

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

LG ELECTRONICS, INC., LG ELECTRONICS)
U.S.A., INC. and VIZIO, INC.,)

Petitioners,)

vs.)

MULTIMEDIA TECHNOLOGIES PTE. LTD.,)

Patent Owner.)

CERTIFIED COPY

Case No.: IPR2024-00352

Patent No.

9,247,174 B2

DEPOSITION OF

RAJEEV SURATI, PH.D.

REMOTELY HELD VIA VIDEOCONFERENCE TECHNOLOGY

NOVEMBER 12, 2024

REPORTED BY:

LYNETTE MARIE NELSON,

CA CSR No. 11585, OR CSR No. 250121,

TN LCR No. 896, RPR, CRR, CCRR, CRG,

REALTIME SYSTEMS ADMIN.

JOB NO. 24-143556



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Petitioners,)
vs.) Case No.: IPR2024-00352
Patent No.
9,247,174 B2
MULTIMEDIA TECHNOLOGIES PTE. LTD.,)
Patent Owner.)
_____)

DEPOSITION OF RAJEEV SURATI, PH.D.,
taken by the Petitioners, commencing at the hour of
9:32 a.m. on Tuesday, November 12, 2024, held remotely
via videoconference, before Lynette Marie Nelson,
Certified Shorthand Reporter in and for the State of
California, Oregon, and Tennessee.

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APPEARANCES:

For the Petitioner LG Electronics entities:

HAYNES AND BOONE, LLP
BY: CALMANN CLEMENTS, ESQ.
6000 Headquarters Drive, Suite 200
Plano, Texas 75024
(972) 692-9032
calmann.clements@haynesboone.com

For the Petitioner Vizio:

SKIERMONT DERBY
BY: RYAN HARGRAVE, ESQ.
1601 Elm Street, Suite 4400
Dallas, Texas 75201
(214) 978-6600
rhargrave@skiermontderby.com

For the Patent Owner:

CARMICHAEL IP, PLLC
BY: STEPHEN SCHREINER, ESQ.
8607 Westwood Center Drive, Suite 270
Tysons, Virginia 22182
(703) 646-9254
schreiner@charmichaelip.com

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I N D E X

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(NO EXHIBITS OFFERED.)

1 REMOTE DEPOSITION; TUESDAY, NOVEMBER 12, 2024, 9:33 A.M.
2 -o0o-
3 THE STENOGRAPHER: Good morning. We are on the
4 record for the deposition of Rajeev Surati in the matter
5 of LG Electronics versus Multimedia Technologies.
6 Today's date is November 12, 2024. The time is 9:33 AM.
7 My name is Lynette Nelson. I'm a certified shorthand
8 reporter.
9 Would counsel please state your appearances.
10 MR. SCHREINER: I'm sorry. Go ahead.
11 MR. CLEMENTS: My name is Calmann Clements with
12 Haynes and Boone representing LG Electronics.
13 MR. SCHREINER: My name is Stephen Schreiner.
14 I'm with Carmichael IP representing Multimedia.
15 MS. HARGRAVE: Ryan Hargrave with Skiermont
16 Derby representing Vizio, Inc.
17 (Witness sworn.)
18 THE WITNESS: I do.
19 THE STENOGRAPHER: Thank you.
20 ///
21 ///
22 ///
23
24
25

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1 RAJEEV SURATI,
2 HAVING BEEN DULY SWORN BY THE CERTIFIED SHORTHAND
3 REPORTER, WAS EXAMINED AND TESTIFIED AS FOLLOWS:
4 EXAMINATION
5 BY MR. CLEMENTS:
6 Q. Good morning, Dr. Surati.
7 A. Good morning.
8 Q. Could you please state your full name for the
9 record?
10 A. It's Rajeev Surati.
11 Q. You have been deposed before; correct?
12 A. I have.
13 Q. About how many times?
14 A. Over 30.
15 Q. So you generally know how depositions work; is
16 that correct?
17 A. I think so.
18 Q. So you know that you must provide verbal
19 answers to my questions so that the court reporter can
20 make an accurate transcript; correct?
21 A. Yes.
22 Q. And because we are forming a record here, it's
23 important that we don't talk over each other. So if you
24 can let me finish my question, I will let you finish
25 your answers. Agreed?

