. In fact, they're really straightforward. So  
14 I'm hoping that we can, you and I can -- I can ask some  
15 questions and you can provide some answers and we can do  
16 it in a manner that helps us get through this day so  
17 that it doesn't become excessively long.

18 ATTORNEY HUH: Stephen, you -- just ask the  
19 question. That preface is not necessary for a question.

20 ATTORNEY SCHREINER: Do you have an objection,  
21 Greg?

22 ATTORNEY HUH: I do, because you're doing a  
23 speaking -- you're not asking questions. You're  
24 providing a speaking portion that's intended to impact  
25 the witness.

1           ATTORNEY SCHREINER: Greg, I can provide a  
2 preface to my question. If you want to --

3           ATTORNEY HUH: That's not -- that's not --

4           ATTORNEY SCHREINER: If you want to make an  
5 objection --

6           ATTORNEY HUH: Just ask the question, Stephen,  
7 please.

8           ATTORNEY SCHREINER: If you want to make an  
9 objection -- well, your witness isn't answering the  
10 questions. Like, I'm asking him like --

11          ATTORNEY HUH: Just ask the question.  
12 Stephen, ask the question, then he can answer it.

13          ATTORNEY SCHREINER: So Greg, for the record,  
14 what's your objection?

15          ATTORNEY HUH: What you're saying is not a  
16 question. You're -- you're trying to influence the  
17 witness by telling him this is not a trick question.  
18 You're just trying to add a word, description, of what  
19 the foundational subject matter is. That's not a  
20 question, that's an oration about what you're trying to  
21 influence the witness to answer.

22          ATTORNEY SCHREINER: And what's --

23          ATTORNEY HUH: Just --

24          ATTORNEY SCHREINER: What's the --

25          (Simultaneous speaking)

1 ATTORNEY HUH: -- let him answer.

2 ATTORNEY SCHREINER: What's the objection  
3 under the Federal --

4 ATTORNEY HUH: It's of form, because that's  
5 not a question. You're here to ask questions.

6 ATTORNEY SCHREINER: I can provide a preface.  
7 Anyway, I'm going to move on. I'm going to go back to  
8 the question.

9 BY ATTORNEY SCHREINER:

10 Q. And again, Dr. Lippman, I'm trying to ask you  
11 some just basic questions, okay? So I'm --

12 ATTORNEY HUH: Objection. Form.

13 ATTORNEY SCHREINER: -- wanting to get some  
14 straightforward answers. Let me finish my question  
15 before you make your objection, Greg, please.

16 ATTORNEY HUH: Ask a question then.

17 BY ATTORNEY SCHREINER:

18 Q. Dr. Lippman, what's your understanding of a  
19 smart TV?

20 ATTORNEY HUH: Objection. Form.

21 A. My understanding of a smart TV is guided by  
22 the description of a smart TV in '040.

23 BY ATTORNEY SCHREINER:

24 Q. You heard the term "smart TV" before you  
25 looked at the '040 patent. Correct?

1 A. Yes, I have.

2 Q. Okay. What's your general understanding as an  
3 expert in this field of the term "smart TV"?

4 ATTORNEY HUH: Objection. Form.

5 A. That is not a technical term. The word "smart  
6 TV" is a marketing term. And where I've encountered the  
7 word "smart TV" before this deposition was usually in a  
8 television store.

9 BY ATTORNEY SCHREINER:

10 Q. Okay. The term "smart TV" is used in the '040  
11 patent, right?

12 A. Yes, it is.

13 Q. "Smart TV" is used -- the term "smart TV" is  
14 also used in the Kim reference, Exhibit 1005.

15 Do you recall that?

16 A. No, not offhand.

17 ATTORNEY HUH: Objection. Form.

18 THE WITNESS: I'm happy to look.

19 ATTORNEY SCHREINER: Just bear with me one  
20 second before you start looking. Okay, let's go ahead  
21 and introduce Exhibit 1005. And Deric, if you can email  
22 that to everybody and then post it to the screen.

23 (Exhibit No. 1005, previously marked, was  
24 referenced and indexed.)

25 BY ATTORNEY SCHREINER:

1 Q. Dr. Lippman, do you see Exhibit 1005, the Kim  
2 reference? And I'm calling it the Kim reference because  
3 it's not a patent, it's actually a published application  
4 so I'm going to call it the Kim reference.

5 Do you understand what I'm referring to by the  
6 Kim reference?

7 A. Yes.

8 Q. Okay. And do you recognize the Kim reference,  
9 Exhibit 1005?

10 A. Yes.

11 Q. Okay. And do you have a copy of the Kim  
12 reference handy, a physical copy you can look at?

13 A. Yes.

14 Q. Okay. So if I could direct your attention to  
15 Page 2 of the Kim reference, paragraph 38. Let me know  
16 when you've reached paragraph 38.

17 A. I have.

18 Q. And does the Kim reference use the term "smart  
19 TV" in paragraph 38?

20 A. Yes, it does.

21 Q. So the '040 patent and the Kim reference both  
22 use the term "smart TV." Correct?

23 ATTORNEY HUH: Objection. Form.

24 A. The word "smart TV," the phrase "smart TV" is  
25 in both of them, yes.

1 BY ATTORNEY SCHREINER:

2 Q. Okay. What's your general understanding of  
3 the term "smart TV"?

4 What is a smart TV?

5 ATTORNEY HUH: Objection. Form.

6 A. I was not asked to provide a definition of the  
7 smart term TV, but as understood, I'm happy to be guided  
8 by what's in the '040 where there is a description of  
9 some aspects of a smart TV.

10 BY ATTORNEY SCHREINER:

11 Q. So separate from the '040 patent, you're not  
12 able to provide a general description of what a smart TV  
13 is?

14 ATTORNEY HUH: Objection. Form.

15 A. I never tried to provide a definition or  
16 description.

17 BY ATTORNEY SCHREINER:

18 Q. So you are not able to provide a description  
19 or definition of the term "smart TV" as we sit here.

20 Is that correct?

21 ATTORNEY HUH: Objection. Form.

22 A. As we sit here, I'm going to simply use as a  
23 description of a smart TV what's in the '040.

24 BY ATTORNEY SCHREINER:

25 Q. Yeah. I'm asking you not to look at the '040

1 patent right now.

2 A. Oh, okay.

3 Q. Okay.

4 A. It's gone.

5 Q. So I want to be clear. While we're having our  
6 Q&A, please only look at the exhibits when I've asked  
7 you to look at the exhibits, okay?

8 A. No. Sometimes in answering a question I need  
9 to look at an exhibit, whether you ask me to or not,  
10 including my report and any one of the attached  
11 documents. I can't decline to look at them.

12 Q. There are going to be some times I ask you a  
13 question and I'm going to ask you to answer the question  
14 without referring to exhibits and so I need you to  
15 follow that instruction.

16 ATTORNEY HUH: Look, counsel, he's not here  
17 for a memory test. And he's provided testimony about  
18 the '040 patent in his declaration as well. So he is  
19 entitled to look at the references in answering the  
20 questions about his declaration that pertains to the  
21 '040 patent.

22 ATTORNEY SCHREINER: Counsel, if he can't  
23 remember the answer to a question I give, then he can  
24 answer that he can't remember and he needs to refer to  
25 an exhibit, in which case we'll travel down that path if

1 it's appropriate.

2 ATTORNEY HUH: He's entitled to answer the  
3 question as he sees fit, and if Dr. Lippman wants to  
4 look at his documents, he's entitled to do so.

5 ATTORNEY SCHREINER: I'm entitled to ask him  
6 questions without him referring to his exhibits, Greg.

7 ATTORNEY HUH: You can ask whatever questions  
8 you want. He's here to talk about his declaration and  
9 the exhibits.

10 ATTORNEY SCHREINER: Greg, I don't think we  
11 want to call the Board on this. This is -- you're not  
12 going to end up on the right side of this. If I ask him  
13 a question and I say I want an answer from your memory  
14 without you referring to exhibits, he needs to answer  
15 that question.

16 ATTORNEY HUH: Okay, if you want to call the  
17 Board and try to force Dr. Lippman to answer from  
18 memory, you can call the Board on that issue.

19 ATTORNEY SCHREINER: Okay. We may have to do  
20 that.

21 ATTORNEY HUH: That's your call.

22 ATTORNEY SCHREINER: Okay.

23 BY ATTORNEY SCHREINER:

24 Q. Dr. Lippman, can you, without referring to any  
25 of the exhibits -- strike that.

1           You're presenting yourself as an expert in  
2 this field. Is that correct?

3           A.    Yes.

4           Q.    And the term "smart TV" is sometimes used in  
5 this field in which you're presenting yourself as an  
6 expert. Correct?

7           A.    I'm sorry, the word "smart TV" is used how?

8           Q.    Is the term "smart TV" sometimes used in this  
9 field in which you're presenting yourself as an expert?

10          A.    Well, there are television sets that are  
11 marketed as smart TV, but what's meant by "smart" is not  
12 defined or ill-defined.

13          Q.    Does the term "smart TV" have an understood  
14 meaning in this field in which --

15                ATTORNEY HUH: Objection to form.

16          Q.    -- in which you're presenting yourself as an  
17 expert?

18                ATTORNEY HUH: Objection. Form.

19          A.    I don't know that it has a technical meaning  
20 that's circumscribed and defined. It's a phrase derived  
21 from marketing.

22                ATTORNEY SCHREINER: That's a fair answer, and  
23 I appreciate it. I'm just looking for, you know, a  
24 responsive answer to the question.

25                ATTORNEY HUH: Is that a question, Steve?

1           ATTORNEY SCHREINER: I'd like to go ahead and  
2 introduce Exhibit 2010 into this deposition. And,  
3 Deric, if you could send Exhibit 2010 through the chat  
4 and post it on the screen, that would be appreciated.

5           (Exhibit No. 2010, previously marked, was  
6 referenced and indexed.)

7           THE WITNESS: 10?

8           ATTORNEY SCHREINER: 2010. I don't believe  
9 this is -- this is not an exhibit you've seen.

10 BY ATTORNEY SCHREINER:

11           Q. And just let me ask you. I don't think you  
12 have, but do you recognize the list of claims in this  
13 Exhibit 1020, just looking at the first page?

14           A. The page you've put up is page 97?

15           Q. Correct.

16           A. It appears to be --

17           Q. You can go ahead and open it electronically if  
18 you haven't done so already. And you can page through  
19 it.

20           A. I haven't downloaded it or --

21           Q. Okay.

22           A. I'm only looking at the page that you're  
23 displaying in the Zoom.

24           Q. Can you go ahead and go into your chat and  
25 open up the document and download it?

1 A. I can do that. Stand by.

2 Q. Thank you.

3 A. I think I have it. It appears to be an  
4 incomplete document. Have I got the right -- have I got  
5 everything correct there?

6 Q. It should have pages -- should have at the  
7 bottom say page 97 first page and to 103 on the last  
8 page.

9 A. Yes, I have what you sent.

10 ATTORNEY SCHREINER: Let me just confer with  
11 counsel. Greg, I'm going to be referring to this  
12 exhibit. And this is -- as you and I discussed before  
13 the deposition started, these are -- this is a claims  
14 appendix out of your -- out of LG's Petition so I'm  
15 going to be referring to it. If it's convenient for  
16 Dr. Lippman, I'd like to give him an opportunity to go  
17 ahead and print it out, since he seems to prefer  
18 physical copies. That's your call, of course.

19 ATTORNEY HUH: I mean, you can refer to it.  
20 Dr. Lippman, you can also look at the actual patent  
21 itself if you want, which has a claim set as well, if  
22 that's more comfortable for you. This is a listing of  
23 the claims that's taken from the Petition, which has  
24 labelings for various elements associated with the claim  
25 listing. But the patent itself also has a listing of

1 the claim at the end. It's also in your declaration.

2 ATTORNEY SCHREINER: Yeah, this shows the  
3 claims with the annotations that conform to what's in  
4 Dr. Lippman's declaration.

5 ATTORNEY HUH: Right. So he's welcome to look  
6 at this and the declaration or the claim set. It's in  
7 the patent as well. And if you want to print it out,  
8 Dr. Lippman, you're welcome to do so. It's completely  
9 up to you.

10 THE WITNESS: Let me make you a deal. I'm  
11 happy to print it out, and can we take a five-minute bio  
12 break since there's no pending question?

13 ATTORNEY SCHREINER: Certainly.

14 THE WITNESS: Okay. So I'll return in five  
15 minutes with a printed copy of this if that's  
16 reasonable.

17 (Recess taken.)

18 ATTORNEY SCHREINER: I'd like to -- the  
19 Petition that we entered on the record before, I'd like  
20 to go ahead and have that marked for this deposition.  
21 Can we do that?

22 THE REPORTER: Yes, sir.

23 ATTORNEY SCHREINER: Okay. So that was the  
24 Petition for IPR that was previously entered and  
25 circulated. I'd like to mark that as MM Lippman-0001.

1 (Exhibit No. MM Lippman-0001 was marked for  
2 identification.)

3 ATTORNEY SCHREINER: And can we go ahead and  
4 recirculate that with the marking?

5 TECHNICIAN: Yes. I just dropped it in the  
6 chat.

7 ATTORNEY SCHREINER: Great.

8 THE WITNESS: Does that mean I'm supposed to  
9 download it again?

10 ATTORNEY SCHREINER: Yeah, Dr. Lippman, there  
11 should be an exhibit, which is the LG Petition that has  
12 been sent to you via chat, and it should be marked on  
13 the bottom MM Lippman-0001.

14 THE WITNESS: You want me to download that?

15 ATTORNEY SCHREINER: Please, and open it up.  
16 I'm going to ask you a couple questions about your  
17 declaration, which is Exhibit 1003, and also about the  
18 Petition, the Exhibit MM Lippman-0001. Does that make  
19 sense?

20 THE WITNESS: I understand what you're saying.

21 ATTORNEY SCHREINER: Okay.

22 THE WITNESS: I have not seen this Petition.

23 ATTORNEY SCHREINER: I understand that.

24 BY ATTORNEY SCHREINER:

25 Q. So I'd like to refer you to page 8 of the

1 Petition that's marked as MM Lippman-0001. It has a  
2 title Level of Ordinary Skill in The Art. And let me  
3 know when you've arrived at page 8.

4 A. I have.

5 Q. Okay. And do you see that page 8 through the  
6 top of page 9 has a discussion of a person of ordinary  
7 skill in the art, and it cites to your declaration,  
8 Exhibit 1003, paragraphs 18 through 20 at the end of  
9 that paragraph?

10 Do you see that?

11 A. I do.

12 Q. Okay. And the first sentence states: A  
13 person of ordinary skill in the art (POSITA) in August  
14 of 2012 would have been someone knowledgeable and  
15 familiar with the interactive media guide arts that are  
16 pertinent to the '040 patent.

17 Do you see that?

18 A. Media guide arts.

19 Q. The very first sentence under section 5 on  
20 page 8.

21 A. Someone knowledgeable and familiar. I see  
22 that sentence.

23 Q. What is the interactive media guide arts  
24 that's referred to there?

25 ATTORNEY HUH: Stephen, this is beyond the

1 scope of his declaration. We provided his declaration  
2 as the testimony, not the Petition.

3 ATTORNEY SCHREINER: This -- please -- this  
4 cites to his declaration, so it's --

5 ATTORNEY HUH: Right, right. So he didn't  
6 write the Petition --

7 ATTORNEY SCHREINER: Okay.

8 ATTORNEY HUH: -- so that's not his work  
9 product.

10 ATTORNEY SCHREINER: Okay. Are you  
11 instructing him not to answer?

12 ATTORNEY HUH: I'm saying that this is beyond  
13 the scope --

14 ATTORNEY SCHREINER: Okay.

15 ATTORNEY HUH: -- of what his testimony is.

16 ATTORNEY SCHREINER: State your objection.

17 ATTORNEY HUH: I'm going to object.

18 ATTORNEY SCHREINER: State your objection and  
19 then let me return to questioning, please.

20 BY ATTORNEY SCHREINER:

21 Q. Dr. Lippman, do you have an understanding of  
22 the term "interactive media guide arts" that's used in  
23 this paragraph and that cites to your declaration,  
24 paragraphs 18 through 20?

25 ATTORNEY HUH: Objection. Form. Scope.

1           A.    I'm not sure I can answer that.  I didn't use  
2 the phrase "interactive media guide arts."

3 BY ATTORNEY SCHREINER:

4           Q.    Does that phrase have a meaning to you as an  
5 expert in the field?

6                   ATTORNEY HUH:  Objection.  Form.

7           A.    I'm not sure that that phrase -- no.

8 BY ATTORNEY SCHREINER:

9           Q.    Okay.  Fair enough.

10                   So let's refer back to your declaration,  
11 Exhibit 1003, paragraph 19.

12           A.    I'm there.

13           Q.    It describes a definition of the POSITA in  
14 paragraph 19 of your declaration.

15                   Is that correct?

16           A.    Yes.

17           Q.    And it refers to the field of television  
18 systems and networking human-computer interaction.

19                   Do you see that in paragraph 19 of your  
20 declaration?

21           A.    Approximately two years of experience working  
22 in the field of television systems and networking,  
23 computer-human interaction or related technologies.  
24 That's in my declaration.

25           Q.    So what is meant by the field of television

1 systems and networking human-computer interaction?

2 A. That's a list of domains in which someone  
3 would have had experience working.

4 Q. So what are the domains? So what are the  
5 domains in the field that you've defined here? Strike  
6 that. Let me ask this question.

7 Did you come up with this?

8 Did you come up with this field definition,  
9 television systems and networking human-computer  
10 interaction?

11 ATTORNEY HUH: Objection. Form.

12 A. I can't recall exactly how it was composed,  
13 but I accept it and stand by it.

14 BY ATTORNEY SCHREINER:

15 Q. Okay. So describe for me what is the field of  
16 television systems and networking human-computer  
17 interaction?

18 A. Those are all domains in which somebody  
19 working in that field would be a person of ordinary  
20 skill in the art with respect to this patent.

21 Q. Okay. What are those domains?

22 A. Television systems, networking, human-computer  
23 interaction, or related technologies.

24 Q. Okay. And so your opinion is that a POSITA  
25 would have experience in a field, and the field is

1 television systems and networking human-computer  
2 interaction. Correct?

3 ATTORNEY HUH: Objection. Form.

4 A. They would have experience working in any of  
5 those fields.

6 BY ATTORNEY SCHREINER:

7 Q. So that's what I'm trying to understand.

8 It's stated as the field of television systems  
9 and networking human-computer interaction. Is that a  
10 field, or are you describing multiple fields here? I'm  
11 trying to understand what you intended here.

12 ATTORNEY HUH: Objection. Form.

13 A. I think I would describe them as overlapping  
14 domains of work.

15 BY ATTORNEY SCHREINER:

16 Q. And your testimony is that those overlapping  
17 domains of work constitute a field.

18 Is that correct?

19 ATTORNEY HUH: Objection. Form.

20 A. Constitute a field. I'm not exactly sure.  
21 I've never really phrased it or thought about it that  
22 way. Those are domains of work. They are, in general,  
23 the areas in which one would have had experience in  
24 order to be a POSITA in this case.

25 BY ATTORNEY SCHREINER:

1 Q. Right. And you agree that your declaration in  
2 paragraph 19 states: In the field of television systems  
3 and networking, human-computer interaction, or related  
4 technology?

5 A. I'm sorry, say that again.

6 Q. You agree that your declaration in paragraph  
7 19 states: Working in the field of television systems  
8 and networking, human-computer interaction, or related  
9 technologies. Correct?

10 That's what your declaration states, right?

11 A. Yes.

12 Q. Okay. So it's your opinion that television  
13 systems and networking, human-computer interaction or  
14 related technologies is a field?

15 ATTORNEY HUH: Objection. Form.

16 A. I think the term "field" is broadly  
17 interpreted. It's --

18 BY ATTORNEY SCHREINER:

19 Q. So is your answer yes?

20 A. My answer is those are the domains in which  
21 they would have worked. They don't necessarily  
22 delineate a particular field uniquely or entirely.  
23 That's the field in which they would have worked, the  
24 domain in which they would have worked.

25 Q. Do you have any recollection before working on

1 these IPRs of hearing or discussing a field of  
2 television systems and networking human-computer  
3 interaction?

4 ATTORNEY HUH: Objection. Form.

5 A. Over the course of the last 50 years, those  
6 are the domains in which me and my students and many  
7 other people have indeed worked.

8 BY ATTORNEY SCHREINER:

9 Q. Right. What I'm asking is have you heard  
10 of -- strike that.

11 What I'm asking is before these IPRs, have you  
12 ever heard of television systems and networking,  
13 human-computer interaction referred to as a field?

14 ATTORNEY HUH: Objection. Form.

15 A. I can't recall offhand. We use the term  
16 "field" more colloquially in our work.

17 BY ATTORNEY SCHREINER:

18 Q. This field definition, was it provided to you?

19 ATTORNEY HUH: Objection. Form.

20 A. I can't recall.

21 BY ATTORNEY SCHREINER:

22 Q. Okay, let's refer to your CV. That's  
23 Exhibit 1004.

24 A. You'll have to give me a moment for that one.

25 Q. Sure.

1 A. Okay.

2 Q. And am I correct recalling? I asked you about  
3 the term "interactive media guide" that was used in the  
4 Petition.

5 Do you remember that discussion we had before  
6 the break?

7 A. Some of it.

8 Q. Yeah. And is it correct that you don't have  
9 an understanding of what the term "interactive media  
10 guide" means?

11 ATTORNEY HUH: Objection. Form.

12 A. I have a sense, an impression of what that  
13 means, but I'm not sure what you're asking me.

14 BY ATTORNEY SCHREINER:

15 Q. What's your understanding of what is an  
16 interactive media guide in this field?

17 ATTORNEY HUH: Objection. Form.

18 A. I don't want to circumscribe or define that.  
19 What would you like to --

20 BY ATTORNEY SCHREINER:

21 Q. I'm asking, do you have an understanding of  
22 what is a -- general understanding of what an  
23 interactive media guide is in this art?

24 A. A general understanding of what one would mean  
25 by that?

1 Q. Correct, yes.

2 ATTORNEY HUH: Objection. Form.

3 A. I think so.

4 Q. Please describe.

5 A. It's what --

6 ATTORNEY HUH: Objection.

7 A. -- the words --

8 ATTORNEY HUH: Form.

9 THE WITNESS: -- say. Sorry.

10 ATTORNEY HUH: Objection. Form.

11 A. It's what the words say.

12 BY ATTORNEY SCHREINER:

13 Q. And what's your understanding of what the  
14 words say for the term "interactive media guide"?

15 A. They say "interactive," "media," and "guide."  
16 I think if I explained those words or heard those words  
17 I would have a general understanding of the area in  
18 which they could apply.

19 Q. And what would be your general understanding  
20 of an interactive media guide?

21 ATTORNEY HUH: Objection. Form.

22 A. I can't give you a succinct answer to that.  
23 It could mean any one of a variety of things.

24 BY ATTORNEY SCHREINER:

25 Q. Give me some examples of interactive media

1 guides.

2 A. I can't offhand. You might consider the  
3 printed TV Guide of old to be an interactive media  
4 guide.

5 Q. So you stated before that an interactive media  
6 guide, you stated, quote: It could be any one of a  
7 variety of things.

8 Do you recall that statement?

9 A. Not precisely, but okay. I accept it.

10 Q. And I'm just asking you to give me an example  
11 of some things that would be considered interactive  
12 media guides.

13 ATTORNEY HUH: Objection. Form.

14 A. I mean, I gave you one. A printed TV Guide  
15 could be considered that.

16 BY ATTORNEY SCHREINER:

17 Q. So it's your testimony as an expert in this  
18 field that a printed TV Guide could be considered an  
19 interactive media guide in this field?

20 A. It depends on the context of the discussion.  
21 It might.

22 Q. Okay. This field you've defined as television  
23 systems and networking human-computer interaction.  
24 Correct?

25 ATTORNEY HUH: Objection. Form.

1           A.    I said what I said in the report.  I'm -- I'm  
2   not -- I guess I'm not understanding what you're asking.

3   BY ATTORNEY SCHREINER:

4           Q.    So we discussed before your definition of the  
5   field, which was television systems and networking  
6   human-computer interaction.

7                   Do you recall that from --

8           ATTORNEY HUH:  Objection.  Form.

9           ATTORNEY SCHREINER:  Greg, please let me  
10   finish my question.

11          ATTORNEY HUH:  I did.

12          ATTORNEY SCHREINER:  You did not.

13          ATTORNEY HUH:  I did.  Yes, I did.

14          ATTORNEY SCHREINER:  Don't be argumentative.

15          ATTORNEY HUH:  Please don't argue with me.

16   BY ATTORNEY SCHREINER:

17          Q.    Dr. Lippman, paragraph 19 of your declaration  
18   states that the field is television systems and  
19   networking human-computer interaction or related  
20   technologies.