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6

1 A. Sure.

2 Q. And you understand that your counsel might
3 object to a question, but you still must provide an
4 answer to that question unless instructed otherwise;
5 correct?

6 A. That's correct.

7 Q. And if you are confused as to a question that I
8 ask, please let me know so that I can perhaps ask it in
9 a different way. Can we agree on that?

10 A. Yes, sir.

11 Q. And you're connecting to the deposition today
12 on a personal computer; correct?

13 A. Yes, sir.

14 Q. And aside from Zoom, are there any other
15 applications running on your computer today?

16 A. There is a browser at the moment and Adobe
17 Acrobat.

18 Q. Are there any documents open on your personal
19 computer within Acrobat?

20 A. I can un- -- they're just exhibits, but I can
21 undo them. Sure.

22 Q. Okay. Any web pages open?

23 A. I will just close them all.

24 Q. Okay. Any messaging programs?

25 A. No.

1 Q. Do you have any other electronic devices in the
2 room with you?

3 A. I do. I have my cell phone.

4 Q. Is it turned off?

5 A. It is on airplane mode, but I can turn it off
6 if you like.

7 Q. Sure.

8 A. Okay.

9 Q. Are there any other people in the room with you
10 today?

11 A. No, sir.

12 Q. Do you have any handwritten notes with you?

13 A. I don't.

14 Q. Now, is there any reason you cannot provide a
15 full and accurate testimony today?

16 A. No reason.

17 Q. And you understand that the testimony you are
18 providing today will be used in Inter Partes Review
19 Proceedings IPR2024-00352; correct?

20 A. That sounds right.

21 Q. And you understand that your testimony will be
22 publicly available and filed in these proceedings;
23 correct?

24 A. I do. I'm sorry. I do.

25 Q. And IPR2024-00352 concerns U.S. patent

1 9,247,174; correct?

2 A. I believe that's right.

3 Q. So if I say "the '174 patent," you will
4 understand that I'm referring to U.S. patent 9,247,174;
5 correct?

6 A. I believe so.

7 Q. How many IPR proceedings have you worked on?

8 A. I'm thinking 20. I can't really count them. I
9 would have to look at my list of depositions and
10 reports.

11 Q. And just for some other definitions for today,
12 if I use the acronym POSITA, you will understand that to
13 mean a person of ordinary skill in the art in August
14 2012, which is the earliest alleged priority date for
15 the '174 patent; correct?

16 A. Okay.

17 Q. And when I say "your declaration," you will
18 understand that I'm referring to Exhibit 2011 filed in
19 this IPR proceeding?

20 A. That sounds fine.

21 Q. Have you provided expert consulting services
22 for Multimedia Technologies prior to this case?

23 A. I had no knowledge of Multimedia Technologies
24 prior to the litigation.

25 Q. When did you begin working on this matter for

1 Multimedia Technologies?

2 A. By "this matter," do you mean the litigation or
3 the IPR?

4 Q. This IPR.

5 A. Oh, I would say like four or five months back.

6 Q. Who wrote your declaration?

7 A. So the declaration is jointly -- jointly
8 drafted by myself and Mr. Schreiner. And we -- we
9 worked together on it, and ultimately, all of the
10 opinions in the document are mine.

11 Q. Were you provided with a first draft?

12 A. We discussed what we would write, and then
13 we -- we had a first draft that was created. But the
14 first draft was given to me after we had those
15 discussions.

16 Q. And who came up with the positions in your
17 declaration?

18 A. They were jointly come up with. I can't
19 remember exactly who or how, but I read the material and
20 understood what the arguments were for and against.

21 And you can see that, obviously, in the
22 petitioner's -- petitioner's -- not the petitioner's,
23 but the patent owner's response, there's some arguments
24 that are repeated in this document. So, you know, I
25 would have to say that some of those came originally

1 from there.

2 Q. Approximately, how long did you spend preparing
3 your declaration?

4 A. I would say about 15 hours.

5 Q. And what did you review in preparation for your
6 deposition today?

7 A. Well, I reviewed the patent. I reviewed prior
8 art references. I reviewed the Institution Decision. I
9 reviewed the deposition. And I reviewed Dr. --
10 Dr. Lippman's report that this is in response to.

11 I would have to look at my report. And there's
12 a section that talks about what I -- what I base my
13 report on, but I think I've got most of what I looked at
14 that I can recall.

15 Q. Are there any errors in your declaration that
16 you are aware of?

17 A. Yes. Paragraph 50 has some typos in it.

18 Q. You said paragraph 50, 5-0?

19 A. Mm-hmm.

20 Q. Do you still stand by all of the opinions that
21 were provided in your declaration?

22 A. I do.

23 Q. How much time did you spend preparing for this
24 deposition?

25 A. I would say about 15 hours.

1 Q. Did you meet with anyone to prepare for your
2 deposition?

3 A. I did.

4 Q. Who?

5 A. I met with Mr. Schreiner.

6 Q. Have you done anything else to prepare for the
7 deposition?

8 A. Well, I have read the material and looked at
9 it. Other than that -- and spoke to Mr. Schreiner.
10 Other than that, I don't believe I have done anything
11 else.

12 Q. So in your declaration at paragraph 9 you list
13 petitioner materials considered in preparing your
14 declaration; correct?

15 A. I mean, I -- I believe that's correct, but I
16 don't have the petition in front of me. So I couldn't
17 say for sure whether it's nine, but that sounds about
18 right.

19 Q. So if you need to open up your declaration, we
20 can do that. And I can share the exhibits in the chat
21 or upload them.

22 A. This will be good. I downloaded everything
23 from the docket. So . . .

24 Q. Okay. Well, go ahead and open up your
25 declaration, Exhibit 2011.

1 A. Okay. It is now open, sir. And I can look at
2 paragraph 9 or -- yeah, paragraph 9, yeah.

3 Q. That's right.

4 A. You're correct.

5 Q. So did you review the totality of each of these
6 exhibits noted in this list?

7 A. I did.

8 Q. And you believe you understand these exhibits?

9 A. I think so.

10 Q. Did you review any other materials?

11 A. For the purpose of writing this declaration?

12 Q. Yes.

13 A. Well, in paragraph 10, I have a deposition that
14 I discuss, and an annotated challenge claims. But
15 that's prior to that. So these are the materials that I
16 reviewed.

17 Q. Did you consider any other documents besides
18 those listed under the petitioner material and the
19 patent owner material?

20 A. You know, generally, if I -- you know, in
21 paragraph 11, I talk about websites and text material
22 just that I would do to look up what words meant and
23 things like that.

24 Q. Are there any specific websites or text
25 materials that you are referring to there that form the

1 basis of your declaration?

2 A. I can't recall any specific one at this time.

3 Q. Let's turn to page 14 of your declaration.

4 There's a heading entitled "Level of Ordinary Skill in
5 the Art." Let me know when you're there.

6 A. I'm here.

7 Q. And then in paragraph 44, you state that "I was
8 at the time of invention, and am currently, one of more
9 than ordinary skill in the art through my education,
10 research, and work experience." Is that correct?

11 A. Yes, sir.

12 Q. What do you mean by someone who "of more than
13 ordinary skill in the art"?

14 A. So Dr. Lippman ascribes having bachelor's
15 degree in electrical engineering, software engineering,
16 or computer engineering equivalent training --

17 (Discussion held off record.)

18 THE WITNESS: So Dr. Lippman states that a
19 POSITA would have had a bachelor degree in electrical
20 engineering, software engineering, or computer
21 engineering or equivalent training and approximately two
22 years of experience working in the field of television
23 systems and networking in computer interaction or
24 related technologies.

25 So, you know, I have a master's degree in

1 electrical engineering, computer science, and that does
2 encompass software engineering, as well. I have a Ph.D.
3 in electrical engineering, software engineering,
4 computer engineering, or equivalent training. And I
5 have more than two years of experience working in the
6 field of television systems, networking, human computer
7 interaction and related technologies.