21                   Is that correct?

22          A.    It says that, yes.

23          Q.    Is a printed television guide an interactive  
24   media guide in the context of that field?

25          A.    It probably wouldn't be used in that context.

1 Q. It probably wouldn't be considered an  
2 interactive media guide in the context of that field,  
3 correct, because that field is directed to television  
4 systems and computer systems, right?

5 ATTORNEY HUH: Objection. Form.

6 A. It wouldn't come up. Again, it depends on the  
7 context.

8 BY ATTORNEY SCHREINER:

9 Q. Okay. Can you give me another example of an  
10 interactive media guide?

11 A. Well, you'd be asking me to sort of kind of  
12 creatively invent one right now, and I'm not sure I'm  
13 prepared to do that.

14 Q. Okay. Well, you said before that there were  
15 various types of interactive media guides, and I'm just  
16 asking you to give me a couple examples.

17 So you can't come up with another example  
18 besides a printed TV Guide?

19 A. I did not use that phrase in my report, and  
20 I'm not sure I've used that phrase at all.

21 Q. What about the term "television program  
22 guide"?

23 Do you have an understanding of that term in  
24 this space?

25 ATTORNEY HUH: Objection. Form.

1           A.     I'm not sure I've ever used that term either.

2     BY ATTORNEY SCHREINER:

3           Q.     So you've never used the term? You don't  
4     recall using the term "television program guide"?

5           A.     I might have. I can't recall.

6           Q.     What about the term "interactive program  
7     guide," or IPG? Are you familiar with that term?

8           A.     Yes.

9           Q.     What's an interactive program guide?

10          A.     I'm familiar with and have used the term  
11     "electronic program guide" and "interactive program  
12     guide" in past law cases.

13          Q.     What's your understanding of the term  
14     "interactive program guide?"

15                     What does that generally refer to?

16          A.     The terms "interactive program guide" and  
17     "electronic program guide" are often using overlappingly  
18     or interchangeably. But in general, most often it is a  
19     program guide that's electronic rather than printed.

20          Q.     And it typically provides program listings and  
21     times. Would that be example of an interactive program  
22     guide or electronic program guide?

23                     ATTORNEY HUH: Objection. Form.

24          A.     Well, it provides channels and times, for  
25     example.

1 BY ATTORNEY SCHREINER:

2 Q. And would it include program listings, in  
3 other words, listings of programs?

4 A. As an example, it might.

5 Q. The '040 patent and the Kim publication,  
6 Exhibit 1005, would you say it's fair to say they  
7 generally deal with navigation guides for navigating  
8 content, whether that content is television or internet  
9 supplied or other types of content?

10 ATTORNEY HUH: Objection to form.

11 A. Those are your words. I believe the words  
12 they've used were different from that.

13 BY ATTORNEY SCHREINER:

14 Q. I'm trying to establish some common parlance  
15 for our questions here.

16 Would you say it's fair to say that the '040  
17 patent and the Kim reference generally involve guides  
18 that allow a user to navigate content?

19 ATTORNEY HUH: Objection. Form.

20 A. I don't believe anybody uses the word  
21 "navigate."

22 BY ATTORNEY SCHREINER:

23 Q. Do you have an understanding --

24 A. Do you want my -- I'm sorry, you just took my  
25 CV down. Am I doing the same thing?

1 Q. Yeah, that was -- actually, that was fine that  
2 he took that down. So let's just rephrase, restate the  
3 question.

4 Would you say it's fair to say that the '040  
5 patent and Kim reference generally involve guides that  
6 allow a user to navigate content?

7 A. I don't know that they use the word "guide."

8 Q. Yeah, I'm not asking you whether they use  
9 those words, those exact words. I'm asking you  
10 conceptually, do they involve the use of guides that  
11 allow a user to navigate content?

12 ATTORNEY HUH: Objection. Form.

13 THE WITNESS: You're not asking for the words,  
14 you're asking for a vague concept? I'm trying to  
15 understand what your question is.

16 BY ATTORNEY SCHREINER:

17 Q. Does the '040 patent and the Kim reference  
18 involve guides that allow a user to navigate content?

19 ATTORNEY HUH: Objection. Form.

20 A. What '040 says is there's a need for an  
21 intelligent TV with intuitive user interfaces and  
22 seamless user interaction capability. Might a guide be  
23 part of that? I -- it might.

24 Q. Okay. So does the '040 patent and the Kim  
25 reference, do they involve user interfaces that allow

1 users to navigate content?

2 A. Again, I don't think they use the word  
3 "navigate."

4 Q. Well, but do they allow a user to navigate  
5 content? I mean, do you not -- do you not know the  
6 answer to that question?

7 ATTORNEY HUH: Objection. Form.

8 A. I don't believe it was put in those terms,  
9 that's all.

10 BY ATTORNEY SCHREINER:

11 Q. Does the invention disclosed in the '040  
12 patent allow a user to navigate content? I'm not asking  
13 you whether it uses those words, I'm asking you  
14 conceptually. You're an expert in this space. So let  
15 me restate the question. It's very simple.

16 Does the '040 patent describe user interfaces  
17 to allow a user to navigate content?

18 ATTORNEY HUH: Objection. Form.

19 A. They provide -- claim to provide intuitive  
20 seamless user interfaces to interact with the system and  
21 the content.

22 BY ATTORNEY SCHREINER:

23 Q. And to interact how?

24 Does it allow the user to navigate to the  
25 content?

1           ATTORNEY HUH: Objection. Form.

2           A. It allows users to find that content.

3 BY ATTORNEY SCHREINER:

4           Q. In your experience, your long experience as an  
5 expert in this field, have you heard the term "navigate"  
6 being used in the context of a user navigating to some  
7 content?

8           ATTORNEY HUH: Objection. Form.

9           A. I've heard the word used to navigate. I can't  
10 recall if it was used specifically in this context. I  
11 have been asked to navigate in a variety of ways.

12 BY ATTORNEY SCHREINER:

13           Q. What's your understanding of the term  
14 "navigate" in the context of program guides, whether  
15 it's an interactive program guide or an electronic  
16 program guide?

17           ATTORNEY HUH: Objection. Form.

18           A. I have not formally developed anything along  
19 those lines. I've not formally specified it that way.

20 BY ATTORNEY SCHREINER:

21           Q. So as we sit here today, you are not able to  
22 articulate an understanding of the term "navigate" in  
23 the context of this field?

24           A. I'm not willing to necessarily describe it  
25 that way. Why are you using the word "navigate"?

1                   Why does that matter?

2           Q.     If you'll permit me, I'll ask the questions.

3           A.     Sure.

4           Q.     So the answer can be I don't know, or I do  
5 know and here's the answer. I'm just asking you. Are  
6 you able to explain the term "navigate" in the context  
7 of the field that we're discussing today?

8                   ATTORNEY HUH: Objection. Form.

9           A.     I think many people could have a rich  
10 discussion of what that means so I'm not prepared to  
11 define it. I did not use that term.

12 BY ATTORNEY SCHREINER:

13           Q.     Okay. Are you saying you won't provide an  
14 answer, or you're not able to provide an answer? I just  
15 need that clarification.

16                   ATTORNEY HUH: Objection. Form.

17                   ATTORNEY SCHREINER: Greg, what's -- let me  
18 get some clarification. What's the basis for the form  
19 objection?

20                   ATTORNEY HUH: Which one?

21                   ATTORNEY SCHREINER: Well, it's every  
22 question.

23                   ATTORNEY HUH: It's not every question. It's,  
24 for example, for the --

25                   ATTORNEY SCHREINER: Steve, the last --

1 ATTORNEY HUH: For the --

2 (Simultaneous speaking)

3 ATTORNEY SCHREINER: The last question -- the  
4 last question was are you saying you won't provide an  
5 answer, or you're not able to provide an answer? What  
6 is the --

7 ATTORNEY HUH: Right. It was neither. It  
8 could be -- it could be a third option of a different  
9 option than those two. So he could answer how he  
10 wishes. He doesn't have to choose from one of your two  
11 potential answers. So you're trying to create a  
12 scenario where he has to answer as you want him to.

13 ATTORNEY SCHREINER: Yeah, I just want him  
14 to --

15 ATTORNEY HUH: He's able to answer --

16 ATTORNEY SCHREINER: I just wanted a succinct  
17 answer --

18 ATTORNEY HUH: -- how he wants to answer.

19 (Simultaneous speaking)

20 ATTORNEY SCHREINER: -- to my question.

21 ATTORNEY HUH: He's -- he's entitled to answer  
22 the question like he wishes.

23 ATTORNEY SCHREINER: Please don't continue  
24 with a --

25 (Simultaneous speaking)

1 ATTORNEY SCHREINER: -- speaking objection,  
2 okay?

3 ATTORNEY HUH: Well, you asked me. Steve, you  
4 asked me; I answered.

5 ATTORNEY SCHREINER: You're going on an  
6 extemporaneous discussion way beyond my request.

7 ATTORNEY HUH: You asked me a question; I  
8 answered it.

9 ATTORNEY SCHREINER: Okay.

10 ATTORNEY HUH: You want him to answer like you  
11 want him to, and he -- he's entitled to answer as he  
12 wishes.

13 ATTORNEY SCHREINER: I'm asking your expert  
14 really simple, straightforward questions and he's just  
15 purposely being evasive, and it's --

16 ATTORNEY HUH: He's not being evasive.

17 (Simultaneous speaking)

18 ATTORNEY HUH: You're asking -- you're asking  
19 questions that he didn't provide testimony regarding.

20 ATTORNEY SCHREINER: This is a professor from  
21 MIT and --

22 ATTORNEY HUH: Okay, well --

23 ATTORNEY SCHREINER: He can answer any of  
24 these questions.

25 ATTORNEY HUH: Steve, we know where he's from

1 and we know his qualifications, and he's very qualified.

2 ATTORNEY SCHREINER: Right. Very qualified to  
3 answer pretty basic questions, so I'll --

4 ATTORNEY HUH: Right. So don't --

5 ATTORNEY SCHREINER: -- return to --

6 ATTORNEY HUH: -- ask him out of context.

7 ATTORNEY SCHREINER: I'll --

8 (Simultaneous speaking)

9 ATTORNEY HUH: So just ask the questions  
10 and --

11 ATTORNEY SCHREINER: I'll return to --

12 ATTORNEY HUH: Ask the --

13 (Simultaneous speaking. Reporter admonition.)

14 THE REPORTER: Gentlemen, I'll ask for order.  
15 Thank you.

16 ATTORNEY HUH: Thank you.

17 BY ATTORNEY SCHREINER:

18 Q. So Dr. Lippman, when I asked you the question  
19 about your understanding of the term "navigation" in  
20 this field, and are you saying that you can't give me an  
21 answer, or you won't give me an answer? Or is it  
22 something else? Please explain.

23 A. The word "navigate" can use -- can mean many,  
24 many things, and I didn't use the word navigate in my  
25 report so I haven't formulated an answer to your

1 question.

2 Q. Okay. So you don't have an answer to it as we  
3 sit here today. Correct?

4 A. I have not formulated an answer.

5 Q. And you don't have an answer right now.  
6 Correct?

7 ATTORNEY HUH: Objection. Form.

8 A. I'm not sure I'm prepared to formulate an  
9 answer. I have not been asked to do that.

10 BY ATTORNEY SCHREINER:

11 Q. Okay. You didn't do that. You're saying you  
12 didn't do that in your expert declaration. Correct?

13 A. I don't believe I did.

14 Q. Okay. And you're saying you're not prepared  
15 to provide an answer now.

16 Is that correct?

17 ATTORNEY HUH: Objection. Form.

18 A. I'm not prepared to provide a description like  
19 that on the fly. I would want to be accurate and  
20 complete.

21 BY ATTORNEY SCHREINER:

22 Q. We talked before about the terms "electronic  
23 program guide" and "interactive program guide."

24 Do you recall that?

25 A. We did.

1 Q. Does the '040 patent describe a form of an  
2 electronic program guide?

3 A. I'm not sure the '040 patent uses those terms.

4 Q. No, but I'm asking you does it describe a form  
5 of an electronic program guide?

6 A. I have to look. I'm --

7 Q. Sure.

8 A. Pardon?

9 ATTORNEY SCHREINER: Why don't we go ahead and  
10 let's enter Exhibit 1001, which is the '040 patent. And  
11 if I could ask Deric to send that out by chat and go  
12 ahead and post it on the screen.

13 (Exhibit No. 1001, previously marked, was  
14 referenced and indexed.)

15 BY ATTORNEY SCHREINER:

16 Q. Dr. Lippman, you recognize Exhibit 1001, the  
17 '040 patent. Correct?

18 A. Well, it just got posted in the chat.

19 Q. Should be on your screen as well.

20 A. Yes.

21 Q. And --

22 A. By the way, I have Exhibit 1001. You don't  
23 want me to redownload it, I assume.

24 Q. Yeah, that's fine. And if I could -- Deric,  
25 if you could turn -- if you could put up Figure 15B,

1 it's page 25 on the bottom. So you look in the bottom.  
2 You're on page 7 so you want to keep going. There you  
3 go. There you go. Is there a way for you to put that,  
4 Deric, in horizontal display mode, or landscape?

5 Dr. Lippman, you said you've got a paper copy  
6 of the '040 patent in front of you.

7 Is that correct?

8 A. Both paper and electronic.

9 Q. Okay. So if you could look at Figure 15B of  
10 the '040 patent, Exhibit 1001, and just tell me when you  
11 have that in front of you.

12 A. I do.

13 Q. Okay. What is Figure 15B of the '040 patent  
14 describing?

15 A. I believe I said what it describes in my  
16 report, did I not?

17 Q. I'm just asking you to describe in general  
18 your understanding of what Figure 15B describes.

19 A. Allow me to consult my report for a moment.

20 Q. Before we get into your report, can you -- are  
21 you able to tell me off the top of your head what 15B  
22 generally describes?

23 A. I --

24 ATTORNEY HUH: Objection. Form.

25 A. -- would rather consult my report.

1 BY ATTORNEY SCHREINER:

2 Q. Okay. So you don't feel comfortable  
3 describing Figure 15B without consulting your report.

4 Is that correct?

5 ATTORNEY HUH: Objection. Form.

6 A. I'd rather consult my report to describe the  
7 elements of the patent.

8 BY ATTORNEY SCHREINER:

9 Q. Does Figure 15B disclose a user interface?

10 A. Once again --

11 Q. Are you not able to say whether Figure 15B  
12 shows a user interface without consulting your report?

13 A. In general, I'd prefer to consult my report  
14 when you're asking me a question about something that's  
15 in my report.

16 Q. I understand you prefer that.

17 I'm asking you are you able to describe  
18 Figure 15B, whether it's a user interface, without  
19 consulting your report?

20 A. I don't think I'm willing to --

21 Q. Okay.

22 A. -- describe these things without consulting my  
23 report because my report states my opinion.

24 Q. Does Figure 15B show a figure?

25 A. I believe I dwell more in the report on 15C

1 and A.

2 Q. I was just asking you does Figure 15B show a  
3 figure in the '040 patent?

4 A. What do you mean by "figure?" Does it show  
5 what?

6 ATTORNEY SCHREINER: Madam Court Reporter,  
7 could you please read the question back?

8 (The reporter read from the record as follows:

9 I was just asking you does Figure 15B show a figure  
10 in the '040 patent?)

11 A. I don't understand what you mean, figure.  
12 Figure 15B is a figure.

13 BY ATTORNEY SCHREINER:

14 Q. Thank you.

15 And you said you recall your report also  
16 looked at Figures 15A and 15C. Did I hear that  
17 correctly?

18 A. I believe so. I have the section of my report  
19 that refers to 15C when I'm describing the '040 patent.

20 Q. Okay.

21 A. I may have described -- I may have referenced  
22 those figures elsewhere as well.

23 Q. So if we go -- let's look at paragraph 25 of  
24 your expert declaration, Exhibit 1003.

25 A. I'm there.

1 Q. Okay. So does Figure 15C show a user  
2 interface?

3 A. It shows an example of a user interface.

4 Q. And the user interface shown in figures 15C  
5 shows various sources of content.

6 Is that correct?

7 A. It does.

8 Q. And those would be designated by numbers 1504A  
9 through 1504E. Is that correct?

10 A. That's what it says in the patent, and I say  
11 that in the report. The global panel may include one or  
12 more sources represented by icons and texts or shortcuts  
13 1504A through E.

14 Q. And those are sources of content. Correct?

15 A. Yes.

16 Q. So in your understanding of the 15C --  
17 Figure 15C of the '040 patent, can a user select one of  
18 these sources of content in order to access content from  
19 that source?

20 A. I'm not sure I specifically said "select"  
21 because I don't know that that was relevant to the  
22 claim.

23 Q. I'm asking about your understanding of  
24 Figure 15C of the patent.

25 Deric, we can go ahead and take down the

1 exhibit.

2 I'm asking you, do you understand the user  
3 interface of Figure 15C to allow a user to select  
4 between different sources of content in order to access  
5 content?

6 A. It might be that you would use it to access  
7 content. I don't think I commented on that.

8 Q. Okay. So let's take figure -- let's take  
9 source 1504B, which says On Demand.

10 Do you see that?

11 A. Yes.

12 Q. It says: On Demand - Sky Falls.

13 Do you see that?

14 A. Yes.

15 Q. Is it your understanding that a user can  
16 select that source On Demand - Sky Falls in order to  
17 access the Sky Falls program through a Video On Demand  
18 application?

19 A. I don't know that it's described exactly that  
20 way in the patent.

21 Q. Well, I'm asking about your understanding.

22 A. My understanding is guided by what's in the  
23 patent.

24 Q. So can a user select the On Demand icon,  
25 Figure 1504B in Figure 15C shown in your report, in

1 order to access the Sky Falls program?

2 A. It may or may not be that way. That's not  
3 something -- well, hold on. I just wanted to -- stand  
4 by for one moment. I just want to make sure that I'm --

5 Q. Sure. Take all the time you need.

6 A. Yeah. Apologies for taking the time, but --

7 Q. Sure. Perhaps it might help you to look at  
8 Figure 15C where it shows On Demand - Sky Falls  
9 highlighted and compare that to Figure 15B where it has  
10 Live TV-801 CNXN highlighted. If you could compare  
11 those two drawings and explain what you understand them  
12 to be describing.

13 ATTORNEY HUH: Objection. Form.

14 A. Some elements of the panel described can  
15 indeed select things like content. That would be a  
16 reasonable assumption.

17 Q. So the --

18 A. But that's not what -- I didn't analyze the  
19 selection process, as it were.

20 Q. Well, I mean, you read the entire patent, the  
21 '040 patent, right?

22 A. I did.

23 Q. Okay. And you have an understanding, a good  
24 understanding of the subject matter disclosed in the  
25 '040 patent. Correct?

1 A. I do.

2 Q. So would it be fair to say that Figure 15C  
3 depicts the content source On Demand being selected so  
4 that it's showing the content named Sky Falls?

5 ATTORNEY HUH: Objection. Form.

6 A. It shows that it's selected. I don't know  
7 that it selected Sky Falls. I don't know that Sky Falls  
8 rather is on view. Are you talking about in 1408?

9 BY ATTORNEY SCHREINER:

10 Q. Just focusing on 1504B, is this correct, that  
11 it has a source, which is On Demand, and it also  
12 identifies specific content, which is a program named  
13 Sky Falls?

14 Is that your consistent with your  
15 understanding?

16 A. Yes.

17 Q. And if we go to Figure 15B, do you see that  
18 1504A, do you see that's highlighted? In other words,  
19 it has the box around it?

20 A. Yes.

21 Q. And it has a source named Live TV, and it has  
22 content, which is a program on channel 801 for CNXN. Is  
23 that consistent with your understanding?

24 A. I'm sorry, say that again. Or read it back,  
25 whichever.

1 Q. In Figure 15B, item 1504A is highlighted, and  
2 that indicates the source Live TV, and it indicates  
3 content that has been selected, which is channel 801 for  
4 the CNXN program.

5 A. I see that it says that, yes.

6 Q. Okay. And that's how you understand 15B with  
7 regards to that element 1504A. Correct?

8 A. 1504A has highlighted box that says Live TV  
9 801 CNXN. I assume it's an alias for CNN, but okay.

10 Q. So the user interfaces in Figures 15B and 15C,  
11 is it fair to say that they list content sources and  
12 they allow users to access content?

13 ATTORNEY HUH: Objection. Form.

14 A. It's fair that they list sources and  
15 ultimately, those sources might be ones that the user  
16 would wish to view or interact with. That's fair.

17 BY ATTORNEY SCHREINER:

18 Q. Okay. And the area marked 1408 in Figure 15B,  
19 that's a viewing area for content to be displayed.  
20 Correct?

21 A. I believe that says so in the patent.

22 Q. And when you say it says so in the patent,  
23 that's consistent with your understanding of the patent,  
24 right?

25 A. It is. There's an earlier illustration that

1 shows that that is content.

2 Q. We could go up, Deric, if you could go up one  
3 page to Figure 15A.

4 And Dr. Lippman, if you could, maybe you can  
5 refer to your paper copy of the '040 patent, Figure 15A.

6 Do you agree that the window labeled 1408 is  
7 the content view area?

8 A. Yes.

9 Q. And so your understanding is that's where  
10 selected content would be viewed in this user interface.  
11 Correct?

12 A. Well, it's where content is viewed.

13 Q. Right. If we go to Figure 15B, we go back to  
14 Figure 15B, do you agree that content view area 1408 in  
15 Figure 15B shows a host -- what appears to be a host  
16 desk?

17 Do you see that?

18 A. I'm glad it appears to be a host's desk to  
19 you. It barely appears to be a desk to me.

20 Q. Okay. And in this case in Figure 15B, channel  
21 801, the CNXN program has been selected. Correct?

22 ATTORNEY HUH: Objection. Form.

23 A. It's highlighted.

24 BY ATTORNEY SCHREINER:

25 Q. And is your understanding when it's

1 highlighted that it's been selected?

2 A. At some point, it might have been.

3 ATTORNEY SCHREINER: How long have we been  
4 going on the record since the last break?

5 THE REPORTER: One moment. We took a break  
6 at -- well, we were off the record for a minute at  
7 10:41.

8 THE WITNESS: I could give you an estimate.

9 ATTORNEY SCHREINER: That would be helpful.

10 THE WITNESS: On the order of 55 to 60  
11 minutes.

12 ATTORNEY SCHREINER: Okay. Why don't we go  
13 ahead and take a 10-minute break then and we'll pick up  
14 after that. Sound okay?

15 THE WITNESS: Sure.

16 ATTORNEY SCHREINER: Okay, thank you.

17 (Recess taken.)

18 BY ATTORNEY SCHREINER:

19 Q. Dr. Lippman, let me refer you to the '040  
20 patent, Exhibit 1001, column 30, line 65. And let me  
21 know when you're there.

22 A. One moment. Okay.

23 Q. And do you see that passage from column 30,  
24 lines 65 to 67 is referencing Figure 15B of the '040  
25 patent?

1 A. Yes.

2 Q. And it states: For example, active content  
3 area 1408 in reference to Figure 15B is currently  
4 displaying a Live TV view (specifically, 801 CNXN).

5 Do you see that?

6 A. Yes.

7 Q. So referring back to Figure 15B, and with that  
8 passage in mind, do you have an understanding now that  
9 Figure 15B is showing the CNXN program in content area  
10 1408 in Figure 15B?

11 A. It says that it's displaying CNXN, tilted desk  
12 and all.

13 Q. So let me repeat my question so we have a  
14 clean Q&A.

15 So referring back to Figure 15B, and with that  
16 passage in mind, do you have an understanding now that  
17 Figure 15B is showing the CNXN program in content area  
18 1408?

19 A. Yes. It says so in the patent.

20 Q. Right. And in Figure 15B on the left-hand  
21 side, the Live TV source 1504A - 801 CNXN is indicated  
22 as highlighted. Correct?

23 A. It is.

24 Q. So would it be your understanding from  
25 Figure 15B in this passage that the user has selected

1 Live TV source - 801 CNXN in the pane on the left-hand  
2 side and that program is being displayed in the pane on  
3 the right-hand side, number 1408?

4 A. Not exactly.

5 Q. Okay. Where would you differ?

6 A. They didn't necessarily select that. They  
7 could have selected the global panel and it came up with  
8 that highlighted with no selection made by them.

9 Q. So you're saying they could have already been  
10 watching CNXN and then they pulled up the live panel and  
11 it just happened to have the source for CNXN  
12 highlighted?

13 A. The point is that they didn't necessarily  
14 select it in order to have that happen. It could have  
15 happened the other way.

16 Q. But you agree that Live TV - 801 CNXN is  
17 indicated as highlighted in Figure 15B?

18 A. Yes.

19 Q. And if I could refer you to column 32 of the  
20 '040 patent, lines 9 through 1, and let me know when  
21 you've arrived at column 32 of the '040 patent.

22 A. I'm there.

23 Q. Okay. And is it correct that that passage at  
24 lines 9 through 17 is referring to Figure 15C of the  
25 '040 patent?

1 A. Yes.

2 Q. And does the patent state: For example,  
3 Figure 15C illustrates an image or video associated with  
4 Sky Falls being displayed in content area 1408?

5 Do you see that?

6 ATTORNEY HUH: Objection. Form.

7 A. Figure 15C illustrates an image or video  
8 associated with Sky Falls being displayed in content  
9 area 1408. I see that.

10 BY ATTORNEY SCHREINER:

11 Q. So is it correct as described in the '040  
12 patent that Figure 15C shows the Sky Falls program being  
13 displayed in the content area 1408 on the right-hand  
14 window of Figure 15C?

15 A. It says so, yes.

16 Q. That's what the patent discloses. Correct?

17 A. It says in 15 -- it illustrates an image or  
18 video associated with Sky Falls. It's not necessarily  
19 Sky Falls. It's an image or video associated with it.

20 Q. Okay. And on the left-hand side of  
21 Figure 15C, the content source 1504B On Demand - Sky  
22 Falls is highlighted. Correct?

23 A. Yes.

24 Q. Is it your understanding that these user  
25 interfaces shown in Figures 15B and 15C allow a user to

1 access content from different sources?

2 A. The purpose of the global panel is to  
3 ultimately access content.

4 Q. Let's go to paragraph 14 of your declaration,  
5 Exhibit 1003. What is the Media Bank Project that you  
6 worked on at MIT?

7 A. Hang on for a second.

8 Q. Sure.

9 And Deric, you can take that exhibit down.  
10 Thank you.

11 A. Where are you?

12 Q. Paragraph 14 of your declaration,  
13 Exhibit 1003: In 1991, I created the, quote, "Media  
14 Bank," close quote, Program at MIT.

15 A. Yeah.

16 Q. Can you describe for me generally what that  
17 project involved?

18 A. It was a pretty broad product. That sentence  
19 at the beginning is a fairly good description of what it  
20 was.

21 What it was intended to be was a media server  
22 that could serve media to a diverse set of what these  
23 days you would call clients, okay? And the bandwidth  
24 associated with each one of those clients and the  
25 processing capability and display capability of each one

1 of those clients might well be different. So a feature  
2 of the Media Bank was that it allowed -- you don't need  
3 to put it up. I have it up.

4 Q. Yeah, you can take it down, thanks.

5 A. Was it provided, among other things, diverse  
6 formats and forms of media to those diverse clients.

7 Q. Is that saying that the server basically would  
8 format the content so that it was consistent with the  
9 bandwidth, available bandwidth and processing power of  
10 the client devices?

11 A. I wouldn't put it exactly that way, because  
12 you're thinking in modern terms where the -- either the  
13 server or the client has more processing capability than  
14 it was. More often, they might have been precomputed.  
15 But it would serve different forms and formats of the  
16 content.

17 Q. Based on the networked device that was going  
18 to receive the content? Is that correct?

19 A. And the bandwidth and what was available.

20 Q. Available in terms of bandwidth?

21 A. Well, for example, you might have a news show  
22 that it was -- at some specific resolution or encoding  
23 method, or black and white, or color, for that matter,  
24 and it would deliver black and white if you had a  
25 black-and-white display. In 1991, there were such

1 things as black-and-white displays.

2 If you had something that had almost no  
3 bandwidth or processing, then it might give you a  
4 transcription of that news thing. So it was fairly  
5 comprehensive and broad in the kinds of things that it  
6 did. To some extent, that's a little bit like the way  
7 streaming works today.

8 Q. Right.

9 A. I regret not having used that word.

10 Q. Right.

11 The Media Bank Project, did it involve any  
12 program guide type applications or user interfaces  
13 allowing users to access content in the manner in which  
14 you describe it in connection with the '040 patent?

15 ATTORNEY HUH: Objection. Form.

16 THE WITNESS: I'm sorry, ask that question  
17 again. I got lost in the words there.

18 ATTORNEY SCHREINER: Sure.

19 BY ATTORNEY SCHREINER:

20 Q. Did the Media Bank Project include any program  
21 guide type applications or similar user interfaces?

22 A. It's not fair to say program guide or similar  
23 user interfaces. There were mechanisms for selecting  
24 content, but I wouldn't have associated them with a  
25 program guide.

1           In 1991, a program guide, you know, would have  
2 described broadcast television most commonly. You know,  
3 there were -- there were certainly things that were  
4 streamed in 1991. Notably, audio. But I wouldn't call  
5 our interface or -- to it, I wouldn't -- I don't think  
6 we used the word "program guide" at that time.

7           Q.    Okay. In paragraph 15 of your declaration you  
8 describe a program called The Television of Tomorrow.  
9 Can you describe what The Television of Tomorrow Project  
10 was?

11          A.    It wasn't a project, it was a program, and it  
12 had a suite of projects associated with it. But the --  
13 I can give you a general description of the thrust of  
14 the program if you'd like.

15          Q.    Please.

16          A.    In 1991, television was largely analog. In  
17 fact, even the first high-definition television systems  
18 developed by NHK at around that time were envisioned for  
19 analog distribution channels.

20                In the world, there were at the time in common  
21 use 13 different incompatible television standards,  
22 okay? For example, in the United States we called one  
23 NTSC. In most of Europe they used one that was called  
24 the PAL. In France they used one that was called CCAM.  
25 In Brazil, they used one that was a variant of those.

1 Q. Right.

2 A. So there were a variety of analog distribution  
3 channels, all of which were incompatible. And our  
4 vision was that television and video and its -- you  
5 know, I'm going to use the words "television" and  
6 "video" interchangeably today although, you know,  
7 "television" was a common term, colloquial, and "video"  
8 might have been a word that only, you know, technical  
9 people might have used, whereas nowadays, video is a  
10 pretty common colloquial word. So I don't necessarily  
11 want to confuse those.

12 But we had a vision of video and television as  
13 being a unifying medium because it was significant  
14 around the world. But it didn't allow Brazil to talk to  
15 France or, you know, readily talk to France. So we  
16 envisioned a digital television program system that was  
17 scalable and was, in a sense, standard -- standards  
18 independent and interactive because that was likewise a  
19 thrust of a lot of our work.

20 The program itself was industrially funded  
21 quite deliberately with representatives of programmers,  
22 equipment makers and channel providers from around the  
23 world, notably, Europe, North America, and Asia.

24 Do you want me to go on or is that sufficient?

25 Q. And so was the idea to provide some

1 intercompatability between these different types of  
2 analog television standards, NTSC, PAL, CCAM, etc.?

3 Was that the idea?

4 A. Well, we -- no, we didn't -- no, not  
5 interoperability between analog standards. This was  
6 presaging a point where television was going to be  
7 digital.

8 Q. Oh, I see.

9 A. So it was digital standard, digital in the  
10 sense standards independent.

11 Q. So this is obviously preMPEG, preATSC type  
12 time frame?

13 A. Oh, my God. Since I was a member of MPEG from  
14 its second meeting, but I can't recall whether it was  
15 19 -- whether that was in 1991 or somewhat a little bit  
16 later, but it was certainly pre the adoption of MPEG as  
17 a standard.

18 Q. Right.

19 A. And then certainly -- was there an ATSC  
20 program in 1991 in America? I don't think ATSC was  
21 begun until somewhat later than.

22 Q. Okay.

23 A. It might have been begun in -- it would be  
24 begun in -- later than that because -- you're asking me  
25 to reconstruct from memory things that are 25 years ago

1 almost, and I can't tell you exactly.

2 Q. That's --

3 A. Our program --

4 Q. -- fair.

5 A. Our program was founded, predicated on the  
6 future of television being universal and digital, okay?  
7 And interactive, in fact. That was considered pie in  
8 the sky by many people. And there was a threshold event  
9 sometime around then when people at General Instruments  
10 showed a realistic digital television system. And that  
11 might have ultimately led to things like ATSC. I don't  
12 think ATSC existed then. It might have.

13 Q. Okay. I'd like to refer you to -- let's go  
14 back to paragraph 26. And Deric, you don't need to  
15 display this on the screen. Paragraph 26 of your  
16 declaration where you're describing Figure 15C of the  
17 '040 patent.

18 A. Okay.

19 Q. I'm looking at the bottom of paragraph 27 in  
20 your declaration. Is it correct that it's indicating  
21 that the -- strike that.

22 What's the global panel 1404 in Figure 15C of  
23 the '040 patent?

24 What's your understanding of what that is?

25 A. Well, if you refer back to Figure 15A, that

1 describes what the global panel is, or that depicts what  
2 the global panel is.

3 Q. What is the global panel? What is its  
4 function?

5 ATTORNEY HUH: Objection. Form.

6 A. The global panel may include one or more  
7 sources represented by icons, text, and text or  
8 shortcuts. That's in column 30.

9 BY ATTORNEY SCHREINER:

10 Q. Is that it?

11 In Paragraph 27 at the beginning, you say:  
12 The global panel 1404 includes information related to  
13 content.

14 Do you see that?

15 A. I'm sorry, which paragraph?

16 Q. Paragraph 27 of your declaration, the very  
17 first line states: The global panel 1404 includes  
18 information related to content.

19 Do you see that?

20 A. Yes.

21 Q. Can you explain what you mean by that?

22 A. What I mean by that is in '040 at 25, columns  
23 41 through 44.

24 Q. What do you mean, though? You're describing  
25 your understanding of the '040 patent, Figure 15C here.

1           You say: Global panel 1404 includes  
2 information related to content.

3           Can you explain what you mean by that?

4           A. I'm just describing what's in the patent, not  
5 what I mean, but what I --

6           Q. Well, you're describing your understanding.  
7 You're describing your understanding of the patent,  
8 right?

9           A. I'm trying to summarize the patent.

10          Q. Right. And you're describing your  
11 understanding of the patent. Right?

12          A. I'm drawing upon the patent to describe what I  
13 think the patent says.

14          Q. So global panel 1404 includes information  
15 related to content. Does that mean information related  
16 to content that's accessible to a user?

17          A. Yeah, I don't think the question of  
18 accessibility was in there.

19          Q. Is there anything in the '040 patent that  
20 would indicate that the global panel would list  
21 information related to content that's not available to  
22 the user?

23          A. I don't think that it's addressed either way.

24          Q. Well, my question was is there anything in the  
25 '040 patent that indicates that the global panel would

1 list information related to content that is not  
2 available to the user?

3 ATTORNEY HUH: Objection. Form.

4 A. I don't think it describes specifically  
5 content that is not available or available. It  
6 doesn't --

7 BY ATTORNEY SCHREINER:

8 Q. If you look at Figure 15C, would it be your  
9 understanding that for Live TV, 1504A, for that source  
10 of content, that CNXN is available to the user?

11 A. CNN you might reasonably be expect to be  
12 available to the user.

13 Q. And would it be your understanding that the  
14 content source On Demand 1504B, that the content Sky  
15 Falls would be available to the user?

16 A. I can't comment on that. I can't answer that  
17 because that's Video On Demand. You might have to pay  
18 for it. It might not be available.

19 Q. Setting aside the question of whether somebody  
20 has to pay for it or not, would it be your --

21 A. Well, it's not available if it's not  
22 available.

23 Q. Would it be your understanding -- that's very  
24 clever. Would it be your understanding that the Sky  
25 Falls program would be accessible to a user via the

1 content source On Demand 1504B?

2 A. It may; it may not. It may be available at  
3 some future date. On Demand often has release windows.  
4 You often have to pay for it. It -- by the time you  
5 wanted to watch Sky Falls, it might have been expired  
6 and not available, but since you didn't try to watch it,  
7 your TV might not know that --

8 Q. Would it be your --

9 A. -- so --

10 Q. Would it be your understanding that Sky Falls  
11 would be accessible to a user at some point in time?

12 A. Would be accessible, would have been  
13 accessible, or would become accessible, hard to say.  
14 Most likely.

15 Q. Okay. Well, we talked about Sky Falls before,  
16 right? In column 32 of the patent, it describes Sky  
17 Falls as being presented on the display 1408, right?  
18 Column 32, lines 9 through 17.

19 A. You're faster at jumping through the patent  
20 than I am.

21 Q. Yes, sorry.

22 A. What it says in that paragraph is that as the  
23 indicator is moved to a different source, the content or  
24 preview may be displayed in the active content area. I  
25 think that's what I made as sort of available. It might

1 have been a preview. I don't know.

2 Q. Yeah, I'm looking at column 32, lines 11  
3 through 15. It says: For example, Figure C displays an  
4 image or video associated with Sky Falls being displayed  
5 in content area 1408.

6 A. Yeah, that's consonant with line 9 that says  
7 it might be a preview. It might be a teaser. It might  
8 be a trailer.

9 Q. So some information associated with the Sky  
10 Falls program would be accessible to the user.

11 Is that fair to say?

12 A. Well, it says an image or video associated  
13 with Sky Falls. That counts as some information, I  
14 imagine.

15 Q. Let's take a broader view.

16 What's the purpose of the global panel 1404  
17 that's shown in Figure 15C that you cited in your expert  
18 report?

19 ATTORNEY HUH: Objection. Form.

20 A. I think I refer to what the purpose of the  
21 global panel is in '040 back earlier in the report.

22 BY ATTORNEY SCHREINER:

23 Q. And can you tell me extemporaneously what your  
24 understanding is of the purpose of the user interface of  
25 Figure 15C, the global panel 1404?

1 ATTORNEY HUH: Objection. Form.

2 THE WITNESS: Well, Let me refer to the  
3 report.

4 ATTORNEY SCHREINER: Let me rephrase the  
5 question, okay?

6 BY ATTORNEY SCHREINER:

7 Q. So global panel 1404 has a list of available  
8 sources of content, 1504A through 1504E.

9 Is that correct?

10 A. I'm sorry, say that again. I was --

11 Q. Sure.

12 A. -- reading the patent while you were talking.

13 Q. Global panel 1404 has a list of available  
14 sources of content, 1504A through 1504E.

15 Is that correct?

16 A. Where is that statement? Yeah.

17 Q. Okay. And --

18 A. I'm sorry. Yes.

19 Q. Thank you.

20 Would it make sense for global panel 1404 to  
21 list content that's not available to a user?

22 A. I don't know how to answer that question.  
23 Yes, it might.

24 Q. Do you know anywhere in the '040 patent where  
25 it describes the global panel 1404 listing content that

1 is not available to the user?

2 A. I don't offhand know of it saying that.

3 Q. Okay.

4 A. For me to find where it doesn't say it would  
5 be extremely difficult.

6 Q. So in paragraph -- for paragraph 27 of your  
7 expert declaration, at the bottom of it you cite from  
8 the '040 patent and you refer to different sources and  
9 programs or content being played or displayed.

10 I'll read the passage you have. This is from  
11 column 30, lines 57 to 64 in paragraph 27 of your  
12 declaration: For Live TV, a program name and/or current  
13 program flag may be displayed. For On Demand, a name of  
14 the media and/or media that is currently on VOD may be  
15 displayed. For Media Center, a name of the media and/or  
16 media that is currently on.

17 It goes on to say: For Applications Center, a  
18 name of an application or the application that is  
19 currently playing may be displayed.

20 Do you see that?

21 A. Yes.

22 Q. And is that describing that for these  
23 different sources of content, there are programs or  
24 content that is playing?

25 ATTORNEY HUH: Objection. Form.

1           A.    I can't understand exactly what you're asking.  
2    They wouldn't be playing --

3    BY ATTORNEY SCHREINER:

4           Q.    Just look at, if you would, just look at your  
5    citation at the end of your paragraph 27.

6           A.    Yeah, the citation is what you just read. Is  
7    that not correct?

8           Q.    Yeah. And I'm saying is your understanding of  
9    that citation, is it your understanding that each of  
10   these program sources can provide access to a program  
11   that is currently on or currently playing as described  
12   in that passage?

13                  ATTORNEY HUH: Objection. Form.

14           A.    Well, it says for each one of those, an  
15   application that would be currently playing. But okay.  
16   It says that.

17   BY ATTORNEY SCHREINER:

18           Q.    So the Live TV -- so just looking at that  
19   passage, so for the Live TV source of content, it could  
20   indicate a, quote, current program playing. Correct?

21           A.    Current program playing may be supplied. It  
22   says that.

23           Q.    And for Video On Demand, for that source in  
24   content, it could indicate media that is currently on  
25   VOD may be displayed.

1 Do you see that?

2 A. Yes.

3 Q. And for the Media Center source that's 1504C,  
4 it states that it may indicate, quote, media that is  
5 currently on.

6 Do you see that?

7 A. Yes.

8 Q. And then for Application Center, that's  
9 content source 1504D in Figure 15C. It indicates that a  
10 name of an application and/or the application that is  
11 currently playing may be displayed.

12 Do you see that?

13 A. Yes.

14 Q. So is it your understanding that the  
15 information listed in the sources of content 1504A  
16 through 1504E pertain to content that is being currently  
17 displayed?

18 ATTORNEY HUH: Objection. Form.

19 Q. -- or -- or running --

20 ATTORNEY HUH: Objection.

21 Q. -- in -- in -- please -- in active area 1408?

22 ATTORNEY HUH: Objection. Form.

23 A. Well, it may or may not be. If it's not  
24 selected, I don't know whether it would be playing.

25 BY ATTORNEY SCHREINER:

1 Q. How would a program be selected?

2 A. One might select it by highlighting that  
3 source.

4 Q. So for example, in Figure 15C, the source On  
5 Demand 1504B is highlighted. Correct?

6 A. Figure 15C. Checking. That's the Sky Falls  
7 shot?

8 Q. Right.

9 A. Figure 15C, Sky Falls is highlighted. And we  
10 have been told that Sky Falls or something pertinent to  
11 Sky Falls is what's shown in the content area.

12 Q. And what's shown in the content area could  
13 have been selected using the content source On Demand  
14 1504B in this Figure 15C.

15 Is that fair to say?

16 A. Say that again.

17 Q. So I was asking you how these different  
18 sources of content that are displayed in Figure 1408 are  
19 selected, and you said they could be selected in several  
20 ways, and so I was following up on that.

21 So my question is, could Sky Falls be selected  
22 for display in Figure 15C by selecting the On Demand  
23 content source 1504B?

24 A. Well, you would be selecting On Demand. And  
25 potentially, the last thing you were looking at On

1 Demand or searching for would be Sky Falls, so it would  
2 say On Demand - Sky Falls.

3 I'm not trying to obfuscate. If you go to  
4 1504D and say applications, and it was Bubble Bird --  
5 sounds like a game -- Bubble Bird might have been the  
6 last application you looked at. It might not be  
7 playing. But I'm not trying to be obscure.

8 Q. Okay. Do you agree that one way that a user  
9 might access Sky Falls in Figure 15C is to select the  
10 source of content labeled 1504B On Demand - Sky Falls?

11 ATTORNEY HUH: Objection. Form.

12 A. Well, if you highlight On Demand - Sky Falls,  
13 it will show in the content area something as described  
14 in the patent. It can show something germane to Sky  
15 Falls.

16 BY ATTORNEY SCHREINER:

17 Q. Okay. Including possibly the Sky Falls  
18 program itself.

19 A. Might.

20 Q. Okay. In paragraph 28 of your declaration you  
21 discuss highlighting a source in the global panel. I'll  
22 give you a moment to look at paragraph 28 of your  
23 declaration.

24 A. All right, just give me one moment to --

25 Q. Yeah.

1           A.    -- verify something. Yeah, I just want to  
2 note that that might have been an incomplete answer  
3 because in Figure 16 and discussed in column 32, you  
4 could select an HDMI input, for example, that may or may  
5 not be available, and Figure 16 shows Sky Falls still  
6 being shown.

7           Q.    Figure 16, the active content area, shows  
8 something -- has a different picture than Figure 15C,  
9 right?

10          A.    Yes.

11          Q.    Okay.

12          A.    It's a related picture.

13          Q.    So in paragraph 28 you discuss -- in your  
14 declaration you discuss the indicator 1512 that's  
15 depicted in Figure 15C of the '040 patent.

16                Do you see that discussion in paragraph 28 of  
17 your dec?

18          A.    Yes.

19          Q.    What is your understanding of the function of  
20 indicator 1512?

21                ATTORNEY HUH: Objection. Form.

22          A.    Well, you can highlight a source with an  
23 indicator upon user selection and/or indication.

24 BY ATTORNEY SCHREINER:

25          Q.    So you can highlight a source. What's the

1 purpose of highlighting a source under your  
2 understanding of the '040 patent?

3 ATTORNEY HUH: Objection. Form.

4 A. Does the patent give a reason for why you  
5 would want to highlight it? It gives examples of what  
6 you might want to highlight. I don't think they  
7 describe motivation.

8 BY ATTORNEY SCHREINER:

9 Q. Do you know what the function or purpose of  
10 highlighting it is using the indicator 1512 in the '040  
11 patent?

12 ATTORNEY HUH: Objection. Form.

13 A. It says that it's highlighted to associate it  
14 with --

15 (Reporter clarification)

16 THE REPORTER: I'm sorry, sir?

17 THE WITNESS: Associate it with content  
18 information.

19 BY ATTORNEY SCHREINER:

20 Q. And what's your understanding of what that  
21 means?

22 A. I think I give examples of that with respect  
23 to Kim in my report.

24 Q. Do you know what it means here in the context  
25 of the '040 patent?

1 ATTORNEY HUH: Objection. Form.

2 A. They look to be consonant with each other. I  
3 don't think I show the illustrations. I'm just  
4 scanning. Hold on for a moment.

5 BY ATTORNEY SCHREINER:

6 Q. Sure. I'm just asking in the context of the  
7 '040 patent, not the Kim reference.

8 ATTORNEY HUH: Objection. Form.

9 A. Well, that we've already said can be  
10 associated with a preview or information about it. Or  
11 indeed, if you're watching CNN, it might be CNN, CNXN.

12 BY ATTORNEY SCHREINER:

13 Q. Okay. Let's go ahead and turn to the Kim  
14 reference, which is Exhibit 1005.

15 And Deric, if you can circulate that through  
16 the chat.

17 A. No, I already have it.

18 Q. We have to go through the motions here.

19 ATTORNEY HUH: Dr. Lippman, I know your time,  
20 it's already 12:40. I'm not sure if you want to take a  
21 break or want to have lunch.

22 THE WITNESS: Yeah, let's --

23 ATTORNEY SCHREINER: Greg, if you don't mind,  
24 let me handle that. I appreciate you raising the issue.

25 ATTORNEY HUH: No, I mean, it's Dr. Lippman's

1 prerogative whether or not he wants to take a break for  
2 lunch.

3 ATTORNEY SCHREINER: Yeah, okay. I know, but  
4 I'm in the middle of a line of questioning so if you'll  
5 give me --

6 ATTORNEY HUH: There's no question pending,  
7 and this is his prerogative to take a break or not.

8 ATTORNEY SCHREINER: Okay. Okay, why don't  
9 you -- he's sitting for our deposition. Why don't you  
10 allow me to ask him? I appreciate you bringing it up.  
11 It's --

12 ATTORNEY HUH: Okay, but Steve -- Steve, it's  
13 12:40 his time. If he wants to take a lunch, it's his  
14 prerogative. If he wants a break, it's been an hour  
15 since the last break. That's his prerogative.

16 ATTORNEY SCHREINER: Okay.

17 ATTORNEY HUH: There's no question pending.

18 ATTORNEY SCHREINER: No, there was a question  
19 pending.

20 ATTORNEY HUH: No, there wasn't a question.  
21 What was the question?

22 ATTORNEY SCHREINER: I asked him about  
23 Exhibit 1005, the Kim reference.

24 ATTORNEY HUH: What did you ask?

25 ATTORNEY SCHREINER: And he said -- Greg, I'm

1 not going to go back and forth.