8 BY MR. CLEMENTS:

9 Q. You consider yourself an expert as to the
10 subject matter of the '174 patent; correct?

11 A. Yeah. As defined here by Dr. Lippman in the
12 field of television systems, networking, human computer
13 interaction, or related technologies.

14 Q. And when did you have sufficient qualifications
15 and experience to qualify as an expert for the '174
16 patent?

17 A. Well, it would have been prior to -- you know,
18 I would say at least by, say 2008. But potentially
19 before that.

20 Q. Do you consider yourself as of at least
21 August 17, 2012, to have been expert in the subject
22 matter of the '174 patent; correct?

23 A. Yes, sir.

24 Q. Were you an expert in Intelligent Televisions
25 as of August 17, 2012?

1 A. I think what I have opined is in paragraph 44
2 where I -- where I have opined that I'm -- I have
3 experience in the area of user interfaces in the field
4 of television systems and networking human computer
5 interaction, which may encompass what you are
6 discussing. But I haven't defined it, per se.

7 Q. What is your understanding of an intelligent
8 television?

9 A. Maybe that's defined in the patent. Let me
10 just see. Sorry.

11 Q. Go ahead and open exhibit --

12 A. Do you mind if I open it up?

13 Sorry. Do you mind if I open up the patent?

14 Q. Yeah, I was going to say, go ahead and open
15 Exhibit 1001, which is the '174 patent.

16 A. Yeah, I apologize.

17 So I think that, first of all, the TVs and
18 embodiments described in the patent are considered
19 intelligent TVs because the patent -- patent talks about
20 intelligent TVs.

21 Just let me see here. Just a moment.

22 So I think some people would call them smart
23 TVs, enhanced TVs, enhanced televisions that provide
24 multiple functions and access to multiple different
25 sources of content, including Internet content and

1 broadcast television content, from paragraph 46.

2 Q. Were you an expert as of August 17, 2012, in
3 displaying information within panels on these
4 intelligent televisions?

5 A. I think my opinion that I provided is that I am
6 an expert in the field of -- that Dr. Lippman provided,
7 you know, in that I was familiar with the types of
8 problems encountered in the field, which was television
9 systems, networking, and human computer interaction or
10 related technologies.

11 Q. So as an expert, what is your understanding of
12 a panel?

13 A. So I believe that a panel is defined in the
14 patent. Just a moment.

15 So if we go to paragraph -- not paragraph. I'm
16 sorry. What do they call those? It's a column,
17 Column 7, line 35, we talk about, "The term 'panel,' as
18 used herein, can mean a user interface displayed in at
19 least a portion of the display."

20 Q. You agree with that definition of a panel?

21 A. Well, it's the one I need to use because it's
22 defined in the -- in the patent.

23 Q. Is that how a POSITA would have understood the
24 term "panel" prior to the '174 patent?

25 A. I mean, I think whether they did or didn't

1 isn't necessarily germane because they defined it. But
2 I think it's a reasonable -- you know, without any other
3 context, it's a reasonable definition.

4 Q. What types of panels were POSITAs in this field
5 familiar with before the '174 patent?

6 MR. SCHREINER: Objection. Scope.

7 THE WITNESS: Yeah, I'm not sure I opined on
8 that. I mean, in the patent, it has a very particular
9 meaning about a type of application panel.

10 But, you know, I would have to look at what you
11 meant by that type of panel.

12 BY MR. CLEMENTS:

13 Q. So generally, what types of panels were
14 available or known before the '174 patent?

15 A. Well, outside of a type of application panel,
16 there might have been a global settings panel. There
17 might have been -- just a moment. Sorry.

18 So like a global panel, a volume panel,
19 settings panel, notification panels. I think those are
20 all fair. Those are some examples, I think.

21 Q. Were you familiar with search panels?

22 A. I think so.

23 Q. Can you describe what you -- your understanding
24 of a search panel is?

25 A. Well, outside the context of an application

1 panel that has to do with search, I would say a search
2 panel allows you to search something related to the
3 device that it's on. And if it's a TV, what content it
4 might be able to show.