2 ATTORNEY HUH: Okay. Then if there's no  
3 question pending --

4 ATTORNEY SCHREINER: Just be professional,  
5 okay?

6 ATTORNEY HUH: Steve, I'm being professional.

7 ATTORNEY SCHREINER: No, you're not. Okay,  
8 okay.

9 ATTORNEY HUH: I don't want -- I don't want  
10 Dr. Lippman --

11 ATTORNEY SCHREINER: I will ask --

12 (Simultaneous speaking)

13 ATTORNEY SCHREINER: I will ask Dr. Lippman if  
14 he needs a break, okay? You don't need to interject.

15 ATTORNEY HUH: I wasn't interjecting --

16 ATTORNEY SCHREINER: Yes, you were.

17 ATTORNEY HUH: -- in a way that interrupted --

18 ATTORNEY SCHREINER: Yes, you are.

19 ATTORNEY HUH: -- your deposition.

20 ATTORNEY SCHREINER: You're not making an  
21 objection, you just --

22 ATTORNEY HUH: I -- I'm not --

23 ATTORNEY SCHREINER: -- started talking.

24 ATTORNEY HUH: Okay, I'm noting that it's  
25 time -- it's been an hour since the last break.

1           ATTORNEY SCHREINER: And I thank you for that,  
2 and so let me just --

3           ATTORNEY HUH: Okay, well, he's my witness and  
4 I'm going to give him an opportunity to --

5           ATTORNEY SCHREINER: Actually, he's our  
6 witness for this deposition.

7           ATTORNEY HUH: Well, he's my -- he's my  
8 expert. I'm allowing him to take a break if he wishes.

9           ATTORNEY SCHREINER: Okay. It's our  
10 deposition.

11          ATTORNEY HUH: I -- that's fine. You can ask  
12 your questions during your deposition.

13          ATTORNEY SCHREINER: So Dr. Lippman --

14          ATTORNEY HUH: Dr. Lippman --

15          ATTORNEY SCHREINER: -- I apologize for all  
16 that.

17          ATTORNEY HUH: -- if you want to take a  
18 break --

19          (Simultaneous speaking)

20          ATTORNEY SCHREINER: I'd like to -- I'd like  
21 to --

22          ATTORNEY HUH: Okay, I --

23          (Simultaneous speaking)

24          ATTORNEY HUH: I'll take a break because I  
25 need to take a break as well. I didn't want to

1 interject with my break.

2 ATTORNEY SCHREINER: Okay.

3 ATTORNEY HUH: But I have to take a break  
4 then, okay?

5 ATTORNEY SCHREINER: Okay, that's --

6 ATTORNEY HUH: So we're going to take a  
7 10-minute break.

8 ATTORNEY SCHREINER: Okay. You're not --  
9 you're not calling the --

10 ATTORNEY HUH: And be back --

11 ATTORNEY SCHREINER: Greg, you're not --

12 (Simultaneous speaking)

13 ATTORNEY HUH: I'll be back on the clock in 10  
14 minutes.

15 ATTORNEY SCHREINER: Greg, you're not running  
16 the deposition.

17 ATTORNEY HUH: I -- that's right. But I'm  
18 here, and there's no question pending.

19 ATTORNEY SCHREINER: It's arguing. Then let  
20 me talk with the court reporter that I engaged so I can  
21 tell her that we need to go off the record and take a  
22 break. You're making this --

23 ATTORNEY HUH: Okay, well, I'm here as well  
24 defending.

25 (Simultaneous speaking)

1           ATTORNEY HUH: I -- I play a role when I take  
2 a break as well, okay?

3           ATTORNEY SCHREINER: Doctor --

4           ATTORNEY HUH: So let's take -- let's take a  
5 10-minute break.

6           ATTORNEY SCHREINER: Dr. Lippman, is it a good  
7 time for a break for you?

8           ATTORNEY HUH: We're going to take a 10-minute  
9 break.

10          ATTORNEY SCHREINER: Dr. Lippman, is it --

11          ATTORNEY HUH: I need to take a 10-minute  
12 break. I'm defending.

13          ATTORNEY SCHREINER: You can walk away, but  
14 the court reporter --

15          ATTORNEY HUH: No, we're --

16          ATTORNEY SCHREINER: -- doesn't go off --

17          ATTORNEY HUH: -- going off the record.

18          ATTORNEY SCHREINER: -- the record until I  
19 tell her to go off the record.

20          ATTORNEY HUH: Okay, fine.

21          ATTORNEY SCHREINER: Dr. Lippman, we're going  
22 to go ahead and take a 10-minute break. I hope that's  
23 okay with you. Is it okay with you?

24          THE WITNESS: That's okay with me.

25          ATTORNEY SCHREINER: Okay. Mary Ann, let's go

1 off the record.

2 THE REPORTER: We are off the record.

3 (Recess taken.)

4 ATTORNEY SCHREINER: Hi, Dr. Lippman. I hope  
5 you had a nice lunch.

6 THE WITNESS: Hi. I'm fine.

7 ATTORNEY SCHREINER: When we broke, when we  
8 last broke, we were turning to the Kim reference, which  
9 is Exhibit 1005. And I'd like to go ahead and let's  
10 introduce that into the record. And if the tech could  
11 go ahead and email that through the chat and post it to  
12 the screen just so we can have Dr. Lippman identify it,  
13 that would be helpful.

14 THE WITNESS: Okay. I already have it.

15 BY ATTORNEY SCHREINER:

16 Q. Okay. You recognize Exhibit 1005 to Kim,  
17 Dr. Lippman?

18 A. Yes.

19 Q. Okay. And this is the reference that you used  
20 in your declaration, Exhibit 1003. Correct?

21 A. Yes.

22 Q. Okay. We can go ahead, Deric, and take that  
23 down from the screen.

24 Let's go to paragraph 43 of your declaration,  
25 Dr. Lippman.

1 A. Okay.

2 Q. So in paragraph 43 you're referencing  
3 paragraph 38 of Kim, and you quote from a passage that  
4 says: The image display apparatus 100 made be, for  
5 example, a network TV, a smart TV, etc.

6 Do you see that?

7 A. Yes.

8 Q. What's your general understanding of what this  
9 image display apparatus is?

10 Is it a television, some sort of television  
11 device?

12 A. Certainly can be.

13 Q. And the term "smart TV" that's used here in  
14 Kim, what's your understanding of what that would be?

15 A. I think we already went through this.

16 Q. I thought it might refresh your recollection  
17 since you're seeing it in Kim here.

18 A. I drew guidance for "smart TV" from the '040  
19 patent.

20 Q. Okay. In paragraph 44 of your declaration, on  
21 page 20 at the bottom you describe a user input  
22 interface 150 that's disclosed in Figure 6 of Kim.

23 Do you see that on page 20 of your  
24 declaration?

25 A. Yes.

1 Q. Can you put into your words the function of  
2 the user input interface 150 in relation to the remote  
3 control and the controller 170?

4 ATTORNEY HUH: Objection. Form.

5 THE WITNESS: I'm sorry, say that again.

6 BY ATTORNEY SCHREINER:

7 Q. Can you put in your own words the function of  
8 the user input interface 150 in relation to the remote  
9 control and the controller 170 shown in Figure 6 of Kim?

10 ATTORNEY HUH: Objection. Form.

11 A. Hadn't thought of that as a question, but it  
12 is what it says in Kim.

13 BY ATTORNEY SCHREINER:

14 Q. Can you describe in your own words, though,  
15 what your understanding is of the function of the user  
16 input interface 150?

17 A. My words would be no different from Kim's.

18 Q. So your words would -- so your explanation  
19 would just be to repeat what Kim says in paragraph 87?

20 A. Well, I think he's reasonably clear.

21 Q. Can you explain for me, please?

22 A. The user interface may receive various input  
23 signals and may transmit a signal received from the  
24 controller to the remote controller. That's --

25 Q. So in practice, how's the user input interface

1 used when a user uses the remote control? Walk me  
2 through that process, please.

3 A. The remote controller may transmit a user  
4 input to the user input interface, so it is the receiver  
5 of the signal from the remote control.

6 Q. So let's start -- I'm trying to get this in  
7 your own words and more -- in your own words as opposed  
8 to just repeating the text from Kim, because I know you  
9 understand this stuff thoroughly.

10 So let's start with the user uses the remote  
11 control and selects the home screen button. Walk me  
12 through the process of what happens with the remote  
13 controller vis-a-vis the user interface and the  
14 controller one --

15 ATTORNEY HUH: Objection. Form.

16 A. What I say in my report is Kim's remote  
17 control can be used to access and cause to be displayed  
18 on the image display apparatus the home screen with  
19 different types of contents.

20 BY ATTORNEY SCHREINER:

21 Q. And where is that in your declaration?

22 A. Paragraph 47.

23 Q. Right. But that doesn't describe what the  
24 remote control is doing vis-a-vis the user input  
25 interface 150 and the controller 170, so I'm simply

1 asking you to walk through the process of what happens,  
2 looking at Figure 6, what happens when the user inputs  
3 the home screen at remote control 200.

4 What is the signal flow?

5 ATTORNEY HUH: Objection. Form.

6 A. I'm not sure what's unclear about that. The  
7 keys on the remote control can be used to control or  
8 change the information displayed, for example,  
9 describing a home key for displaying a home screen. So  
10 you can use a remote key, which is received by the  
11 remote interface, and that causes it to access the home  
12 screen.

13 BY ATTORNEY SCHREINER:

14 Q. Okay. When the user -- okay, you understand  
15 your job as an expert is to understand the patent, this  
16 reference, and to be able to explain it, right? You  
17 understand that, right?

18 A. I think I did explain it, and I explained it  
19 with reference to the references.

20 Q. Right. So when the user uses the remote  
21 control and presses the home key, tell me what happens  
22 between the remote controller 200 and the user input  
23 interface 150.

24 A. Let me go back to Figure 6. I'm not sure what  
25 I can add to that. If you use --

1 Q. Add to what?

2 A. -- the remote control, the signal from the  
3 remote control is received by the user input interface,  
4 and that signals the controller to put up the home  
5 screen if that's the selection you've made.

6 Q. So are you saying the user inputs the  
7 remote -- the home screen signal and the remote  
8 controller is going to transmit a signal to the user  
9 input interface 150?

10 Is that correct?

11 A. That would make sense.

12 Q. Well, is that correct?

13 A. If you press a button on the remote control,  
14 the signal from the remote control's received by the  
15 user interface, whatever it's called, user input  
16 interface.

17 Q. And then the user input interface will then  
18 transmit a corresponding signal from it to the  
19 controller 170.

20 Is that correct?

21 A. That's what's shown in the figure.

22 Q. And that's how Kim operates, right?

23 A. Okay.

24 Q. No, that's my question. I'm trying to  
25 understand what the user input interface does when a

1 user inputs the home screen button at the remote  
2 control. I'm just asking you to walk me through the  
3 significant glow. It's pretty straightforward, I think.

4 ATTORNEY HUH: Objection. Form.

5 A. The user interface receives that signal and  
6 transmits to the controller, which then causes, if you  
7 press the home screen button, the home screen to appear.

8 BY ATTORNEY SCHREINER:

9 Q. And does the user input interface 150 send a  
10 signal that corresponds to the home screen to the  
11 controller? Is that your understanding?

12 A. It sends a signal that indicates what action  
13 was taken by the user and the controller then interprets  
14 that action and takes it.

15 Q. So would the user input interface be sending a  
16 signal that corresponds to the home screen selection  
17 that the user made?

18 A. It might. If it was that explicit, it might  
19 be a button that says home screen. That would be one  
20 way to do it.

21 Q. The signal between the user interface 150 and  
22 the controller 170 in this case has to be reflective of  
23 the home screen, right, so that the controller knows  
24 that the home screen is being called, right?

25 ATTORNEY HUH: Objection. Form.

1           A.    Well, I don't know exactly what it is. I  
2 mean, it might be button X has been pressed or gesture Y  
3 has been made, but it is a signal that is interpreted by  
4 the controller and then acted upon.

5 BY ATTORNEY SCHREINER:

6           Q.    It's interpreted by the controller as being a  
7 signal corresponding to the home screen, right?

8           A.    It manages to deduce or compute if the request  
9 was for the home screen that it be for the home screen.

10          Q.    In paragraph 45 of your declaration you refer  
11 to the on-screen display in Kim.

12                Do you see that in paragraph 45?

13          A.    Yeah.

14          Q.    The OSD generator that you reference here,  
15 which figure is that from in Kim?

16          A.    Which figure?

17          Q.    Correct. I think it's from Figure 10. If I  
18 can refer you to Figure 10, just if you could confirm  
19 for me that the OSD generator 340 is from Figure 10 of  
20 Kim.

21          A.    Figure 10 is an OSD generator. It --

22          Q.    Figure 10 shows an OSD generator, right, among  
23 other things?

24          A.    Figure 5 also shows an OSD generator. The  
25 controller can generate a display as well.

1 Q. And in paragraph 45 you indicate that the OSD  
2 generator 340 can generate an on-screen display.

3 Is that correct?

4 A. In paragraph 45?

5 Q. Yes.

6 A. Yes.

7 Q. And Figure 19 of Kim, which is discussed in  
8 your expert report, is that an example of an on-screen  
9 display?

10 A. Figure 19 is a display on the screen so you  
11 could call it an on-screen display. That's an ancient  
12 term, but yes.

13 Q. Okay. Do you recall that Kim refers to items  
14 on the screen as, quote-unquote, card objects?

15 A. Yes.

16 Q. What's your general understanding of what a  
17 card object is in Kim?

18 A. Let me go back to my report, see if I'm clear  
19 on that.

20 Q. Maybe I can help you. Refer you to paragraph  
21 46 of your expert report, of your expert declaration at  
22 the bottom.

23 ATTORNEY HUH: Objection to form.

24 THE WITNESS: Okay.

25 BY ATTORNEY SCHREINER:

1 Q. So what's your understanding of what a card  
2 object is in the Kim reference?

3 A. It says there are card objects that can  
4 include or access different types of content. So card  
5 objects can access -- depict ways to access different  
6 types of content.

7 Q. "Card object," is that a term of art that  
8 you're familiar with in this field?

9 A. People have used the word "card" to describe  
10 objects dating back to HyperCard from Apple days, so  
11 "card" is not an unfamiliar term.

12 Q. Is it -- card object, is it a type of window  
13 on the display? Is that a fair way to describe it in,  
14 let's say, more modern terms?

15 A. I think I would just simply say a display  
16 element.

17 Q. Display element? Okay.

18 Referring to Figure 19 of Kim, what's your  
19 understanding of what the function is of the various --  
20 strike that.

21 Figure 19 of Kim depicts a series of card  
22 objects. Is that correct?

23 A. It describes a screen that contains card  
24 objects.

25 Q. Multiple card objects, right?

1 A. Yes.

2 Q. What's your general understanding of what the  
3 function is of these card objects?

4 ATTORNEY HUH: Objection. Form.

5 A. These card objects are groupings of types of  
6 media accessible or sources of media.

7 BY ATTORNEY SCHREINER:

8 Q. You said: These card objects are groupings of  
9 types of media accessible or sources of media. Can you  
10 explain that? I'm just a little unclear.

11 A. Can you ask me what you're unclear about?

12 Q. I don't understand the phrase "groupings of  
13 types of media accessible or sources of media."

14 A. Well, as sources of media, for example,  
15 there's one that's the App Store. That's a source of  
16 applications. There's Netcast, which is a source of  
17 VOD, and there's others.

18 Q. Okay. So the objects reflect different  
19 sources of media. Is that correct?

20 ATTORNEY HUH: Objection. Form.

21 A. The objects can display different sources of  
22 media, yes.

23 ATTORNEY SCHREINER: Let's go ahead and  
24 introduce the Choi reference. That is Exhibit 1007.

25 (Exhibit No. 1007, previously marked, was

1 referenced and indexed.)

2 ATTORNEY SCHREINER: And if the tech could go  
3 ahead and distribute that by chat and just post it  
4 briefly so that we can confirm that Dr. Lippman  
5 recognizes Choi Exhibit 1007. Deric, are you able to  
6 post the front page of Exhibit 1007? And failing that,  
7 Dr. Lippman, you have a hard copy. Oh, here we go.  
8 Thank you.

9 BY ATTORNEY SCHREINER:

10 Q. Dr. Lippman, do you recognize Exhibit 1007 to  
11 Choi?

12 A. Yes.

13 Q. Okay. And that's a reference you used in your  
14 analysis with regard to the '040 patent. Correct?

15 A. Yes.

16 Q. Okay.

17 Deric, you can go ahead and take down that  
18 exhibit.

19 A. Wait a minute. Yeah.

20 Q. Do you have a hard copy of Choi, Exhibit 1007,  
21 Dr. Lippman?

22 A. Yeah, let me just --

23 Q. Sure.

24 A. Can you put up your picture again?

25 Q. Sure.

1           Deric, please put Exhibit 1007, the cover  
2 page, back up.

3           A.    There's something wrong here, isn't there?

4           Q.    Dr. Lippman, if you don't have a physical  
5 copy, it's fine for you to go ahead and open up the  
6 electronic copy that was sent via chat.

7           A.    Oh, I do have a physical copy. There seems to  
8 be a typo in the report, that's all.

9           Q.    Oh, okay. What is the typo that you're  
10 referring to?

11          A.    At paragraph 50.

12          Q.    Okay. And what is that typo?

13          A.    The publication number is wrong.

14          Q.    Oh, yeah, right. Okay.

15          A.    I assume that's a -- that we all agree that's  
16 a typo and we can proceed, that the reference is indeed  
17 the one we're talking about.

18          Q.    We agree that that's US publication  
19 2013/0057764, yes.

20          A.    Okay.

21          Q.    So Deric, you can go ahead and take that  
22 reference down, that exhibit down. And I'd like to look  
23 at Figure 11 of Choi.

24          A.    Okay.

25          Q.    Figure 11 of Choi shows a graphical user

1 interface on a television screen.

2 Is that correct?

3 A. Appears so.

4 Q. And it's a full screen. Correct?

5 A. Showing the whole television set.

6 Q. If you look at paragraph 250 of Choi, it  
7 states in paragraph 250: A plurality of external  
8 devices are displayed on the full screen 810 of display  
9 unit 180.

10 Do you see that?

11 A. Not yet.

12 Q. Paragraph 250 of Choi, do you see that?

13 A. I'm getting there.

14 Q. Okay, sure.

15 A. Yes.

16 Q. So in paragraph 250 of Choi, it states: A  
17 plurality of external devices are displayed on the full  
18 screen 810 of display unit 180. Correct?

19 A. Yes.

20 Q. So in Figure 11, what we're seeing is a  
21 graphical user interface that's on a full screen.  
22 Correct?

23 A. We are seeing a component of the graphical  
24 interface, yes.

25 Q. That occupies the full screen 810 of the TV?

1           A.     In the figure, yes. Well, it doesn't actually  
2 occupy the full screen.

3           Q.     Okay. Paragraph 250 indicates that it  
4 occupies the full screen. Correct?

5           ATTORNEY HUH: Objection. Form.

6           A.     Well, if you look at the image, it actually  
7 takes up less area than the full screen.

8 BY ATTORNEY SCHREINER:

9           Q.     Okay. Paragraph 250 states: As shown in  
10 Figure 11, the plurality of external device icons 820  
11 representing a plurality of external devices are  
12 displayed on the full screen 810 of the display unit  
13 180.

14                  Do you see that?

15           A.     Yes.

16           Q.     Okay. So Choi indicates that that user  
17 interface showing the plurality of external devices is  
18 on the full screen 810 of the display. Correct?

19           A.     It is on the full screen of the display.

20           Q.     And you see the symbols 830A through 830C --

21           A.     Yes.

22           Q.     -- in Figure 11?

23                  What is the purpose of symbols 830A through  
24 830C as described in Choi?

25           A.     Well, as I say in the report, those represent

1 external devices and indicate that a given device is  
2 connected to an input port of the image display device.

3 Q. The symbols that are shown in 830A through  
4 830C, they're all the same. Correct? The symbols are  
5 all identical?

6 A. Those little -- little ones, yes.

7 Q. Do they specify any particular different input  
8 port for the television?

9 A. In general --

10 ATTORNEY HUH: Objection. Form.

11 A. Well, in general, one device would be plugged  
12 into one input port.

13 BY ATTORNEY SCHREINER:

14 Q. Right. A television would typically have  
15 multiple input ports. Correct?

16 A. The televisions at issue likely have multiple  
17 input ports. That way, they can connect multiple  
18 devices.

19 Q. Right. And in fact, if a television is  
20 connecting to multiple external devices, it has to have  
21 multiple input ports, right?

22 A. Or something in between that would serve a  
23 purpose of multiplexing them and selecting them for a  
24 single input port, yes.

25 Q. So can you give me some examples of the types

1 of input ports in a, quote-unquote, smart television in  
2 this time frame? Just some examples of input ports.

3 A. Well, the primary input port under  
4 consideration is an HDMI input port.

5 Q. What are the --

6 A. There are other types of inputs that a  
7 television could accept in that era.

8 Q. Would a USB port be an input port that a  
9 television might have in this era?

10 A. It could be a USB port. Televisions commonly  
11 had USB ports. It might have also been a signal input.

12 Q. Is that like S-Video?

13 A. S-Video is a signal that could have been  
14 directly connected to a TV.

15 Q. Would DVI be another type of input port that a  
16 television in this time frame might have?

17 A. It might. I would imagine that would be less  
18 common, but yes. Does DVI date from that? Yeah, DVI  
19 dates from that era.

20 Q. Okay. Do the symbols 830A through 830C in  
21 Choi specify different types of input ports?

22 A. Not sure. I'd have to check. But it may well  
23 be that some of them display things like USB, and some  
24 of them display other things.

25 Q. Why don't you go ahead and take a look at Choi

1 and tell me what your answer is after you look at Choi.

2 A. In paragraph 99 of Choi, the AV input/output  
3 unit may include a USB terminal, a composite video,  
4 blanking and sync terminal, an S-Video terminal, a  
5 component terminal, and so on, DVI or HDMI.

6 Q. Those are different types of input ports,  
7 right, in paragraph 99 of Choi?

8 A. Each one of those is a different type.

9 Q. And when we go to paragraph 250 of Choi that  
10 describes Figure 11 --

11 A. One moment. Okay.

12 Q. -- are the symbols 830A through 830C  
13 identified as being any particular type of input port?

14 A. No. That indicates that something's  
15 connected.

16 Q. Right. So in Figure 11 of Choi, those symbols  
17 830A through 830C, am I understanding that your -- let  
18 me rephrase that.

19 In Figure 11 of Choi, symbols 830A through  
20 830C, is it correct that they indicate that those  
21 associated external devices are connected to the  
22 television, whereas the ones that don't have those  
23 symbols would not be connected to the television?

24 Is that correct?

25 A. They wouldn't be identified as being

1 connected.

2 Q. Let's go ahead and go back to Kim,  
3 Exhibit 1005.

4 A. Okay.

5 Q. And let's look at Figure 19 of Kim,  
6 Exhibit 1005.

7 A. Okay.

8 Q. And do you see on the left-hand side of  
9 Figure 19 there's something marked 1315, which is  
10 described in the patent as being broadcast image 1315.

11 Do you see 1315?

12 A. Yes.

13 Q. Okay. And do you see in paragraph 64 of your  
14 declaration you reference broadcast image 1315?

15 A. Paragraph?

16 Q. 64. Sorry, I'm not trying to make you jump  
17 between documents. This I know this is --

18 A. It's not that hard.

19 Q. Yeah.

20 A. Yeah.

21 Q. Why does Kim call window 1315 the broadcast  
22 image 1315?

23 ATTORNEY HUH: Objection. Form.

24 A. He describes an image that can show broadcast  
25 as being another card, and that card can be a different

1 size or locked onto the screen.

2 BY ATTORNEY SCHREINER:

3 Q. And is it correct that the broadcast image  
4 1315 is shown inside the broadcast card object 1310 on  
5 Figure 19?

6 A. In Figure 19, that would appear to be so.

7 Q. And is it correct that the broadcast card  
8 object 13 provides access to information about broadcast  
9 content?

10 ATTORNEY HUH: Objection. Form.

11 A. Wait, say that again. I'm just momentarily  
12 confused. 1310 is the entirety of the card, right?

13 BY ATTORNEY SCHREINER:

14 Q. Correct.

15 A. Yeah.

16 Q. So the question was -- let me repeat the  
17 previous question.

18 Is it correct that broadcast image 1315 is an  
19 image shown within the broadcast card object 1310?

20 A. Yes.

21 Q. And there's a series of other card objects  
22 shown on Figure 19, and I'm just going to go through  
23 them slowly.

24 There's a Netcast content card object 1320.

25 Do you see that?

1 A. Yes.

2 Q. There's an App Store content card object 1330.

3 A. Yes.

4 Q. There's a channel browser card object 1340.

5 A. We're -- oh, on his -- okay, on his Figure 19,  
6 yes.

7 Q. Yes. There is a TV guide card object 1350  
8 on --

9 A. Yes.

10 Q. -- Figure 19. Was that a yes?

11 A. I'm sorry. Yes.

12 Q. Okay, thank you.

13 Then just continuing to work ourselves to the  
14 right on Figure 19 of Kim, there's a  
15 reservation/recording card object 1360.

16 A. Yes.

17 Q. A My Media card object 1370.

18 A. Yes.

19 Q. And external device card object 1380.

20 A. Yes.

21 Q. And a phone object, a phone card object 1390.  
22 Correct?

23 A. Yes.

24 Q. So we have this broadcast card object 1310,  
25 and then we've got a series of other card objects going

1 from 1320 to 1390.

2 Is that fair to summarize?

3 A. We have a set of them, okay.

4 Q. Does Kim disclose anywhere that content from  
5 the other card objects, 1320 through 1390, is displayed  
6 in the broadcast image 1315 shown on Figure 19?

7 A. I'm not sure that I have a reference where it  
8 shows that.

9 Q. Okay. And referring to -- or still with your  
10 paragraph 64 in your declaration, I'm now on page -- the  
11 top of page 32 where you've got the annotated version of  
12 Figure 19 of Kim.

13 Do you see that?

14 A. Yes.

15 Q. So now referring to the claim, limitation 1.3  
16 of the claim refers to -- I'm just going to read it --  
17 retrieving by the processor, from memory, a first  
18 content information for display in the global panel.

19 ATTORNEY HUH: Objection. Form.

20 BY ATTORNEY SCHREINER:

21 Q. Do you see that limitation in Claim 1 of the  
22 '040 patent? I gave you that printout 2010 to try to  
23 help you with this.

24 A. Which?

25 Q. Limitation 1.3. So here's the question: Do

1 you see in Claim 1, limitation 1.3: Retrieving by the  
2 processor, from memory, a first content information for  
3 display in the global panel?

4 A. I see that.

5 Q. And then limitation 1.4 goes on to say that  
6 that retrieved first content information is displayed in  
7 the global panel.

8 Is that accurate?

9 A. Yes.

10 Q. And then now referring to your annotated  
11 Figure 19 on page 30 -- the top of page 32 of your  
12 declaration, here's my question. Is it your position  
13 that the claimed first information content in Claim 1 is  
14 anything displayed on the home screen of Kim's  
15 Figure 19?

16 ATTORNEY HUH: Objection. Form.

17 A. Well, I address that on page 48 in my report  
18 so I wouldn't refer to figure -- to that figure.

19 Q. Okay. You can -- you're free to look at  
20 paragraph 48. Can you --

21 A. Free to look at -- it's not paragraph 48. I  
22 didn't mean to interrupt. Sorry.

23 Q. Yeah, that's okay.

24 You see in Exhibit -- your annotated Figure 19  
25 of Kim on -- at the top of page 32 of your expert

1 declaration you've got a box that says Displaying  
2 Content.

3 Do you see that?

4 A. Hang on, I'm going back there. Right.

5 Q. So when you refer to displaying content --  
6 you've got that in quotes -- are you referring to the  
7 first content information that's recited in Claim 1?

8 A. I refer to the first information content in  
9 Claim 1 later on in my report and so, if you'll permit  
10 me, that's where I describe the first content  
11 information.

12 Q. Okay. That was, you said, page 48?

13 A. Page 48 is where I address --

14 Q. Okay.

15 A. -- claim element 1.3.

16 Q. Sure.

17 So from paragraph 90 of your declaration --

18 A. Paragraph 90?

19 Q. Yeah, page 49, the very next page.

20 A. Right.

21 Q. You're indicating that the first content  
22 information is the descriptive text that is in several  
23 card objects, App Store 1330, reservation record 1360,  
24 and My Media 1370.

25 Is that correct?

1 A. I say that in the report.

2 Q. Okay. And that's -- and your report reflects  
3 your current opinion. Correct?

4 A. Yes.

5 Q. Okay. And then going to page 52 of your  
6 report, paragraph 96, is it correct that you have an  
7 alternative first content information corresponding to  
8 the claim, which would be thumbnails that are shown in  
9 App Store 1330, channel browser 1340, reservation record  
10 1360, and My Media 1370?

11 Is that correct?

12 ATTORNEY HUH: Objection. Form.

13 A. In addition to the text, it can display as  
14 content information a thumbnail or icon.

15 BY ATTORNEY SCHREINER:

16 Q. And your analysis is that that corresponds --  
17 that meets the first content information of the --  
18 Claim 1. Correct?

19 A. First content in 1.3.

20 Q. Right, 1.3 and 1.4.

21 ATTORNEY HUH: Objection. Form.

22 A. Kim discloses such content information. And  
23 that is content information.

24 BY ATTORNEY SCHREINER:

25 Q. So just we have a clean record, it's your

1 opinion in your expert report that the thumbnails in App  
2 Store 1330, channel browser 1340, reservation record  
3 1360, and My Media 1370 meet the first content  
4 information for display limitation 1.3 of Claim 1,  
5 right?

6 A. Well, what I said was that the text,  
7 descriptive text is the content information. And the  
8 thumbnails can be content information as well.

9 Q. So either the thumbnails in these particular  
10 card objects, they can meet the first content  
11 information of Claim 1 or you're saying alternatively,  
12 the descriptive text in these card objects can meet the  
13 first content limitation of the claim.

14 Is that -- do I have that right?

15 ATTORNEY HUH: Objection. Form.

16 A. It's nonexclusive.

17 BY ATTORNEY SCHREINER:

18 Q. So either the thumbnails and/or the  
19 descriptive text in the card objects you've identified  
20 meet the first content information limitation of  
21 Claim 1.

22 Is that correct?

23 A. The thumbnails inform users of available  
24 content so they qualify as first content information as  
25 well as the text.

1 Q. So either one satisfies the first content  
2 information limitation.

3 Is that correct?

4 A. Either can, yes.

5 Q. Okay. And your position is that both do, in  
6 fact, meet the first content information limitation of  
7 Claim 1, right?

8 A. I'm not sure. Your restatement changed the  
9 word to "both" from "either." Which do -- which do you  
10 intend to --

11 Q. Yeah, I'm trying to understand your position.  
12 Let me restate it.

13 Is it correct that your position is that the  
14 thumbnails alone meet the first content limitation --  
15 let me rephrase that.

16 Is it correct that your position is that the  
17 thumbnails alone meet the first content information  
18 limitation of the claim?

19 A. Well, what I say is they may include  
20 thumbnails. I'm not sure I thoroughly addressed the  
21 idea of whether the thumbnails alone or the thumbnails  
22 are text, but they are both examples of content  
23 information.

24 Q. So is it correct that the first content  
25 information limitation is met by the combination of the

1 thumbnail and the descriptive information?

2 A. I think I described it both ways, that the  
3 thumbnails are descriptive text and that the text --  
4 sorry, are first content information and the descriptive  
5 text is first content information as well.

6 Q. I appreciate your patience. You have a long  
7 report that I have to scroll through here.

8 Figure 19 of Kim has one card object named the  
9 App Store card object 1330.

10 Do you see that?

11 A. Yes.

12 Q. And then there's another portion of the  
13 display, which is applications menu 1305 down towards  
14 the left-hand bottom of the figure.

15 Do you see that?

16 A. Yes.

17 Q. What's your understanding of the difference  
18 between application menu 1305 and App Store card object  
19 1330?

20 A. Did I address 1305 in my report?

21 Q. You do somewhere. Can you tell me -- as we  
22 sit here, without having to parse through the entirety  
23 of your report, do you have a general understanding of  
24 what difference exists between the application menu 1305  
25 and the App Store card object 1350?

1 And if your answer is I don't know without  
2 reviewing my report, that's satisfactory.

3 A. Kim discloses that the home screen application  
4 menu has user set application items 1308. In certain  
5 embodiments, the user set application menu may be  
6 changed to display application menus for applications  
7 which are frequently addressed -- accessed, so I did  
8 mention it in my report.

9 Q. Would it be your understanding that  
10 application menu 1305 shows applications that are  
11 already on the system versus application store card  
12 object 1330 shows applications that can be acquired?

13 ATTORNEY HUH: Objection. Form.

14 A. I don't believe I made that distinction.  
15 BY ATTORNEY SCHREINER:

16 Q. Do you believe that's a distinction between  
17 those two items, 1305 and 3030?

18 A. 13 --

19 ATTORNEY HUH: Objection. Form.

20 A. Sorry. 1305 is user set, is a user set suite  
21 of applications.

22 BY ATTORNEY SCHREINER:

23 Q. That are resident on the device. Correct?

24 ATTORNEY HUH: Objection. Form.

25 A. I didn't say they were resident or

1 aspirational. I mean, they're just set by the user.

2 BY ATTORNEY SCHREINER:

3 Q. Would it be your understanding as an expert  
4 that those applications in application menu 1305 would  
5 be applications that are resident on the system?

6 ATTORNEY HUH: Objection. Form. Scope.

7 A. I made no statement about that.

8 BY ATTORNEY SCHREINER:

9 Q. So you don't have an opinion on that as we sit  
10 here today?

11 A. I did not form an opinion on that.

12 Q. Are you prepared to provide one now?

13 A. Not without further thought.

14 Q. Okay. Let's go back to paragraph 73 of your  
15 expert declaration on page 38, so it's the very end of  
16 your paragraph 73. Let me know when you've arrived  
17 there, page 38.

18 A. Paragraph 73 begins on page 36.

19 Q. Right, not -- we're going to look at page 38,  
20 the very end of your paragraph 73.

21 A. That's a quote that begins on page 37, is that  
22 correct?

23 Q. That's correct. In Figure 13 -- strike that.

24 In Figure 19 of Kim there's a card object  
25 called external device 1380.

1 Do you see that?

2 A. Yes.

3 Q. Okay. And at the bottom of that passage you  
4 quote, in your expert report it refers to: The card  
5 objects may further include at least one of a card  
6 object representing a list of connected external  
7 devices.

8 Do you see that?

9 A. Yes.

10 Q. What's your understanding of what Kim means by  
11 a list of connected external devices?

12 A. External devices that can be attached to the  
13 system.

14 Q. That can be attached or that are attached?

15 A. Well, if they're connected, they're attached.  
16 I wouldn't necessarily require that.

17 Q. But you don't dispute that paragraph 94 in Kim  
18 states: Representing a list of connected external  
19 devices. That's what Kim says, right?

20 A. Right.

21 Q. And if I could refer you now to paragraph 81  
22 of your declaration on page 44, just let me know when  
23 you've gotten there.

24 A. Okay.

25 Q. Is it correct that your opinion is that Kim's

1 home screen is the claimed global panel of Claim 1 of  
2 the '040 patent?

3 ATTORNEY HUH: Objection. Form.

4 A. Well, I state in the report that Kim discloses  
5 that based on a received user selection signal, a go to  
6 home screen input selection, controller determines to  
7 display a home screen.

8 BY ATTORNEY SCHREINER:

9 Q. Right. I see that text in your report.

10 A. Yeah.

11 Q. So is it your opinion that Kim's home screen  
12 meets the global panel limitation in Claim 1?

13 A. The words "home screen" and "global," "home"  
14 and "global" are used interchangeably.

15 Q. So is it your opinion that Kim's home screen  
16 is the global panel claimed in Claim 1?

17 A. Yes.

18 Q. The term "global panel" is -- it's used in the  
19 claims of the '040 patent and it's also used throughout  
20 the specification. Is that correct?

21 A. That sounds fair. Let me look at the claim.  
22 Claim 1.2 says a global panel. 1.3 has the words  
23 "global panel," so it's used frequently.

24 Q. So it's in the claims and it's also in the  
25 specification. Correct?

1 A. It's also in the title.

2 Q. And in the specification. Correct?

3 A. Yes.

4 Q. Thank you.

5 You applied the claim language -- in your  
6 analysis, you applied the claim language to the prior  
7 art references that you cited. Correct?

8 A. I applied the claim language -- I showed how  
9 the prior art rendered obvious those claim elements, did  
10 I not? I'm not sure I phrased it your way. That sounds  
11 like a different way of saying something.

12 Q. Your expert report, it numbers the limitations  
13 or the elements of the claim, right? So Claim 1 is  
14 numbered from 1.0 to 1.7. Correct?

15 A. I think we're using the same numbers  
16 throughout, is that -- I'm not going to check that.  
17 I'll -- you can tell me --

18 Q. You were --

19 A. -- if that's true.

20 Q. -- faithful to the numbering in the Petition.

21 A. Okay.

22 Q. So let me just ask the question again. This  
23 is just foundational.

24 Is it correct that your expert report numbers  
25 the limitations of the claim from limitation 1.0 to 1.7?

1 A. I think that's right.

2 Q. And for each one of these -- you understand  
3 what I'm referring to when I say limitation, do you?

4 ATTORNEY HUH: Objection. Objection, form.

5 A. I understand the word "limitation."

6 BY ATTORNEY SCHREINER:

7 Q. Okay. And for each one of these limitations  
8 is it correct that you made a determination as to  
9 whether that limitation was met or satisfied by the  
10 prior art references you were looking at?

11 A. Yes.

12 Q. And in so doing, you applied your  
13 understanding of the claim language. Correct?

14 ATTORNEY HUH: Objection. Form.

15 A. I think I made a comment on claim terms in my  
16 report.

17 BY ATTORNEY SCHREINER:

18 Q. Right. You said that you used the ordinary  
19 and customary meaning of a claim term as understood by a  
20 POSITA in the field.

21 Do you remember that generally?

22 A. That's probably correct. I could search for  
23 it, but --

24 Q. What was your understanding of the claim term  
25 "global panel" that you analyzed for Claim 1?

1 ATTORNEY HUH: Objection. Form.

2 A. It's essentially, and I believe it says so in  
3 the patent, the home screen.

4 BY ATTORNEY SCHREINER:

5 Q. And what's your understanding of what home  
6 screen is in this field?

7 A. It's the screen you go to when you press the  
8 home screen button.

9 Q. And what's the purpose of a home screen in  
10 this field?

11 ATTORNEY HUH: Objection. Form.

12 A. Well, the purpose of the home screen is what  
13 it says it does in these panels. There's wide latitude  
14 in what a home screen can do. This is what it says in  
15 these patents. This is what the home screen does.

16 ATTORNEY SCHREINER: Object to that as being  
17 nonresponsive.

18 BY ATTORNEY SCHREINER:

19 Q. Can you describe for me your general  
20 understanding of what is a home screen in this field?

21 ATTORNEY HUH: Objection. Form.

22 A. A home screen is the screen that you go to  
23 when you press the home button.

24 BY ATTORNEY SCHREINER:

25 Q. Right. And if there's another screen and you

1 press a button, that's the screen you go to. I'm asking  
2 you, what is the function or purpose of a home screen as  
3 you generally understand it in this field?

4 ATTORNEY HUH: Objection. Form.

5 A. The home screen has a multiplicity of  
6 potential functions depending on the design of the  
7 system. And in '040, a particular global panel or home  
8 screen is described and so that's what home screen means  
9 in the context of the panel. Sorry, the patent.

10 BY ATTORNEY SCHREINER:

11 Q. And Kim describes a home screen as well,  
12 right?

13 A. He does.

14 Q. What is it in the global panel of the '040  
15 patent and in Kim's home screen, what are the common  
16 elements that make them each home screens?

17 ATTORNEY HUH: Objection. Form.

18 A. The home screen in Kim meets all of the  
19 limitations of the home screen as described in '040 in  
20 Claim 1.

21 BY ATTORNEY SCHREINER:

22 Q. Okay. We have been going for about an hour  
23 and 10 minutes. Would you like to take a 10-minute  
24 break?

25 A. Sure.

1 Q. Okay. And before we go, let me ask you, did  
2 you and your counsel discuss the deposition during the  
3 break?

4 A. We didn't. I didn't talk to my -- to the  
5 counsel.

6 ATTORNEY SCHREINER: Okay, that's fine.  
7 Great, thank you. We'll reconvene in 10 minutes.

8 (Recess taken.)

9 BY ATTORNEY SCHREINER:

10 Q. We are still looking at your declaration,  
11 Exhibit 1003, Dr. Lippman. In paragraph 82 of your  
12 declaration, this is on page 45, just let me know when  
13 you get there.

14 A. Okay.

15 Q. You state: As shown below at Figure 6, Kim's  
16 controller 170 sends a display signal illustrated as an  
17 arrow to display a home screen on display 170.

18 Do you see that?

19 A. Yes.

20 Q. Where does Kim disclose that the controller  
21 170 sends a display signal to display 180, as you state?

22 A. For that, I have to go back to Kim and look  
23 through it.

24 Do you have any guidance or am I going to --

25 Q. Yeah, I don't have any guidance on this one.

1 I asked the question because I wanted to know the  
2 answer.

3 A. Oh, okay. You'll have to bear with me.

4 Q. Yeah.

5 A. The closest I can find that's responsive to  
6 your question is that in one embodiment -- I'm talking  
7 about Kim, paragraph 94.

8 Q. Okay. Just give me one second here. Okay.

9 A. In one embodiment, upon receipt of a go to  
10 home screen input, go to home screen input, the  
11 controller may control display of the home screen on the  
12 display 180.

13 In 95, it says: The image display apparatus  
14 according to the embodiment of the present disclosure  
15 may include a card object generator that generates and  
16 displays the card object. In one embodiment, the card  
17 object generator may be an OSD generator or a functional  
18 part included in the controller or another component.

19 Q. Okay. As far as controller 170, which you  
20 reference in your report as sending a display signal to  
21 the display 180, am I correct that the closest support  
22 you can find for that is in paragraph 94 where you read  
23 in one embodiment upon receipt of a go to home screen  
24 input the controller 170 may control display of the home  
25 screen on the display 180?

1 ATTORNEY HUH: Objection. Form.

2 A. No, I'm not sure I would qualify it that way.  
3 You asked me to find a reference. I said I would look  
4 through Kim to find a reference, and I found a  
5 reference. I can continue reading Kim and see if I can  
6 find other ones, but I think that one was responsive to  
7 your question.

8 BY ATTORNEY SCHREINER:

9 Q. So is it your testimony that that disclosure  
10 in Kim teaches controller 170 sends a display signal to  
11 display 180, as you have in your expert report?

12 ATTORNEY HUH: Objection. Form.

13 A. I think it does what you asked me to find.  
14 Upon receipt of a go to home screen input, the  
15 controller may control display of the home screen on  
16 display 180.

17 BY ATTORNEY SCHREINER:

18 Q. Okay. Does it say that controller 170 sends a  
19 display signal to display 180? That's out of your  
20 report. I'm simply reading out of your report and  
21 looking for the support in Kim, so let me just rewind.  
22 I don't think this needs to be lengthy topic.

23 But you state in paragraph 82: Kim's  
24 controller 170 sends a display signal illustrated as an  
25 arrow to display a home screen on display 170.

1           A.    Well, that display signal is the home screen  
2   that's displayed on the display.

3           Q.    And so your support for that statement would  
4   be that paragraph 94 passage that you read.

5                   Is that correct?

6           ATTORNEY HUH:  Objection.  Form.

7           A.    Support for that statement is in paragraph 94.  
8   BY ATTORNEY SCHREINER:

9           Q.    Okay.  In Kim's Figure 19, Kim Exhibit 1005,  
10   and this is in your paragraph 83 of your expert  
11   declaration, you've got a mark-up of Figure 19.

12                   Is the home screen home screen 1300 and the  
13   hidden area 1301?

14           A.    The hidden area 1301?  Oh.  I think Kim says  
15   so, and I think I say so in my report.

16           Q.    So the question is in your paragraph 83 are  
17   you indicating that when you refer to the home screen,  
18   you're referring to the visible home screen 1300 and the  
19   hidden area 1301 in Kim's Figure 19?

20           A.    Yes.

21           Q.    Okay.  In paragraph 88 of your declaration on  
22   page 48, if I could direct your attention to that, do  
23   you see that you cite the '040 patent at column 25,  
24   lines 41 through 49?

25           A.    Paragraph 88?

1 Q. Yes.

2 A. Yes.

3 Q. And that passage from the '040 patent, column  
4 25, 41 through 49, does that passage use the term  
5 "content information"?

6 A. Excuse me while I turn to '040.

7 Q. Sure.

8 A. Column 25. Okay, I've read column 25. Let me  
9 look at column 27.

10 Q. I was just asking about the cited passage.  
11 You cite the '040 patent, column 25, lines 41 through  
12 49, and just my question was, does that passage use the  
13 claim term "content information"?

14 A. Just to verify, it also cites to 27, lines 23  
15 through 30.

16 Do you want me to not look at those?

17 Q. Yeah, that was going to be my next question.  
18 So let's just start with column 25, lines --

19 A. Oh, okay. Does it use the words what? Say  
20 again. Sorry.

21 Q. Does it use the term, the phrase "content  
22 information"?

23 A. No.

24 Q. In column 27, lines 23 through 30, you also  
25 cite that. And can you just confirm for me that column

1 27, lines 23 through 30 does not use the term "content  
2 information"?

3 A. That phrase is not in those lines.

4 Q. And is it correct that that passage in column  
5 27 is referring to Figure 11B of the '040 patent and  
6 it's referring to a dropdown menu 1100?

7 A. I'm not sure.

8 Q. Allow me to refer you to Figure 11A of the  
9 '040 patent.

10 Do you see Figure 11A?

11 A. In a moment.

12 Q. Sure.

13 A. I see Figure 11A.

14 Q. Okay. And then you see that passage you cited  
15 to refers to the window 1100? It's in --

16 A. I'm not sure I'm looking at the right thing.

17 Q. Yeah. Actually, turn over to the next figure,  
18 Figure 11B, and there's an annotation at the top, 1100.

19 A. Yeah.

20 Q. And now if you look at column 27, roughly  
21 lines 10 to 12, it refers to a dropdown window or panel  
22 1100.

23 Do you see that in column 27 of the '040  
24 patent?

25 A. I don't see the word "dropdown."

1 Q. Do you see line 10, column 27 of the '040  
2 patent? In the following line, it says: In Figure 11B  
3 the joystick 900 is moved or slid to the upper position  
4 of Figure 9B and a dropdown window or panel 1100 moves  
5 or slides down?

6 A. Okay, I see that.

7 Q. So referring to 11B, would it be your  
8 understanding that the window 1100 is referring to a  
9 dropdown window or panel as referenced here in the '040  
10 patent?

11 A. Well, it says in 27 earlier, as you pointed  
12 out, that it can be a dropdown window.

13 Q. Is it correct that the passage you refer to,  
14 column 27, lines 23 through 30, is referring to the  
15 dropdown window 1100 in Figure 11B?

16 ATTORNEY HUH: Objection. Form.

17 A. All it says is the window can include one or  
18 more of those information types. That's all it says.

19 BY ATTORNEY SCHREINER:

20 Q. Right. And the window 1100 is referenced  
21 earlier in column 27, right, as being dropdown window or  
22 panel 1100, right?

23 A. Okay.

24 Q. So the window 1100 is referring to a dropdown  
25 window as shown in Figure 11B, right?

1 A. Okay.

2 Q. And A dropdown window is not a global panel.  
3 Correct?

4 A. I'm not sure.

5 Q. You're not sure, as in you need more time, or  
6 you're just not sure as of this moment?

7 A. I'm not sure that the dropdown window can't  
8 drop down a global panel.

9 Q. Are you aware of anywhere in the '040 patent  
10 where it indicates that the dropdown window 1100 is part  
11 of a global panel?

12 ATTORNEY HUH: Objection. Form.

13 A. I have not analyzed it with that in mind.

14 BY ATTORNEY SCHREINER:

15 Q. The passage that you cite at column 27, lines  
16 23 through 30, does it make any reference to the global  
17 panel?

18 A. No.

19 Q. Okay. In your declaration, you refer to  
20 Kim's -- this is back to Exhibit 1005. You refer to  
21 Kim's Figure 19, the home screen there, and you also  
22 refer to the home screen on Kim's Figure 21.

23 Is that correct?

24 A. Yes.

25 Q. What's the difference between what Kim depicts

1 as the home screen in Figure 19 and what Kim discloses  
2 as the home screen in Figure 21?

3 ATTORNEY HUH: Objection. Form.

4 ATTORNEY SCHREINER: Actually, let me withdraw  
5 that one. I figured it out.

6 BY ATTORNEY SCHREINER:

7 Q. If I could direct you to paragraph 98 of your  
8 declaration, this is on page 53.

9 A. Okay.

10 Q. You recall mentioning the broadcast card  
11 object 1310 in Figure 19 of Kim?

12 A. Yes.

13 Q. Okay. And you also mention here the channel  
14 browser card object 1340.

15 Is that correct?

16 A. Yes.

17 Q. What's the difference between the broadcast  
18 card object 1310 and the channel browser card object  
19 1340 in Figure 19 of Kim?

20 A. You're asking me to remember something I said  
21 earlier. I have to probably go back and check that, but  
22 the browser card object is a selector. The broadcast is  
23 a card that is showing a channel and content information  
24 about that channel.