5 Q. Were you familiar with a favorites panel?

6 A. So sure. I think, again, I would say a
7 favorites panel in the context of a TV would probably
8 have to do with favorites in some context related to
9 content being displayed on the TV -- or sorry, that
10 could be displayed on the TV. And that the notion of a
11 favorite might mean that someone has ascribed a notion
12 of preference about that content.

13 Q. Do you have any experience designing panels?

14 A. So I do. So one of the projects that I worked
15 on at Scalable Display Technology had -- had a
16 multimedia set of inputs. It was a playback system.
17 And when I say "playback system," that was more because
18 we started it as playing back content, but then we added
19 in live content, broadcast content, and things like
20 that.

21 And in that context, I had user interfaces that
22 had the notion of a panel that I described available to
23 be displayed on the screen. I'm sorry.

24 Q. And what were the functions over these panels
25 that you designed?

1 A. I think selecting inputs and other things like
2 that.

3 Q. Other than selecting inputs, what other
4 functions did these panels have?

5 A. It's been a long time, so I can't remember.
6 But, you know, I did put primitive functions together
7 for that product.

8 Q. In your experience, what types of information
9 would a TV panel provide?

10 A. So, you know, if it's part of a user interface,
11 some interactive user interface, the panel would allow
12 you to select or do something.

13 If it's an informational panel, it would show
14 some information.

15 If it -- if it had to do with controlling the
16 playback of content, it could be sort of interactive,
17 and it will let you select maybe pause/play.

18 So I think it's, you know, showing information,
19 manipulating the screen, and maybe manipulating content,
20 selecting content. These are all things that a panel
21 could do. And oftentimes, panels don't take up the
22 entire screen. They might let you have other things on
23 the screen.

24 Q. You mentioned an informational panel. So what
25 types of information would an informational panel

1 display?

2 A. Is there a place in my report that I talk about
3 that?

4 Q. I'm just talking about your general experience
5 as an expert in this field.

6 A. Yeah, I mean, I mean, it would be information
7 about content and so on and so forth.

8 But I do believe you're supposed to ask me
9 about my report. So if you could tell me where in my
10 report I opine on this, that would -- that would be
11 helpful.

12 Q. So I'm asking you not about anything specific
13 in your report right now. I'm asking you as someone who
14 claims to be an expert what your understanding of an
15 informational panel would be.

16 MR. SCHREINER: Objection. Mischaracterizes
17 prior testimony as to information panel.

18 THE WITNESS: I mean -- you know, I mean, as an
19 expert on a TV, it would be a panel that has some
20 information related to something about the TV, what's
21 being displayed on it, et cetera.

22 BY MR. CLEMENTS:

23 Q. So there -- you are familiar with panels that
24 displayed information about what's currently being
25 displayed on the TV?

1 A. I think so. I think we talk about that in
2 the -- in the patent.

3 Q. Did you ever design systems that displayed
4 information about the content currently being displayed
5 on the TV?

6 A. I think I have designed several things in that
7 context. I don't know that it was necessarily for a TV.
8 But certainly in a web browser, I have designed content
9 that has videos playing back and content next to it
10 describing what it is.

11 Q. And was that prior to August of 2012?

12 A. Yes, sir.

13 Q. So you were aware of user interfaces that
14 provided information about the content currently being
15 displayed; correct?

16 A. Sure.

17 Q. So let's turn to the '174 patent. On page 23
18 of your declaration, you cite to Figure 16A.

19 A. Mm-hmm.

20 Q. In that figure, what is your understanding of
21 the active content area 1408?

22 A. So you are asking about 1408?

23 Q. That's correct.

24 A. Oh. Okay. Just double-checking. Sorry.

25 So that's where an intelligent TV might display

1 content in the active content area.

2 Q. So, for example, it would display the show the
3 user is currently watching; is that correct?

4 A. It could.

5 Q. And what is your understanding of the
6 application panel 1412?

7 A. Just a moment. So it's an area that provides
8 information that is determined based on the currently
9 displayed program content.