25 Q. I see. That makes sense.

1           A.    I hope it's correct. I can go back and verify  
2   that, but I believe that's what was said.

3           Q.    No, it actually makes sense. I was truly  
4   wondering about the difference, and that makes sense.  
5   And as you said, hopefully it's right.

6           A.    Yeah.

7           Q.    I'd like to direct you to pages 54 through 55  
8   of your declaration. This involves paragraph 102 of  
9   your declaration where you're analyzing the claim  
10   language, quote: Retrieving by the processor from  
11   memory the noted content information for display in the  
12   global panel.

13                   Do you see that at the top of paragraph 102?

14           A.    Yes.

15           Q.    And you had indicated previously that the  
16   content information recited in the claim, your opinion  
17   is that that corresponds either to descriptive  
18   information in card objects or a thumbnail in a card  
19   object, is that correct, in Kim?

20           A.    Those are both examples of content  
21   information.

22           Q.    You cite paragraph 84 and 85 of Kim on pages  
23   54 through 55 of your declaration.

24                   Do you see that?

25           A.    Yes.

1 Q. Does Kim expressly disclose in either of those  
2 paragraphs that the memory 140 stores descriptive text  
3 or thumbnails displayed in the card objects?

4 ATTORNEY HUH: Objection. Form.

5 A. Well, I believe that's in my quote. It's  
6 not -- the memory 140 may store information about  
7 broadcast channels by the channel add-on function --  
8 channel add -- excuse me, channel add function. The  
9 memory 140 may store applications or a list of  
10 applications received from the external device interface  
11 135 or the network interface.

12 BY ATTORNEY SCHREINER:

13 Q. So where does that say that, for example, the  
14 thumbnails are stored in the memory?

15 Does it explicitly disclose that?

16 A. That quote does not address the thumbnails.

17 Q. Does that quote address the descriptive  
18 information in the card objects?

19 A. Some of it.

20 Q. Which? Which part of it?

21 A. Well, as I said when I read that part,  
22 information about broadcast channels and applications or  
23 a list of applications.

24 Q. Now, information about -- strike that.

25 On page 56, this is your paragraph 105, if I

1 could direct your attention to that.

2 A. Paragraph 105?

3 Q. Correct, on page 56.

4 A. Okay.

5 Q. And there's a reference to images stored in  
6 the memory 140.

7 Do you see that in the cited paragraph 92 from  
8 the Kim reference?

9 A. Yes.

10 Q. Does that passage state that there is a  
11 thumbnail stored in memory 140?

12 A. I don't believe thumbnails are referenced in  
13 that section.

14 Q. Could memory 140, would a POSITA understand  
15 that memory 140 could store, for example --

16 (Reporter clarification.)

17 ATTORNEY SCHREINER: My last full question  
18 was: Does that passage state that there is a thumbnail  
19 stored in memory 140?

20 ATTORNEY HUH: Objection to form.

21 ATTORNEY SCHREINER: And the answer given was:  
22 I don't believe thumbnails are referenced in that  
23 section.

24 THE REPORTER: It's the next one.

25 BY ATTORNEY SCHREINER:

1 Q. So the following question, Dr. Lippman, was  
2 would a POSITA understand that memory 140 could store,  
3 for example, an MPEG image that had been decoded and  
4 decompressed?

5 A. First of all, in paragraph 94, it does, in  
6 fact, say that the card objects may include at least one  
7 card object representing a thumbnail list of broadcast  
8 channels.

9 Q. Okay, let me get to that.

10 A. Yeah. Let me refer you to paragraph 94,  
11 because I -- I guess I misspoke that. I hadn't read the  
12 entire paragraph.

13 Q. Right. So it states: The card objects may  
14 include one card object representing a thumbnail list of  
15 broadcast channels. Correct?

16 A. It says that.

17 Q. Okay. Does it say that memory 140 stores  
18 thumbnails?

19 It doesn't appear that paragraph 94 addresses  
20 memory 140 at all. Is that fair to say?

21 ATTORNEY HUH: Objection. Form.

22 A. I'm not going to argue whether it has the word  
23 "memory" in there, but I will dispute when you say that  
24 it doesn't address memory at all.

25 BY ATTORNEY SCHREINER:

1 Q. Okay. Does paragraph 94 mention memory 140?

2 A. No.

3 Q. Now, my previous question, is it correct that  
4 a POSITA would understand that a stored image could be a  
5 decoded, decompressed MPEG image that was received from  
6 a broadcast?

7 A. You mean a still image drawn from an MPEG  
8 stream?

9 Q. A frame of an MPEG image.

10 A. A frame?

11 Q. A frame of MPEG video.

12 Could a frame of MPEG video be stored in the  
13 memory 140?

14 A. Yes, it could.

15 Q. And is it correct that in the typical  
16 processing of an MPEG transmission there would be some  
17 storage of the frames that are reconstructed from the  
18 MPEG transmission?

19 Correct?

20 ATTORNEY HUH: Objection. Form.

21 A. Are you talking about the MPEG decoding  
22 process?

23 Q. Yeah, I'm asking whether -- if an MPEG  
24 transmission is being decoded and decompressed, is it --  
25 would a POSITA understand that it would be typical for

1 there to be memory that stores the MPEG frames as  
2 they're extracted from that transmission?

3 ATTORNEY HUH: Objection. Form.

4 A. You would more commonly say an MPEG stream,  
5 but there is memory required to reconstruct frames in  
6 the active decoding MPEG.

7 BY ATTORNEY SCHREINER:

8 Q. If we could go to page 65 of your declaration,  
9 paragraph 118, the question isn't really specific to  
10 that paragraph. The question is directed to Figures 19  
11 and 21 of Kim that you've referred to in your  
12 declaration.

13 And is it your understanding that when the  
14 user selects the home screen using the remote control,  
15 the display that's presented is the one shown in  
16 Figure 19 of Kim?

17 ATTORNEY HUH: Objection. Form.

18 THE WITNESS: I'm sorry, where in my report  
19 are you referring?

20 ATTORNEY SCHREINER: I'm not really referring  
21 to a particular passage in your report, it's a more  
22 general question about your understanding of Figure 19  
23 of Kim.

24 BY ATTORNEY SCHREINER:

25 Q. And the question is, is it your understanding

1 that when the user presses home screen using the remote  
2 control that the display that's presented is the one  
3 that's shown in Figure 19?

4 ATTORNEY HUH: Objection. Form.

5 A. I think we went over this, and I believe that  
6 earlier in the report it said that Figure 19 illustrates  
7 that the display provides a home screen 1300.

8 BY ATTORNEY SCHREINER:

9 Q. Right. And what the user would see would be  
10 the home screen 1300 that includes the Netcast -- I'm  
11 sorry, the broadcast 1310, Netcast 1320, and App Store  
12 1330 card objects, right?

13 ATTORNEY HUH: Objection. Form.

14 A. Well, that's an example of the home screen.  
15 It doesn't necessarily have to show those cards in that  
16 order or at that scale.

17 BY ATTORNEY SCHREINER:

18 Q. Okay. Does Kim provide a different embodiment  
19 where a home screen with different card objects is  
20 displayed?

21 A. All I meant by what I said was that the cards  
22 aren't -- the order and which ones are hidden and which  
23 ones are displayed and their order is not -- they can --  
24 is not the only order that can exist in a home screen.  
25 They can be in any one of a different order. They don't

1 have to necessarily say Netcast and App Store first.

2 Q. Okay. Do you agree that what Kim discloses is  
3 that the user pulls up the home screen and there will be  
4 several card objects that are shown and there will be at  
5 least several card objects that are not shown that are  
6 in the hidden area?

7 Is that fair to say?

8 A. I think that's fair to say. There will be  
9 some that are displayed and some that are hidden, yes.

10 Q. And so, like, if you're looking at Figure 19,  
11 if a user wanted to see the channel browser 1340 or the  
12 reservation record 1360, the user would have to make  
13 additional inputs to pull up those card objects onto the  
14 visible portion of the display.

15 A. In the particular illustration, if the user  
16 wanted to see the ones that were hidden or off screen --  
17 and I note that Kim also says they can be partly hidden,  
18 so that's a layout and design question -- the user would  
19 have to scroll those cards. In some cases, the user  
20 would have to scroll those cards into view.

21 Q. And that's illustrated in Figure 21, right,  
22 where in Figure 21, the user is making additional inputs  
23 to scroll some of these other cards, such as channel  
24 browser 1340, into the visible portion of the home  
25 screen. Is that fair to say?

1 A. Oh, I've got to go back to that page. You had  
2 drawn me back to page 46 where I referenced --

3 Q. Oh.

4 A. -- Figure 19.

5 Q. Can you take a look at Figure 21 of Kim? That  
6 might --

7 A. Yeah.

8 Q. -- refresh your --

9 A. Sorry.

10 Q. -- recollection. So Figure 21 of Kim, is that  
11 depicting that if a user wants to see some of the  
12 off-screen card objects such as the TV guide or  
13 reservations, the user would make additional inputs to  
14 bring those card objects into the visible area of the  
15 screen?

16 A. Well, in 117 -- I guess beginning at 116, it  
17 would be obvious to reduce the size of the broadcast  
18 image or scroll or shift card objects such that the  
19 display presents more or different card objects such as  
20 card objects 1360 and 1370 when those specific card  
21 objects are desired to be accessed by the user.

22 And so if you read that and follow on in 118,  
23 it says are moved shifted or scrolled -- sorry, moved,  
24 parentheses (e.g., shifted or scrolled) close  
25 parentheses. I'm saying that for the benefit of the

1 stenographer, since it wasn't clear. Yes, there's an  
2 arrow in there, 205, to indicate they would have to be  
3 scrolled.

4 Q. Right. By user input?

5 A. That can be the -- it may be that the user is  
6 required to input them to scroll. It may also be that  
7 they scroll themselves.

8 Q. And in Figure 21, in the discussion of  
9 Figure 21 itself in Kim -- give me a moment here.

10 So when you say in paragraph 118: Thus, Kim  
11 discloses that the thumbnails and descriptive texts in  
12 card objects, e.g., 1330 and 1336 on the home screen are  
13 either initially displayed by the smart TV or are moved,  
14 e.g., shifted or scrolled so that they are displayed,  
15 the latter part of that where you say they're moved,  
16 e.g., shifted or scrolled, are you referring to the user  
17 shifting or scrolling those partially displayed or  
18 hidden card objects, or some other mechanism?

19 A. In that paragraph, I'm referring to the user.  
20 But other mechanisms can cause them to scroll as well.

21 Q. Do you identify any of those other mechanisms  
22 in your declaration?

23 A. Not right there.

24 Q. Okay.

25 A. Are you waiting for me or am I waiting for

1 you?

2 Q. You're waiting for me.

3 A. Okay.

4 Q. If I could refer you to page 67 of your  
5 declaration, this is a portion of your paragraph 120.

6 A. Sorry, page 67?

7 Q. Yes, please. And there's a passage you cite  
8 that starts out: Referring to Figure 19, a card object  
9 area. It's paragraph 193 in Kim. And just let me know  
10 when you've found that.

11 A. I'm with you.

12 Q. And you cite the passage in Kim, stating: The  
13 image display apparatus may include a card object  
14 generator which generates and displays the card object.

15 What's your understanding of how the card  
16 object generator in Kim operates?

17 ATTORNEY HUH: Objection. Form.

18 A. I'm not sure I went into the details of how it  
19 operates, nor am I sure that any detail is required, or  
20 that Kim does it himself.

21 BY ATTORNEY SCHREINER:

22 Q. Okay. So you don't have an understanding of  
23 how the card object generator in Kim operates?

24 A. No, I didn't say that. I said I don't have  
25 any analysis in my report that describes how it

1 operates, and I'm not sure that there is in Kim, because  
2 it's relatively standard.

3 Q. Okay. So if a card object generator is  
4 relatively standard, what would be your understanding as  
5 an expert as to how the card object generator would  
6 operate?

7 A. Well, it's a graphical element and it's just  
8 one of the graphical elements you can generate.

9 Q. You said the card object generator is a  
10 graphical element?

11 A. The card object is a graphical element. The  
12 image of the card object is a graphical element. And  
13 the generation of those graphical elements, be they  
14 thumbnails or card objects or boxes of text or so on,  
15 are part of the normal suite of generating any kind of  
16 display that has graphics in it. That does -- that's a  
17 macro that doesn't need to be expanded. Well, I doubt  
18 that Kim expands it, but I could read the entirety of  
19 Kim again. I'm sorry, I don't mean to be argumentative,  
20 but it --

21 Q. Yeah, I understand. You're saying the  
22 question doesn't seem important to you.

23 Does the card object generator generate the  
24 image that corresponds to the appropriate card object?

25 ATTORNEY HUH: Objection. Form.

1           A.    I'm trying to translate that question into  
2 something I understand. Where are you referring in my  
3 report?

4           Q.    Paragraph 120 on page 67 where you're quoting  
5 Kim and you refer to the card object generator.

6           A.    I think the quote from 94 answers that  
7 question: The image display apparatus may include a  
8 card object generator which generates and displays the  
9 card object. In certain embodiments, the card object  
10 generator may be an OSD generator, 340, or a functional  
11 module included in the controller or another component  
12 of the display apparatus.

13          Q.    So is it correct then that the card object  
14 generator generates and displays the image corresponding  
15 to the card object?

16          A.    Well, the generator generates it when it's  
17 displayed and it is on display. For example, if it were  
18 hidden, it would be moved in and thereby displayed, but  
19 it would be generated by the card object generator.

20          Q.    "It" being the card object, and the card  
21 object not being a tangible thing but being an image.  
22 Correct?

23          A.    Yes. Graphical object, yeah.

24                THE WITNESS: If it's convenient for you  
25 sometime soon we should probably take another break.

1 ATTORNEY SCHREINER: Yeah, sure. We can --  
2 let me just see what I've got here. Yeah, we can go  
3 ahead and take a break. 10 minutes sound okay? Or if  
4 you need 15, that's fine. Understood.

5 THE WITNESS: How about 7? Resume at 4?

6 ATTORNEY SCHREINER: Yeah, okay, that sounds  
7 good.

8 (Recess taken.)

9 BY ATTORNEY SCHREINER:

10 Q. Dr. Lippman, let's go ahead and go to page 70  
11 of your expert report. And this is -- we're looking at  
12 paragraph 125.

13 Do you see actually just above paragraph 125,  
14 you state -- you refer to, quote: Specific symbols  
15 830A, 830B, and 830C to correspond to the different  
16 types of ports being used.

17 Do you see that?

18 A. I'm looking. Yeah, yes.

19 Q. Where does Choi, which is Exhibit 1007,  
20 disclose that those symbols 830A through C, correspond  
21 to different types of ports being used?

22 A. I don't think I quite said that.

23 Q. Okay. And let me read the two lines above  
24 your paragraph 125. You said: It would have been  
25 obvious to a POSITA for the specific symbols 830A, 830B,

1 and 830C, to correspond to the different types of ports  
2 being used.

3 So does Choi disclose that symbols 830A  
4 through 830C correspond to different types of ports for  
5 the television?

6 A. Well, what I said was Choi discloses that  
7 external devices may be represented by icons -- sorry,  
8 looks like we might get a thunderstorm. May be  
9 represented by icons with specific symbols to  
10 distinguish connected devices. And I'll have to go to  
11 Choi to look at that reference. And that's what we're  
12 talking about here.

13 Q. Right. So if I can refer you to paragraph 250  
14 of Choi --

15 A. Hold on one moment, I'll bring up Choi. Okay,  
16 I've got paragraph 250.

17 Q. So is it correct that paragraph 250 states:  
18 Moreover, the control unit 170 determines which external  
19 device icons 820 are connected to the image display  
20 device 100 in order to display specific symbols 830A,  
21 830B and 830C on the external device icons that are  
22 being connected to the image display device?

23 I just read from paragraph 250.

24 A. Yes.

25 Q. Is it correct that that's indicating that

1 these icons 830A, 830B, and 830C, indicate that the  
2 external devices are connected to the image display  
3 device?

4 A. Yes.

5 Q. And is it correct that Choi doesn't say  
6 anything here about those symbols indicating different  
7 types of ports that are connected?

8 A. Well, it's a game port, a computer port, and  
9 so on.

10 Q. But Choi doesn't refer to different types of  
11 ports, such as an HDMI port, a USB port, DVI port, and  
12 the other types of ports we discussed earlier.

13 Fair to say?

14 ATTORNEY HUH: Objection. Form.

15 A. It's fair to say that he doesn't in that  
16 paragraph.

17 BY ATTORNEY SCHREINER:

18 Q. So these symbols, 830A through 830C, as shown  
19 in your annotated Figure 11 on page 70 of your report,  
20 they indicate that those external items are connected to  
21 the television. Correct?

22 A. Yes.

23 Q. Okay. And the external items that are shown  
24 on your annotated Figure 11 that don't have those  
25 symbols, those are indicating that those devices are not

1 connected to the television. Correct?

2 A. At this time, yes.

3 Q. Okay. And if I could refer you to the '040  
4 patent, Figure 15B, do you see Figure 15B of the '040  
5 patent?

6 A. Yes.

7 Q. It depicts a content source 1504E that  
8 includes a specific input port, in this case, HDMI1.  
9 Correct?

10 A. Yes.

11 Q. And a POSITA would understand that HDMI1 is  
12 referring to a specific input port on the television.  
13 Correct?

14 A. Yes.

15 ATTORNEY HUH: Objection. Objection. Form.  
16 BY ATTORNEY SCHREINER:

17 Q. And referring back to Figure 19 of Kim --

18 A. Am I closing Choi for the moment and --

19 Q. Yes.

20 A. -- for the moment and going back to Kim?

21 Q. Yeah. I'm not purposely trying to make you  
22 shuffle card objects here. So yes, we're referring to  
23 Figure 19 of Kim.

24 A. Okay.

25 Q. So Figure 19 of Kim shows a external device

1 card object 1380 on the right-hand side. Correct?

2 A. Yes.

3 Q. Does the external device card object 1380  
4 indicate a specific input device -- let me rephrase  
5 that.

6 Does the external device card object 1380  
7 indicate a specific input port for any of those devices?

8 A. Not in the illustration, no.

9 Q. And on page 72, you've got a -- what appears  
10 to be -- strike that.

11 Let me direct you to page 72 of your  
12 declaration. Is it correct that you're showing here a  
13 modified Figure 19 from Kim based on a modification  
14 you've made in view of Choi?

15 A. It's modified in partial.

16 Q. So this is Kim Figure 19, the external device  
17 card object 1380 that you've modified in view of Choi.  
18 Correct?

19 A. Well, in 128 on page 71, I say that in the  
20 proposed combination, a POSITA would have implemented  
21 Kim's external device card object 1380 such that  
22 external devices that are connected to an input port are  
23 represented by an icon with specific symbols as I have  
24 shown below in Kim's modified figure.

25 So that figure is illustrative of what I state

1 in paragraph 128.

2 Q. And the icons with the -- the icons with  
3 specific symbols from Choi, those are the icons that  
4 indicate that the associated device is connected to the  
5 television. Correct?

6 A. That's what those little ones, the little pink  
7 ones represent, yes.

8 Q. Right. So those little pink ones indicate  
9 that that device, so, for example, the gaming box, is  
10 connected to the television. Correct?

11 A. Yes.

12 Q. And the DVD player is connected to the  
13 television, as is the computer. Correct?

14 A. Yes.

15 Q. Those symbols don't indicate which specific  
16 input port those devices are connected to in the  
17 television. Correct?

18 ATTORNEY HUH: Objection. Form.

19 A. You mean do they say S-Video or HDMI1 or  
20 whatever?

21 BY ATTORNEY SCHREINER:

22 Q. Do they specify any particular input port?  
23 Yes, that's the question.

24 ATTORNEY HUH: Objection. Form.

25 A. No, they don't.

1 BY ATTORNEY SCHREINER:

2 Q. I'd like to direct your attention now to  
3 paragraph 129 in your declaration, Exhibit 1003, which  
4 starts on page 72 and continues on to page 73.

5 Do you see paragraph 129?

6 A. I do.

7 Q. Okay. And do you see on page 73, you  
8 reference an Exhibit 1011?

9 A. What is Exhibit 1011?

10 ATTORNEY SCHREINER: Let's go ahead, if the  
11 tech could please circulate Exhibit 1011, which is  
12 US Patent Pub Number 2013/0176415 to Kim. And Deric,  
13 I'm assuming it's still you, if you could please post  
14 the first page of that Exhibit 1011 on the screen here,  
15 that would be great.

16 THE WITNESS: I've got it.

17 (Exhibit No. 1011, previously marked, was  
18 referenced and indexed.)

19 BY ATTORNEY SCHREINER:

20 Q. And do you recall looking at Exhibit 1011 to  
21 Kim?

22 A. I don't offhand.

23 Q. Okay.

24 A. You can remove the front page.

25 Q. Do you have a hard copy in front of you, I

1 hope?

2 A. No, I have a soft copy.

3 Q. Oh, you've got a soft copy. Okay, that's  
4 fine. Deric, you can go ahead and take down the exhibit  
5 cover page.

6 So Exhibit 1011, was that a reference that you  
7 acquired or that was provided to you?

8 A. I don't recall.

9 Q. Do you recall that the priority date that is  
10 being used in your expert declaration is August 17, 2012  
11 for the '040 patent?

12 A. Yes. I believe you told me that at the very  
13 beginning.

14 Q. And do you see that the Kim reference,  
15 Exhibit 1011, was published July 11, 2013?

16 Do you see that at the top, top right-hand  
17 side?

18 A. Yes.

19 Q. And do you see that the Kim reference was  
20 filed on January 4, 2013?

21 A. Yes.

22 ATTORNEY HUH: Objection. Form.

23 BY ATTORNEY SCHREINER:

24 Q. So do you see that the Kim reference was  
25 published July 11, 2013, which is after the August 17,

1 2012 priority date of the '040 patent? Right?

2 ATTORNEY HUH: Objection. Form.

3 A. Well, I see what you told me, yeah.

4 BY ATTORNEY SCHREINER:

5 Q. You don't dispute that the Kim reference,  
6 Exhibit 1011, was published after the priority date of  
7 the '040 patent?

8 A. I make no --

9 ATTORNEY HUH: Objection. Form.

10 A. I make no argument there. That's legal  
11 argument you guys can argue about whether -- and whether  
12 that matters. But that's not for me to decide.

13 BY ATTORNEY SCHREINER:

14 Q. Right. But you used the Kim reference, and  
15 I'm just asking you. You don't dispute that it was  
16 published July 11, 2013?

17 ATTORNEY HUH: Objection. Form.

18 A. I can't dispute the text on the patent. What  
19 the text implies or means or its relevance to this, I  
20 cannot comment on.

21 BY ATTORNEY SCHREINER:

22 Q. Okay. But I'm just trying to -- you applied  
23 this as prior art so I'm just asking you about the dates  
24 on the prior art that you applied in your expert report.

25 And so I'm just simply trying to establish you

1 don't dispute that this document, Exhibit 1011, was  
2 published July 11, 2013?

3 ATTORNEY HUH: Objection. Form.

4 A. Same answer. I -- I see that it says that  
5 it's published then. What that means is for you to  
6 decide.

7 BY ATTORNEY SCHREINER:

8 Q. Okay. But you don't dispute it.

9 ATTORNEY HUH: Objection. Form.

10 A. I don't dispute the fact that it says it was  
11 published -- that the Patent Office published it on  
12 July 11, 2013.

13 BY ATTORNEY SCHREINER:

14 Q. Thank you.

15 And you don't dispute that the reference 1011  
16 indicates that it was filed January 4, 2013?

17 ATTORNEY HUH: Objection. Form.

18 THE WITNESS: I'm sorry, say that again.

19 ATTORNEY SCHREINER: Sure.

20 BY ATTORNEY SCHREINER:

21 Q. You don't dispute that the face of this  
22 reference indicates that it was filed January 4, 2013?

23 ATTORNEY HUH: Objection. Form.

24 A. It also refers to a provisional that was filed  
25 on January of 2012, so I'm not going to dispute whether

1 the application was filed on January 4, 2013. That's  
2 what it says on the face of it.

3 BY ATTORNEY SCHREINER:

4 Q. Thanks. Thank you.

5 So the face of this reference indicates that  
6 it was filed and published after the August 2012  
7 priority date of the '040 patent. Correct?

8 ATTORNEY HUH: Objection. Form.

9 A. I think we've already said that. This is what  
10 it says on the face of it, and the date we agreed on  
11 earlier.

12 Q. So the --

13 A. You informed me --

14 Q. -- the filing date --

15 A. -- is the date that -- is the date in  
16 question. Again, all of those dates are a matter for  
17 lawyers to determine.