10 Q. And what types of information can be displayed
11 within the application panel?

12 A. It depends on what -- so the context could be
13 related to the input source type, it could be related to
14 the content that's actually being displayed, or content
15 information about the content that's being played.

16 Q. So there's a navigation bar, 1604. Do you see
17 that?

18 A. Mm-hmm.

19 Q. And it's got a number of panel tabs, 1620A
20 through 1620F. Do you see that?

21 A. Sure.

22 Q. What happens when a user selects one of those
23 tabs within that bar?

24 A. So the content area -- so basically, a -- based
25 on the content, based on the content that's being

1 viewed, and the input source type, and the content
2 information, and what's being selected; 1620A, 1620C,
3 1622D [sic], and 1620F, a application panel type from
4 Figure 17 is -- is determined and then filled out and
5 shown.

6 Q. So, for example, if I have the info tab
7 highlighted, what kind of information would be
8 displayed?

9 A. So let's say that you have -- let me just see
10 here. So if we go to Figure 20A, you could see
11 something like that.

12 Q. So if the info tab is selected, we would see
13 something like what's in Figure 20A that shows the show
14 name, number of seasons, episodes, HD. Is that what you
15 are referring to?

16 A. Yes, sir.

17 Q. And if the user were to navigate to the new
18 tab, what type of information would instead be displayed
19 in content area 1608?

20 A. It could be things like -- I mean, it could be
21 things like -- one second. So it, you know, it could
22 be -- just one second here.

23 So it could be things like something related.
24 It could be like a new TV series because you're looking
25 at an input series of video on demand. So new TV series

1 that are on -- on the video on demand side. Or it could
2 be new TV serieses that are related to your TV series
3 that you are currently watching or -- well, I guess in
4 this case, you're not really watching something. But it
5 might depend on what the new TV what's -- what's
6 selected on the left-hand side, but it's definitely
7 video on demand source.

8 So there may be more specificity to the
9 filtering that's done as to what the new things are that
10 are displayed based on further information about what's
11 selected on the left-hand side.

12 Q. Can you clarify what you mean by "selected on
13 the left-hand side"?

14 A. So in Figure 20A, let's just say -- sorry. You
15 might have, you know, TV serieses underlined, and "top
16 watched" might be selected. So "new" might include only
17 those top watched new TV series.

18 Q. So if we return to Figure 16A, it shows that
19 content view area, which we described earlier as it can
20 display the currently tuned program. If the user
21 navigates to the "new" tab, what would that display?

22 A. It depends --

23 MR. SCHREINER: Objection, scope. Caution the
24 witness not to speculate.

25 THE WITNESS: Yeah, so I'm -- if I had a little

1 bit more context, I might be able to tell you. Because
2 16A doesn't show any particular content.

3 BY MR. CLEMENTS:

4 Q. So if the user selects the "new" tab, we
5 discussed earlier how that would replace what's
6 currently being displayed within content area 1608?

7 A. Mm-hmm.

8 Q. Do you have an idea of what kind of information
9 would be displayed within that content area?

10 MR. SCHREINER: Objection. Scope.

11 THE WITNESS: Yeah, I mean, I -- the idea would
12 be that new would have to do -- whatever type of new
13 content panel that's displayed, it's going to look for
14 whatever information it can. It's going to be a
15 function of what the content is that's being shown on
16 the left, what the input source type is, and content
17 about what information about what's on the left.

18 BY MR. CLEMENTS:

19 Q. And if the user navigates to the "recommended"
20 tab, would it display -- or what would that display
21 within content area 1608?

22 A. Well, it would probably -- just a moment here.

23 Yeah, it's hard -- I mean, it's -- I think
24 within the general scope, what I could say is there's
25 some panel types related to recommended, and that --

1 again, it would be a function of the input source, the
2 content, and the content information about that source.
3 And there would be some recommendations based upon that
4 information.

5 Q. And if the user navigates to the "favorites"
6 tab, would it display the user's favorite shows within
7 that content area, 1608?

8 A. Possibly. But I would guess that it would be
9 additionally a function of the input source, the content
10 that's being shown, and the content info.