18 Q. Right. But this is the reference you relied  
19 on, and I'm just trying to establish in a simple --  
20 rather than have five deposition pages where we're kind  
21 of going back and forth on this, I just want to  
22 establish just the simple fact that this reference that  
23 you use has a publication date and a filing date that is  
24 after the August 2012 priority date of the '040 patent.

25 ATTORNEY HUH: Okay, let me stop there. For

1 the record. Objection. Form. That's a legal question  
2 whether or not this patent -- this Kim reference is  
3 entitled to the provisional priority date. This is not  
4 for Dr. Lippman to decide the provisional priority date,  
5 whether or not that applies here.

6 ATTORNEY SCHREINER: Okay, you made your  
7 objection. You made your objection, Greg.

8 ATTORNEY HUH: He's not an attorney. Are you  
9 asking --

10 ATTORNEY SCHREINER: Greg?

11 ATTORNEY HUH: -- him the --

12 ATTORNEY SCHREINER: Greg?

13 (Simultaneous speaking)

14 ATTORNEY SCHREINER: Greg? Greg, stop your  
15 speaking objection, okay? Make your objection and let  
16 me proceed with my questioning, okay? This is a  
17 reference that he used in his report, and I'm entitled  
18 to analyze the appropriate date of it, okay?

19 ATTORNEY HUH: He's not a legal expert to  
20 determine that.

21 ATTORNEY SCHREINER: Please stop the speaking  
22 objections, Greg.

23 BY ATTORNEY SCHREINER:

24 Q. Dr. Lippman, the various references that you  
25 used in your analysis in your expert declaration, did

1 you understand those references were all prior art to  
2 the '040 patent? Or let me rephrase that, okay, in a  
3 way that's fair to you.

4 The various references that you used in your  
5 analysis in your expert declaration, was it your  
6 understanding that those references were all prior art  
7 to the '040 patent?

8 ATTORNEY HUH: Objection. Form.

9 A. When I say they were prior art, then I assumed  
10 they were prior art.

11 BY ATTORNEY SCHREINER:

12 Q. And when you say you assumed they were prior  
13 art, you assumed they were prior art because that's what  
14 you were told. Is that correct?

15 ATTORNEY HUH: Objection. Form. And to the  
16 extent this is requiring divulging any communication, I  
17 would instruct the witness not to answer.

18 BY ATTORNEY SCHREINER:

19 Q. Please answer.

20 A. Well, I think this objection raises a point as  
21 to whether the communication between them and me was a  
22 privileged communication, and that's what you're asking.  
23 I don't know.

24 Q. Did you do any independent analysis to  
25 determine whether Exhibit 1011 is prior art to the '040

1 patent?

2 A. No.

3 Q. You mentioned there's a provisional referenced  
4 on the cover page of Exhibit 1011, the Kim reference,  
5 right?

6 A. Yes.

7 Q. Did you look at the provisional application?

8 A. No.

9 Q. Okay. You didn't do any analysis of the  
10 provisional application to see what it contained as  
11 compared to the Kim reference, Exhibit 1011. Correct?

12 A. I did not look at the provisional application.

13 Q. Okay. I'd like to go ahead and move to  
14 paragraph 132 of your declaration. This starts on page  
15 74.

16 A. Am I putting away this one for the moment?

17 Q. Yeah, you can put the Kim reference away  
18 forever, maybe. We won't look at it again. So are you  
19 at paragraph 132 in your declaration?

20 A. I'm there.

21 Q. Okay. Do you recall we discussed before your  
22 opinion that the claimed first content information could  
23 be either or both of descriptive text and thumbnails for  
24 certain card objects illustrated in Figure 19 of the --

25 ATTORNEY HUH: Objection. Form.

1 Q. -- Kim reference?

2 A. I recall that we discussed that.

3 Q. Okay. And do you see limitation 1.6 on your  
4 page 74 where it states: Wherein at least one of the  
5 sources is highlighted as being associated with the  
6 first content information?

7 A. Yes.

8 Q. And you found that that limitation was  
9 satisfied by Kim, Exhibit 1005. Is that correct?

10 A. Let me see what I said precisely.

11 Q. Sure.

12 A. Okay. In paragraph 134, Kim discloses that at  
13 least one of the sources is highlighted as being  
14 associated with the first content information, as  
15 required in the claim. Kim gives an example where a  
16 card object is highlighted if it's already on the  
17 display, and his example is the telephone.

18 Q. I see that. Okay.

19 Just looking at the claim language wherein at  
20 least one of the sources is highlighted as being  
21 associated with the first content information, what was  
22 your understanding of the language one of the sources is  
23 highlighted as being associated with the first content  
24 information?

25 ATTORNEY HUH: Objection. Form.

1 A. I'm sorry, where is that language?

2 Q. It's on your page 74 where you list the  
3 limitation 1.6.

4 A. Right. It's highlighted as being associated  
5 with the first content information. That seems clear.

6 Q. So what's your understanding of what that  
7 means, that it's highlighted as being associated with  
8 the first content information?

9 ATTORNEY HUH: Objection. Form.

10 A. The card is highlighted, and the first content  
11 information is in the card, and that's displayed when  
12 need be.

13 BY ATTORNEY SCHREINER:

14 Q. So is it -- so before a card is highlighted --  
15 like in Figure 19, there's no cards highlighted, right,  
16 in Kim. Correct?

17 A. There's no cards --

18 THE WITNESS: Sorry.

19 ATTORNEY HUH: Objection. Form.

20 A. Go back to Figure 19. There is no card that  
21 is highlighted.

22 BY ATTORNEY SCHREINER:

23 Q. Okay. Just give me a moment. I want to just  
24 jot down a couple things to help us through this next  
25 series of questions. So in --

1           A.     Just hold on for one second. I'm just  
2 checking one thing.

3           Q.     Sure.

4           A.     Okay.

5           Q.     And do you have a piece of paper? I'm going  
6 to list the card objects that you identified as  
7 corresponding to the first content information in your  
8 declaration, and what I'd like to do, this is to help  
9 you, is to have you list these. And then we're going to  
10 go back to your declaration and just confirm that these  
11 are indeed the card objects you pointed to in your  
12 declaration.

13          A.     I'm not sure I understand, but go ahead.

14          Q.     Sure.

15                 So you have a pencil and paper or pen -- okay,  
16 great. So, okay, the first is App Store 1330. The  
17 second is channel browser 1340. The third is  
18 reservations/record 1360. And the fourth is My Media  
19 card object 1370.

20                 And as I read your declaration, where you did  
21 the analysis for the first content information in  
22 connection with limitations 1.3 and 1.4, you identify  
23 those four objects as having one or both of descriptive  
24 text or thumbnails meeting the first content information  
25 requirement of the claim, and so -- and this is found in

1 paragraphs 89 through 100 of your declaration.

2 And I just wanted you to look at your  
3 declaration, paragraphs 89 through 100, and confirm for  
4 me that the card objects you identified as having the  
5 descriptive text or thumbnails are the four that we just  
6 listed.

7 A. What happened to 1350?

8 Q. I don't recall seeing TV guide in there in  
9 your declaration for that limitation, so if we go to --

10 A. And what about 1310?

11 Q. For the first content information, I -- well,  
12 you show me. I didn't see that you identified 1310  
13 or -- what was the other one you mentioned? 1350 as  
14 being sources of first content information in the form  
15 of descriptive text or thumbnails.

16 So if you go to page 48, on page 48 of your  
17 declaration in paragraph 89 you start out with your  
18 explanation of descriptive text, a first content  
19 information. And then in paragraph --

20 A. I'm sorry, what page did you just direct me  
21 to?

22 Q. Yeah, sure. So page 48 of your declaration,  
23 paragraph 89.

24 A. Yeah.

25 Q. Okay. So if you can look at paragraph 89

1 through 94 and just confirm for me that the only card  
2 objects that you mention are ones included in that list  
3 of four that we just mentioned.

4 ATTORNEY HUH: Objection. Form.

5 A. I'm just checking.

6 Q. I correct myself. You're right. You did  
7 indicate -- you did indicate broadcast 1310 in your  
8 figure on page 49, yeah.

9 A. Okay.

10 Q. So let's go ahead and add broadcast card 1310  
11 to our list. We've got a list of five now starting with  
12 broadcast card going down through My Media card object.

13 A. I've got the list you gave me.

14 Q. So for descriptive text that you address in  
15 paragraphs 89 through 94, are there any card objects  
16 besides the ones that we have mentioned in your list of  
17 five that you identify as corresponding to the first  
18 content information of the claim?

19 A. Well, that's textual content information.

20 Q. Right. We're going to -- we'll do textual and  
21 then we'll go through the thumbnails.

22 A. Okay. Well, those are the textual ones.

23 Q. Right.

24 A. That's shown in my illustration.

25 Q. Right. So you agree that the list of five

1 card objects that we've just discussed, that is  
2 inclusive of the card objects you identified for  
3 descriptive text in your paragraph 89 through 94?

4 A. Those are the ones that I identified.

5 Q. Okay.

6 A. But that's not necessarily all that could be,  
7 but those are the ones I identified.

8 Q. Right. And then for thumbnails, which you  
9 indicate is another form of what you believe to be first  
10 content information of the claim, in paragraphs 95  
11 through 100, can you confirm for me that our list of  
12 five card objects includes everything you've got listed  
13 for thumbnails?

14 ATTORNEY HUH: Objection. Form.

15 A. Well, again, those are ones that are -- that  
16 have thumbnails.

17 BY ATTORNEY SCHREINER:

18 Q. Right. And those are the ones -- right. And  
19 those, the ones you have listed in your paragraph 95  
20 through 100, are found in the list of five that we  
21 identified, right?

22 ATTORNEY HUH: Objection. Form.

23 A. The ones that I identified in the figure at  
24 paragraph 96 are in this list.

25 BY ATTORNEY SCHREINER:

1 Q. Right. And when you say in paragraph 101:  
2 Accordingly, Kim's thumbnails in one or more of the  
3 above-noted card objects corresponds to the claimed,  
4 quote, first content information, close quote, the  
5 above-noted card objection are ones that are included in  
6 our list of five, right?

7 ATTORNEY HUH: Objection. Form.

8 A. Well, what that paragraph says is Kim's  
9 thumbnails in one or more of the cards in that list  
10 correspond to the claimed first content information.

11 BY ATTORNEY SCHREINER:

12 Q. Right. So just to be clear, you say in  
13 paragraph 101: Accordingly, Kim's thumbnails in one or  
14 more of the above-noted card objects corresponds to the  
15 claimed first content information.

16 So just the question on the table simply is  
17 the above-noted card objects that you identify in your  
18 declaration, they are included in this list of five card  
19 objects that you and I discussed at the beginning of  
20 this.

21 ATTORNEY HUH: Objection. Form.

22 A. They are in that list of cards.

23 BY ATTORNEY SCHREINER:

24 Q. Okay, thanks.

25 So just to recap, we've got five card objects

1 that you've identified as corresponding to the claimed  
2 first content information, and they are the broadcast  
3 card 1310; number two, the App Store 1330; three, the  
4 channel browser, 1340; four, the reservation/record  
5 1360; and five, the My Media card object 1370. Correct?

6 ATTORNEY HUH: Objection. Form.

7 A. I think that's what you asked me before. Did  
8 I already agree with that?

9 BY ATTORNEY SCHREINER:

10 Q. Yeah, I'm just looking to confirm that we're  
11 on the same page.

12 A. Okay. I think we're on the same page.

13 Q. Okay, thanks.

14 And in Kim, is it your understanding that  
15 these various cards that we mentioned, the five cards,  
16 broadcast, channel browser, reservation/record, App  
17 Store, and My Media, that those are sources of content?

18 ATTORNEY HUH: Objection. Form.

19 A. We discussed this earlier.

20 BY ATTORNEY SCHREINER:

21 Q. And your answer is what?

22 ATTORNEY HUH: Objection. Form.

23 A. Whatever I said earlier.

24 BY ATTORNEY SCHREINER:

25 Q. Maybe I need refreshing.

1           A.     Well, probably. You can't ask me the same  
2 question hours apart and then expect me to repeat it  
3 verbatim. You have the record; I don't.

4           Q.     Yeah, I know. But I can expect an answer and  
5 we both can expect or hope for a consistent answer.

6                     Do you see limitation 1.5 of Claim 1, which  
7 states: Wherein the global panel includes a list of  
8 sources of content for the intelligent television?

9           A.     I'm looking through my report to find 1.5.

10          Q.     I can direct you to paragraph 120 of your  
11 report on page 66.

12          A.     Oh, okay. Thank you.

13          Q.     You state in paragraph 120: Kim further  
14 discloses that the home screen, quote, includes a list  
15 of sources of content for the ... television, close  
16 quote. For example, Kim teaches that the home screen  
17 includes a plurality of card objects that correspond to  
18 a list of content sources for the smart TV 100.

19                     Do you see that?

20          A.     Which paragraph is that?

21          Q.     Paragraph 120, the second and third sentence.

22          A.     Okay.

23          Q.     So is it correct that the plurality of card  
24 objects corresponds to the list of sources of content  
25 set forth in the claim?

1 ATTORNEY HUH: Objection. Form.

2 A. I believe that's what I said. It says Kim  
3 further discloses that it includes a list of sources of  
4 content for the ... television.

5 BY ATTORNEY SCHREINER:

6 Q. And the list of sources and content, according  
7 to your analysis, are the plurality of card objects, as  
8 you say in paragraph 120. Correct?

9 ATTORNEY HUH: Objection. Form.

10 A. The card objects are sources of content in  
11 general. They don't have to be. The TV guide is not a  
12 source of content.

13 BY ATTORNEY SCHREINER:

14 Q. And so the broadcast card 1310, that is a  
15 source of content. Is that correct?

16 A. Broadcast is a source of content.

17 Q. The Netcast, Netcast 1320, is that a source of  
18 content?

19 A. It's a source of video accessible on the  
20 internet.

21 Q. So it's a source of content. Correct?

22 A. It's --

23 ATTORNEY HUH: Objection.

24 A. It's actually a source of content that  
25 reflects several individual content sources as well.

1 BY ATTORNEY SCHREINER:

2 Q. I'm just trying to make sure I'm clear on what  
3 your report, what your expert declaration states.

4 So the claimed list of sources of content  
5 corresponds to a plurality of these card objects that  
6 are depicted in Kim's home screen on Figure 19.

7 Is that correct?

8 A. Say that again.

9 Q. Sure.

10 The claimed list of sources of content  
11 corresponds to a plurality of the card objects in Kim in  
12 the home screen shown in Figure 19.

13 A. Where is that list claimed?

14 Q. It's limitation 1.5. And you address it again  
15 in paragraph 120 of your report, your declaration. You  
16 refer to the claim language: Includes a list of sources  
17 of content for the ... television, close quote. That's  
18 the claim language.

19 And then you state Kim -- for example, Kim  
20 teaches that the home screen includes a plurality of  
21 card objects that correspond to a list of content  
22 sources for the smart TV 100.

23 A. I think -- what paragraph are we at? I think  
24 we've said that several times.

25 Q. It's in paragraph 120.

1 A. Okay.

2 Q. So is the answer yes?

3 A. Yes. The home screen may include a plurality  
4 of card objects classified according to content sources.

5 Q. Now let's go back to limitation 1.6. This is  
6 paragraph 132 of your declaration. Let me get you the  
7 page.

8 A. I've got it.

9 Q. Page 74.

10 A. Excuse me. I've got it.

11 Q. Okay, so let's go through these five that  
12 we've listed. Remember, we discussed these, the five  
13 alleged card objects that provide the, quote, first  
14 content information in the claim.

15 So let's start with the first one. It's  
16 broadcast card 1310 in Figure 19 of Kim.

17 Do you see that?

18 A. Yeah.

19 Q. Okay. And that broadcast card 1310, according  
20 to your analysis, includes some descriptive information.  
21 And that's in the portion marked 1321, is that correct,  
22 on Figure 19 of Kim?

23 A. Yes.

24 Q. And the second one is the App Store card  
25 object 1330, and that includes, according to your

1 analysis, both descriptive information and thumbnails in  
2 as marked 1335. Correct?

3 A. Yes.

4 Q. Going to the third one, channel browser 1340,  
5 channel browser 1340, according to your analysis, has  
6 thumbnails as shown in 1345.

7 Is that correct?

8 A. Yes.

9 Q. And that's what you contend is the first  
10 content information in the claim. Correct?

11 A. Any one of those would be first content in the  
12 claim.

13 Q. Right. So when we just discussed the  
14 descriptive text in broadcast object 1310, that has  
15 first content information in the form of -- strike that.  
16 Let me rephrase that question.

17 So when we just discussed broadcast object  
18 1310, that, according to your analysis, has first  
19 content information in the form of the descriptive text  
20 that's shown for that object. Correct?

21 A. Yes.

22 Q. Okay. I'm just going to start from the  
23 beginning here so we can make this a little cleaner.

24 And then going to the App Store, object 1330,  
25 that has the claimed first content information,

1 according to your analysis, because it has both  
2 thumbnails and descriptive text. Correct?

3 A. Correct.

4 Q. Then going to the --

5 A. Are you asking me questions that we just did?  
6 I'm just trying to understand.

7 Q. Yeah, I kind of backed up to number 1, the  
8 first item, to make it -- to try to make it a little  
9 cleaner.

10 A. Okay.

11 Q. So then item 3 on our list is channel browser  
12 1340, and your position is that that has first content  
13 information because it has thumbnails 1345 in it.  
14 Correct?

15 A. Yes.

16 Q. And then going to reservations/record object  
17 1360, your position is that that has the claimed first  
18 content information because it has descriptive text as  
19 well as thumbnails in it. Correct?

20 A. Yes.

21 Q. Then lastly, My Media object 1370, your  
22 position is that that has the claimed first content  
23 information because it has, according to your analysis,  
24 both descriptive text and thumbnails.

25 Is that correct?

1 A. Yes.

2 Q. So each one of those five card objects has,  
3 according to your analysis, either descriptive text  
4 and/or thumbnails that are the claimed first content  
5 information. Correct?

6 A. Yes.

7 Q. And in Figure 19, is it correct that none of  
8 those five card objects depicting -- let me rephrase  
9 this.

10 Is it correct that in Figure 19, none of the  
11 five card objects that allegedly contain the first  
12 content information are highlighted?

13 A. The cards in Figure 19 are not highlighted.

14 Q. But the five cards in Figure 19 that you  
15 identified, each one of those contains, according to  
16 your analysis, the first content information. Correct?

17 A. Each one of -- we -- I think we have beaten  
18 this horse to death.

19 Q. Perhaps, but indulge me.

20 A. Okay. Each of those cards has first content  
21 information.

22 Q. And none of those cards in Figure 19 is  
23 highlighted, none of those five cards that we've  
24 discussed. Correct?

25 A. That's correct, in Figure 19.

1 THE WITNESS: All right, it's been another  
2 hour.

3 ATTORNEY SCHREINER: Ready for a break?

4 THE WITNESS: Well, I mean, I don't want to  
5 interrupt your line here.

6 ATTORNEY SCHREINER: Yeah, let me see if I can  
7 finish up this line of questioning so we get a decent  
8 inflection point.

9 BY ATTORNEY SCHREINER:

10 Q. So in paragraph 134 of your declaration, which  
11 is on page 74, you refer to the phone object 1390.

12 Do you see that?

13 A. Yes.

14 Q. And the phone card object is described in Kim  
15 as being highlighted, right?

16 A. Yes.

17 Q. And what triggers the phone card object to be  
18 highlighted as described by Kim?

19 ATTORNEY HUH: Objection. Form.

20 A. What Kim says is upon receipt of an incoming  
21 call ... the card-related object may be automatically  
22 displayed in the card object area of the display -- I'm  
23 paraphrasing -- or, if it is, it may be highlighted or  
24 otherwise distinguished from the other card objects.

25 Q. So if the phone card object 1390 in Kim is

1 highlighted, that's triggered by an incoming call. Is  
2 that a fair characterization of Kim?

3 A. That's an example of why it might be  
4 highlighted, yes.

5 Q. Kim doesn't give another example of why phone  
6 object 1390 would be highlighted, does it?

7 A. No.

8 Q. So in the case of Kim's phone object, it's the  
9 receipt of an incoming signal that would trigger that  
10 phone card object to be highlighted as described in Kim.

11 Is that fair to say?

12 ATTORNEY HUH: Objection. Form.

13 THE WITNESS: I'm sorry, say that again.

14 ATTORNEY SCHREINER: Sure. I'll just withdraw  
15 that.

16 THE WITNESS: All right. Then maybe we should  
17 do the break.

18 ATTORNEY SCHREINER: Just give me a second.

19 BY ATTORNEY SCHREINER:

20 Q. So the teaching with respect to the phone card  
21 object in Kim is that it would be highlighted if there's  
22 an incoming call, right?

23 ATTORNEY HUH: Objection. Form.

24 BY ATTORNEY SCHREINER:

25 Q. We've established that. Right?

1           ATTORNEY HUH: Objection. Form.

2           A. That's the converse. If there is an incoming  
3 call, it would be brought into view or highlighted.

4 BY ATTORNEY SCHREINER:

5           Q. The five card objects that we've discussed,  
6 the broadcast card, the channel browser,  
7 reservations/record card, the My Media card object, and  
8 the App Store card, does Kim disclose that any of those  
9 card objects can receive incoming phone calls?

10          A. No. I'm not sure that question makes sense,  
11 but doesn't sound like it.

12          Q. I would agree with you.

13          A. As somebody once said, I don't understand what  
14 you said. I don't even think you understand what you  
15 said. Strike that remark.

16          Q. You state in paragraph -- we're getting to the  
17 end of the line of questioning here so we should get to  
18 a break shortly here.

19                You state in paragraph 135 that it would be  
20 understood by a POSITA that this teaching generally  
21 applies to Kim's other card objects. For example, in  
22 the circumstance where the App Store card object is  
23 already displayed on the display, see Figure 21, it  
24 would have been obvious to a POSITA for the App Store  
25 card object to be highlighted so that it is

1 distinguished from the other card objects and readily  
2 identified by the user.

3 Do you see that?

4 A. Yes.

5 Q. So looking at figure -- first let's look at  
6 Figure 19. In Figure 19, for the card objects that are  
7 displayed, are they -- can a person recognize or  
8 distinguish one from the other?

9 A. I'm sorry, say that again.

10 Q. Sure.

11 In Figure 19, the home screen shown in  
12 Figure 19, would a user be able to distinguish one card  
13 object from another?

14 A. Well, the card objects are titled.

15 Q. Okay.

16 A. That would help you with that.

17 Q. Right. And in Figure 21, the App Store, that  
18 can be distinguished from the other content sources,  
19 right, because it's displayed and it has the title App  
20 Store, right, by the same reasoning you just  
21 articulated?

22 A. That would help distinguish it, indeed.

23 Q. A user looking at the home screen of Figure 21  
24 would be able to locate the App Store card object.  
25 Correct?

1 A. You could scroll to it. You could look at it.

2 Q. And if the user wanted to select the App Store  
3 in order to download some software, the user would be  
4 able to go to that card object using the remote control.  
5 Correct?

6 A. Yes.

7 ATTORNEY SCHREINER: Okay, want to go ahead  
8 and take that break? It's been a long run here.

9 A. Sure.

10 (Recess taken.)

11 BY ATTORNEY SCHREINER:

12 Q. Do you see at the bottom of page 75 of your  
13 declaration, this is in paragraph 135, you make a  
14 reference to Exhibit 1010, which is what you've referred  
15 to as the Lee-2 reference?

16 Do you see that?

17 A. Yes.

18 (Exhibit No. 1010, previously marked, was  
19 referenced and indexed.)

20 BY ATTORNEY SCHREINER:

21 Q. And the Lee-2 reference in Figure 33B  
22 illustrates a favorite channel card object 2060 being  
23 highlighted.

24 Is that correct?

25 A. Hang on for a second. Let me bring up Lee-2.

1 Q. Sure.

2 A. I've got Lee-2, Figure 33B.

3 Q. Correct.

4 And you cite a passage. This is at the end of  
5 your -- at the end of -- in paragraph 135 you cite  
6 column 38, lines 7 through 11 of Lee-2 where it states:  
7 The home screen 2000 may include the favorite channel  
8 card object 2060. Particularly, the favorite channel  
9 card object may be highlighted; therefore, the user can  
10 readily view the favorite channel card object 2060,  
11 including the favorite channel list 2065.

12 Do you see that passage in Lee-2 that you  
13 cited in your declaration?

14 A. I'm sorry, say that again.

15 Q. Sure.

16 Do you see at Figure 33B it illustrates that  
17 favorite channel card object 2060 is highlighted?

18 A. Yes.

19 Q. And you cite a passage from Lee-2,  
20 Exhibit 1010, column 38, lines 7 through 11.

21 A. Okay.

22 Q. And my question is: What causes the favorite  
23 channel card object 2060 to be highlighted in Lee-2?

24 A. Let me go to the part of Lee.

25 Q. It might be helpful if you read in Lee-2

1 column 38, you know, from line 3 to line 11, that full  
2 paragraph there.

3 A. Column?

4 Q. Column 38, line 3 through line 11.

5 A. Okay.

6 Q. Is it correct that what triggers the favorite  
7 channel card object being highlighted is that the user  
8 selects the favorite channel key to bring up the  
9 favorite channel card object as shown in Figure 33B?

10 A. Well, if you look at the previous paragraph in  
11 column 37 --

12 Q. Right.

13 A. -- upon input of a local key (not shown) or a  
14 favorite channel key (not shown) of the remote  
15 controller, the favorite channel card object may be  
16 displayed on the display as illustrated in Figure 32B.  
17 The favorite card object may be displayed together with  
18 the image 3210 on the same screen.

19 That's one way of getting to the favorite key  
20 channel, and then he says it may be highlighted.

21 Q. Right. So you've got Figure 32B that you just  
22 referenced.

23 A. Yeah.

24 Q. If you take a look at that, that favorite  
25 channel card object is not highlighted if you compare it

1 to Figure 33B.

2 A. Figure 32B?

3 Q. Yeah. You were just -- the passage you were  
4 just reading from --

5 A. Right.

6 Q. -- references 32B, the passage in column 37.

7 A. Yeah.

8 Q. So that says that -- I'm paraphrasing here --  
9 upon the input of a local key or favorite channel key,  
10 the favorite channel card object may be displayed as  
11 illustrated in Figure 32B.

12 Do you see that language in column 37 --

13 A. Yeah.

14 Q. -- after line 61?

15 A. Yeah, let me get back to column 37.

16 Q. Sure.

17 A. Okay, I'm back at column 37.

18 Q. Okay. So that refers -- that passage there  
19 doesn't say anything about the favorite channel card  
20 object being highlighted, right?

21 The reference to it being highlighted is in  
22 column 38, right?

23 A. Particularly, the favorite channel card object  
24 may be highlighted.

25 Q. Right. And that's in reference to Figure 33B,

1 right, as shown in column 38?

2 A. Yes.

3 Q. Is it correct that it's the user's selection  
4 of the favorite channel card object using a local key  
5 (not shown) or a favorite channel key (not shown) that  
6 causes the favorite channel card object to be  
7 highlighted as described in column 38 of the Kim  
8 reference?

9 A. That's in paragraph 38 -- on column 38, that  
10 is, starting at line 3, it says: Upon input of a local  
11 key or favorite channel key, the home screen may be  
12 displayed as illustrated in Figure 33B, where that --  
13 that favorite channel card isn't highlighted or, as he  
14 puts it, may be highlighted.

15 Q. Right. And if it's highlighted, that's  
16 triggered by the user selecting the favorite channel  
17 using the key, right?

18 A. Using a key, yeah.

19 Q. Right.

20 A. The highlighting that's shown, by the way, is  
21 a box around it.

22 Q. Right.

23 A. Are we -- are we agreed on that?

24 Q. Yes, we are agreed on that. It's the box  
25 shown around Figure 33B, the favorite channel 2060, that

1 card object in Lee-2, Exhibit 1010.

2 Are you familiar with the term "focus" in the  
3 context of user interfaces such as --

4 A. I'm not going anywhere, I'm just closing a  
5 shade. Go ahead.

6 Q. -- such as the focus of an application being  
7 indicated somehow on the user interface?

8 ATTORNEY HUH: Objection. Form.

9 A. I don't think I defined the word "focus," but  
10 there are many ways focus can be used.

11 BY ATTORNEY SCHREINER:

12 Q. Do you understand "focus" sometimes being used  
13 to indicate which object in a user interface has been  
14 selected by a user and therefore is the focus of the  
15 application at that moment?

16 ATTORNEY HUH: Objection. Form.

17 A. I haven't been asked to define "focus." And  
18 when I've used "focus," that's not been the precise way  
19 that I've used it.

20 BY ATTORNEY SCHREINER:

21 Q. Okay. Is there another term that you use or  
22 that you've used in your work to denote an object in the  
23 user interface that has been selected by a user as  
24 opposed to the other selectable objects in the user  
25 interface?

1 ATTORNEY HUH: Objection. Form.

2 A. Well, again, I don't have any of that in my  
3 report, but there are many ways that you can indicate  
4 that an entity has been selected.

5 BY ATTORNEY SCHREINER:

6 Q. And in Lee-2, it's fair to say that the  
7 indication that the entity has been selected is done  
8 through the highlight that in this case is shown in  
9 Figure 33B of Lee-2, right?

10 A. Say that again.

11 Q. That's all right, I'll withdraw it. Let me --  
12 we'll just move on to the next item.

13 If we go to page 76 of your expert  
14 declaration, the copy of the expert declaration where it  
15 starts out at the top of page 76 and going to the bottom  
16 of page 75, it looks like there's some text missing.  
17 And I don't know if this is with my electronic version  
18 or this was in the declaration as filed with the PTAB  
19 and so I wanted to check with you.

20 A. Wait a minute, where are you going? You just  
21 said that -- page 75 to the bottom of page 74. I'm  
22 confused.

23 Q. I said the top of page 76, so let me reverse  
24 it. Read the last sentence from the bottom of page 75  
25 to the top sentence of page 76.

1           A.     Out loud? For example, in the circumstance  
2 where the App Store card object 1330 is already  
3 displayed on the display (see Figure 21) it would have  
4 been obvious to a POSITA for the App Store card object  
5 1330 to be highlighted so that it is distinguished from  
6 the other card objects and readily identified by the  
7 user (see Exhibit 1010, column 38, lines 7 through 11).

8                     And it's quoted here as: The home screen may  
9 include a card object 2060 ... and then added that may  
10 be highlighted so the user can readily view the card  
11 object Figure 33B.

12                    Kim's card object on the next page being  
13 highlighted associates the App Store, at least one of  
14 the sources, with the respective application thumbnails  
15 and descriptive text separately and together, first  
16 content information.

17           Q.     Okay. I understand. So when --

18           A.     I'm going to looking at the printed version  
19 that I have.

20           Q.     Yeah, no. What you just read makes sense. So  
21 I don't think there was an issue, I just wanted to make  
22 sure there wasn't a typo there that needed to be cleared  
23 up.

24                    So referring back to Kim, Figure 19, the App  
25 Store card object 1330, when the display is first

1 brought up in Figure 19, the App Store is displaying the  
2 descriptive text and the thumbnails within that App  
3 Store card. Correct?

4 A. I'm going to bring up Kim again.

5 Q. Sure.

6 And this is Exhibit 1005 for Kim.

7 A. Okay, I see Figure 19.

8 Q. And the question is: When the display is  
9 first brought up by a user hitting the home screen key,  
10 the App Store card object 1330 is displaying the  
11 descriptive text and the thumbnails that are shown --  
12 marked as 1335. Correct?

13 A. Yes. But the home screen may not have the App  
14 Store panel on it at all.

15 Q. Right, but I'm focusing -- right. But I'm  
16 focusing on the App Store panel because that's what  
17 you're discussing here in your report.

18 A. Okay.

19 Q. And is it your understanding after the user  
20 invokes the homepage that what we see in Figure 19 is  
21 presented to the user and the user can then proceed to  
22 select one of these card objects for further operations?

23 A. Yes.

24 Q. And is it your understanding that -- strike  
25 that.

1           You've proposed that it would be obvious for a  
2   POSITA for the App Store card object to be highlighted,  
3   right? That's what you have in -- let me see what page  
4   it is. Okay, at the bottom of your page 75.

5           ATTORNEY HUH: Objection. Form.

6   BY ATTORNEY SCHREINER:

7           Q.    It would be obvious to a POSITA for the App  
8   Store card object 1330 to be highlighted so that it is  
9   distinguished, etc.

10          Do you see that?

11          A.    Bottom of page 75?

12          Q.    Yes.

13          A.    It would have been obvious to a POSITA for the  
14   App Store card object 1330 to be highlighted so that it  
15   is distinguished from the other card objects and readily  
16   identified by the user.

17          Q.    So when the homepage -- strike that.

18          When the home screen of Kim is first brought  
19   up -- let me rephrase this.

20          In your proposed modification or where you say  
21   it would be obvious, what is going to trigger the App  
22   Store card object being highlighted?

23          ATTORNEY HUH: Objection. Form.

24          A.    That might be a number of things.

25   BY ATTORNEY SCHREINER:

1 Q. Would it likely be like Lee-2, where it's  
2 the -- the favorites channel card is highlighted because  
3 the user has selected that card object?

4 A. That's an example. And I state that in the  
5 report, I believe.

6 Q. But even in your proposed modification, before  
7 the time the App Store card object is highlighted, it is  
8 displaying the descriptive text and the thumbnails  
9 marked as 1335 in Figure 19. Correct?

10 A. I'm sorry, say that again. I was looking at  
11 33B. Go ahead.

12 Q. Before the time the App Store card object  
13 would be highlighted, according to your proposed  
14 modification, that App Store card object would be  
15 displaying the descriptive text and the thumbnails that  
16 are in it and marked as 1335 in Figure 19.

17 ATTORNEY HUH: Objection. Form.

18 A. I'm not sure I understand that. The App Store  
19 card I believe we've already agreed shows those  
20 thumbnails and texts.

21 BY ATTORNEY SCHREINER:

22 Q. Right. Before it's ever highlighted, even in  
23 your proposed modification, right?

24 A. It's drawn that way.

25 Q. If we go to paragraph 137 starting on page --

1 actually, let's go to paragraph -- I'm sorry, let's go  
2 to page 77 of your declaration. And this is a  
3 continuation of your paragraph 137. And you've got a  
4 side-by-side rendition.

5 A. Yes.

6 Q. And on the left-hand side, you've got a  
7 modified version of a portion of Kim's Figure 21, right?

8 A. Yes.

9 Q. Do you describe in here why the App Store card  
10 object is highlighted in your annotated, you know,  
11 modified Figure 21 of Kim?

12 A. I don't think I answered the question as to  
13 why it would be highlighted.

14 Q. Okay. In paragraph 138 of your declaration on  
15 page 77, you state: For example, when card object 1360  
16 is already displayed, the reservation/record content  
17 source would be highlighted as associated with the  
18 thumbnails and descriptive text that identifies the  
19 available content.

20 Do you see that?

21 A. Yes.

22 Q. Could you explain for me what you mean, when a  
23 card object is already displayed?

24 A. It's not hidden.

25 Q. And we just discussed App Store card object

1 1330 being highlighted, and you indicated that you  
2 didn't get into why it was highlighted.

3 In paragraph 138 of your declaration where  
4 you're discussing the reservation record card object, do  
5 you explain why it would be highlighted in your proposed  
6 modification to Kim?

7 ATTORNEY HUH: Objection. Form.

8 A. I'm not sure what you mean by "why."

9 BY ATTORNEY SCHREINER:

10 Q. Well, what makes it get highlighted?

11 What triggers the highlighting?

12 A. One thing that can trigger it is a user  
13 action.

14 Q. So would an example of that be a user  
15 selecting that card object?

16 A. That would be an example of that.

17 Q. If we go to paragraph 140 of your declaration,  
18 this is on page 78, and so actually, let's look at  
19 paragraphs 139 through 141 of your declaration on page  
20 78.

21 You refer to an active card object, and you  
22 also refer to bring into focus the active card objects.

23 Do you see that in paragraph 141 of your  
24 declaration?

25 A. I want to check one thing.

1 Q. Sure.

2 A. Okay.

3 Q. So the question was in paragraph 141, you  
4 refer to bring into focus the active card objects.

5 Can you explain to me what you mean by bring  
6 into focus the active card objects?

7 A. "Focus" can mean many things, but I'll give  
8 you an example, okay? It means that that's the card  
9 object you are interacting with.

10 Q. So does that mean it's the card object that  
11 you've selected and you're somehow manipulating to do  
12 something? Is that fair to say, in the colloquial?

13 A. That is a reasonable case.

14 Q. Okay. And where Kim talks about -- this is in  
15 paragraph 130 of your -- let me withdraw that question.

16 So if I could refer you to page 80 of your  
17 declaration -- I'm sorry, page 81 -- you've got a  
18 reference here to the broadcast card object 1310. We  
19 touched upon this earlier. I just want to make sure I'm  
20 clear.

21 Is it your understanding that the broadcast  
22 card object, it displays some content and it has a  
23 description of a channel that is -- that has been tuned,  
24 but it doesn't have a list of options like the other  
25 card objects?

1           Is that a fair way to characterize the  
2 broadcast card object?

3           ATTORNEY HUH: Objection. Form.

4           A. No, I wouldn't characterize it that way. It's  
5 characterized by being -- it displays a broadcast image.

6 BY ATTORNEY SCHREINER:

7           Q. Okay. So what defines a broadcast card object  
8 1310 is it is actually displaying a broadcast image?

9           ATTORNEY HUH: Objection. Form.

10          A. I'll have to go back to Kim, but I believe  
11 that's what he says. 195 Kim says, referring again to  
12 Figure 19, a figure we've used many times, the card  
13 object 1310 may be named broadcast and may display a  
14 broadcast image.

15 BY ATTORNEY SCHREINER:

16          Q. Okay.

17          A. In 199, he says: The information object 1321  
18 that displays information related to the broadcast image  
19 1315 may include a channel number, DTB7-1; a channel  
20 name, YBCHD; the title of a broadcast program, Oh Lady;  
21 and an air time, 8 o'clock to 8:50 PM for the broadcast  
22 program. Therefore, the user may readily obtain  
23 information regarding the displayed broadcast image  
24 through the information.

25          Q. So that's information about the broadcast

1 channel that's been tuned and displayed, right?

2 A. That's what the broadcast card does.

3 Moreover, the broadcast image 1315 -- this is from  
4 paragraph 198 -- may be scaled or resized. For  
5 instance, a size of the broadcast image 1315 may be  
6 enlarged or reduced by dragging 1315 with the pointer of  
7 the remote. As the broadcast image is scaled up or  
8 down, the number of displayed card objects may be  
9 changed accordingly.

10 I believe you also at some point, but I'm not  
11 sure I could find it, says that the broadcast card can  
12 be locked so that it won't disappear.

13 Q. Okay. If I could refer you to page 88 of your  
14 declaration, you cite a passage. This is the bottom of  
15 88 and the top of 89. You cite a passage from Kim  
16 Exhibit 1005, paragraph 77, that references the external  
17 device interface 135 and that it may have an interface  
18 with various types of input ports, including a USB port,  
19 an S-Video port, a DVI port, an HDMI port, an RGB port,  
20 etc.

21 Do you see that on pages 88 through 89 of your  
22 declaration?

23 A. I do. Let me find that in Kim.

24 Q. Sure.

25 A. Okay.

1 Q. If we look back at Kim's Figure 19, the home  
2 screen in Figure 19, and in particular, the external  
3 device card object 1380, it does not have an indication  
4 of any of these input ports that are referenced here.  
5 Correct?

6 ATTORNEY HUH: Objection. Form.

7 A. I think I can find Figure 19. Figure 19 shows  
8 external devices connected to ports by their name.

9 BY ATTORNEY SCHREINER:

10 Q. Right. Figure 19 doesn't identify any  
11 particular input ports. Correct?

12 ATTORNEY HUH: Objection. Form.

13 A. No, it does identify the input ports, but it  
14 identifies them by name.

15 BY ATTORNEY SCHREINER:

16 Q. Okay. Is gaming box -- does that identify an  
17 input port? And, if so, which input port is that  
18 found -- which one of the input ports in paragraph 77 is  
19 that referring to?

20 A. Whichever one it was connected to.

21 Q. Okay. So looking at Figure 19 of Kim, as  
22 you've noted, as we've been doing all day, does the DVD  
23 player external device -- what input port is that  
24 designated as being connected to in Figure 19?

25 A. It is connected to an input port and labeled

1 as DVD player.

2 Q. Right. But what specific input port is it  
3 connected to?

4 Is that information shown on the home screen  
5 of Figure 19?

6 A. I'm getting totally confused. The point of  
7 labeling the input port with the device is usually done  
8 so that the user wouldn't have to know that kind of  
9 technical information, like whether it's a USB or a  
10 component video or an HDMI connection. The point is  
11 it's labeled as the port to which the DVD is connected  
12 to.

13 Q. It's labeled that -- in 1380, the external  
14 device card object 1380 indicates that those devices are  
15 connected, right? That's what Kim discloses.

16 ATTORNEY HUH: Objection. Form.

17 A. Those devices are associated with input ports.  
18 BY ATTORNEY SCHREINER:

19 Q. They're connected. Correct?

20 A. Well --

21 ATTORNEY HUH: Objection.

22 A. -- we discussed how one could show that  
23 they're connected by an obvious combination.

24 BY ATTORNEY SCHREINER:

25 Q. Okay. So just to be clear, does external

1 device card object 1380 indicate that -- strike that.

2 How many external devices are listed in  
3 Figure 19 for external device card object 1380?

4 A. Three.

5 Q. Okay. And they are?

6 A. The gaming box, the DVD player, and the  
7 computer.

8 Q. And does that card object indicate what type  
9 of input port any of those external devices are  
10 connected to, as shown in Figure 19?

11 A. You mean what electrical type?

12 Do you mean CVBS? S-Video?

13 Q. Okay, we just talked about paragraph -- let me  
14 withdraw my question.

15 We just talked about paragraph 77 of Kim. And  
16 remember, paragraph 77 talked about different types of  
17 input ports, a USB port, an S-Video port, a DVI port, an  
18 HDMI port, and so forth.

19 Do you recall that?

20 A. Yes. That's a quote from Tim -- from Kim.

21 Q. Right. And those are all input ports to the  
22 television. Correct?

23 A. Yes.

24 Q. And they're different types of input ports to  
25 the television, right?

1 A. Yes.

2 Q. Does external card object 1380 indicate any of  
3 the listed external devices being connected to any  
4 specific type of input port?

5 A. By "type" you mean electrical type from that  
6 list?

7 Q. That's right.

8 A. It does not.

9 Q. Okay. If I could refer you to paragraph 161  
10 of your declaration on page 90, do you see in paragraph  
11 161 you make a reference to Kim, and then you say it  
12 renders obvious, and you quote from the claim, quote:  
13 An electrical input associated with the television.

14 Do you see that, your first sentence of  
15 paragraph 161?

16 A. Yes.

17 Q. And you cite to the '040 patent at column 6,  
18 lines 16 through 20, right?

19 A. Yes.

20 Q. And that passage refers to external devices  
21 electrically connected to the television through  
22 specific input port types such as an HDMI or video/audio  
23 inputs etc. Correct?

24 A. Let me bring that up.

25 ATTORNEY HUH: Hey, Steve, you just have a few

1 more minutes left here.

2 ATTORNEY SCHREINER: Thanks, Greg.

3 THE WITNESS: Column 6, 16 --

4 BY ATTORNEY SCHREINER:

5 Q. Through 20. It's quoted in your paragraph 161  
6 there.

7 A. Yeah. The full paragraph says that the term  
8 "silo" as used herein can be a logical representation of  
9 an input source or application. An input can be a  
10 device or devices, for example, DVD, VCR, etc.,  
11 electrically connected to the television through a port,  
12 for example, HDMI. And that's the part that I believe  
13 you read.

14 Q. Right.

15 A. HDMI, video/audio inputs, etc., or through a  
16 network, e.g., LAN or WAN, W-A-N, etc.

17 Q. Right. In your paragraph 161 where you  
18 discuss the claim language in electrical input  
19 associated with the television, you specifically cite  
20 the portion of that passage that says an input can be a  
21 device or devices, e.g., DVD, VCR, etc., electrically  
22 connected to the television through a port (e.g., HDMI,  
23 video/audio inputs, etc.) right?

24 A. Yes. And a silo can be a logical  
25 representation of an input or source.

1 Q. Right.

2 ATTORNEY HUH: Hey, Steve, so I think we've  
3 hit our time limit here. We're at seven hours.

4 ATTORNEY SCHREINER: Hey, look, Greg, why  
5 don't you -- why don't we take a five-minute break and  
6 let me just see if there's any wrap-up I need to do.  
7 You know, I think we had a little bit of time we used  
8 between you and I during this deposition. So if you'll  
9 extend me that courtesy, I think we can wrap up pretty  
10 quick. So my proposal is a five-minute break and then I  
11 see if I have any wrap-up questions for my cross.

12 ATTORNEY HUH: I'm going to stay with the  
13 seven hours, honestly, Steve. I think -- I don't want  
14 to agree to extending for additional wrap-up questions.  
15 You know, before we started this, after the break it was  
16 indicated that we had about 40 minutes left, or 49  
17 minutes left.

18 ATTORNEY SCHREINER: Yeah, but we --

19 ATTORNEY HUH: I mean -- I mean, if you have a  
20 question right now that you want to present, but we're  
21 not going to come back and ask additional questions.

22 ATTORNEY SCHREINER: Okay, then just --

23 ATTORNEY HUH: So the answer is no.

24 ATTORNEY SCHREINER: Okay. Then just give me  
25 a moment to look at my materials and see if I have any

1 further questions, okay?

2 ATTORNEY HUH: No. No, not further questions.  
3 I mean, if you have -- if you want to finish with one  
4 more question, we can finish, but we're not going to go  
5 to further questions.

6 ATTORNEY SCHREINER: Okay, okay.

7 ATTORNEY HUH: You're already at seven hours.

8 ATTORNEY SCHREINER: Okay. Well, we had a lot  
9 of time squandered, you and I.

10 ATTORNEY HUH: Okay. I'm telling you we're at  
11 seven hours on the record.

12 ATTORNEY SCHREINER: All right, all right.  
13 And I'm telling you this is a two-way street. So you're  
14 not extending me that professional courtesy so don't  
15 expect it if it comes up when you're taking a deposition  
16 of our expert, okay?

17 ATTORNEY HUH: Okay. Well then we're at seven  
18 hours --

19 ATTORNEY SCHREINER: With that, I'll go  
20 ahead --

21 ATTORNEY HUH: -- on the record.

22 ATTORNEY SCHREINER: -- and close my  
23 cross-examination and pass the witness to you.

24 ATTORNEY HUH: Very good. We'll take a break.  
25 Thank you.

1 THE REPORTER: We are off the record for a  
2 break.

3 (Recess taken.)

4 ATTORNEY HUH: No questions from Petitioner.  
5 Thank you, Dr. Lippman. We appreciate it.

6 ATTORNEY SCHREINER: Thank you, Dr. Lippman.  
7 Appreciate your patience today, and I guess we'll see  
8 you tomorrow.

9 THE WITNESS: I'm going to see you tomorrow?

10 ATTORNEY SCHREINER: Yes, sir.

11 THE WITNESS: Thank you.

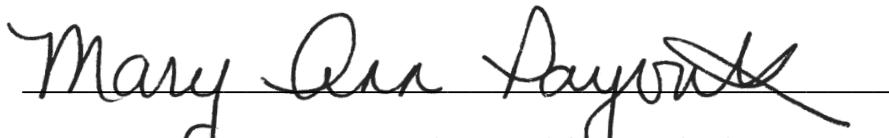
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13 (Deposition adjourned at 6:16 p.m.)  
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## 1 REPORTER'S CERTIFICATE

2 I, MARY ANN PAYONK, shorthand reporter and  
3 Notary Public, CA CSR No. 13431, do hereby certify that  
4 the witness whose deposition is hereinbefore set forth  
5 was sworn by agreement of all parties, that the  
6 proceedings were reported stenographically by me, and  
7 that this transcript is a true, correct, and full record  
8 of the testimony given.

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

13 IN WITNESS WHEREOF, I have hereunto set my  
14 hand this 24th day of July, 2024.

15  
16   
17 MARY ANN PAYONK, CSR #13431  
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CASE CAPTION: LG vs. Multimedia Technologies (PTAB)  
DEPOSITION DATE: July 15, 2024

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Signature of Deponent

Date

1 I,

2 DR. ANDREW B. LIPPMAN,

3 state that I have read the foregoing deposition and  
4 declare under penalty of perjury:

5 That the foregoing is my deposition under  
6 oath;

7 That I have read same and have made the  
8 necessary corrections, additions or changes to my  
9 answers that I deem necessary;

10 That my answers as indicated are true and  
11 correct.

12  
13 Executed at \_\_\_\_\_  
14 this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

15  
16 \_\_\_\_\_  
17 DR. ANDREW B. LIPPMAN  
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