11 So if it's, for example, video on demand, and
12 it were TV source, TV series, it would show recommended
13 TV series based on -- based on -- that are on the video
14 on demand cite -- I mean, on the video on demand source.

15 Q. So you're saying that if the -- the content
16 currently being viewed is from a video on demand source,
17 and the user clicked on the favorites, that the content
18 area would display the user's favorites from the video
19 on demand source; is that right?

20 A. That's an outcome that could happen, yes.

21 Q. Does the '174 patent describe that scenario?

22 A. Just a moment. You asked about favorites;
23 right? Is that correct? Did you ask about
24 recommendations?

25 Q. Favorites.

1 A. Okay. Favorites. So just to back up because I
2 can't remember what I answered in case I answered about
3 recommendations. What I would say is that the favorites
4 that would show up would have to do with -- would --
5 sorry -- could have to do with the input source, the
6 input content, and the content info, and that they would
7 be -- if TV sources -- if it was video on demand and TV
8 series and favorites, it would probably try to show you
9 favorites from there.

10 But let me just see in my report where I
11 describe that. I think paragraph 139 I talk about this;
12 right? So it says --

13 Q. 139 you said?

14 A. Yeah.

15 Q. So I see on -- in your declaration, on
16 paragraph 139, you quote part of the '174 patent. Does
17 that quote describe that video on demand situation you
18 described earlier?

19 A. I think so.

20 Q. Can you point me to where in that text it
21 describes that?

22 A. Okay. Just one second. Just a moment.

23 I guess it's Figure 19B, I guess might be a
24 better way to say it. Sorry.

25 It says, Figure 19BB [sic] shows the --

1 THE STENOGRAPHER: Sorry. Keep it slow when
2 you're reading.

3 THE WITNESS: Sorry.

4 "Figure 19B shows the favorite panel 1412E when
5 the user selects TV series 1652C within the demand --
6 within the on demand application."

7 BY MR. CLEMENTS:

8 Q. And if the user were to navigate to the search
9 tab, 1620F, what types of information would then be
10 displayed in the content area 1608?

11 A. Just a moment. So -- so I think the patent
12 describes, I think under content -- sorry -- application
13 panel types 17A and 17B. But 1712A is a search panel
14 type that has content like one or more previous search
15 terms, and then it would have a subsequent one that
16 might be gotten to after you have selected the search
17 term. And that might be to the right of it.

18 Q. So you're saying it would display within 1608
19 something like 1712A or 1712B?

20 A. Yeah.

21 And about this -- oh, I'm sorry.

22 Q. Go ahead.

23 A. I talk about this in paragraph 219 of my
24 report.

25 Q. And Figure 17B shows 1712A is a box that says

1 "Search Criteria," and 1712B is two boxes that say
2 "Search Results;" is that correct?

3 A. Yeah. I just need to get back there, sorry.
4 Yeah. Yeah.

5 Q. And what kind of functionality would be
6 provided in that search criteria box?

7 A. I think if, for example, we had TV series on
8 video demand as a -- as what was being selected in 16,
9 then the search would be, say, restricted to only those
10 things that happened to be TV series that are on the
11 video on demand system. And it would -- I think a
12 POSITA would understand that the search would be done
13 based on the search criteria, and the list of results
14 would -- would come back.

15 Q. So you're saying that --

16 A. Those would be shown in the search results
17 panel type.

18 Q. So you're saying that if the input source is
19 the video on demand, the search would be limited to
20 video on demand?

21 A. I think that -- that's -- that's what a POSITA
22 could understand from reading this spec.

23 Q. Would the search criteria be based on what's
24 currently being displayed?

25 A. I think it needs to be a function of the input

1 type, the content and the content info. It could be any
2 of those. So I think that's fair.

3 Q. So it could be based on the content source?

4 A. Yes.

5 Q. And it could be based on content information?

6 A. I think that's fair.

7 Q. So to sum up these panel tabs here, would it be
8 fair to say that as the user navigates between these
9 panel tabs, the types of information displayed within
10 content area 1608 changes?

11 A. So I would say, as you change tabs, a new
12 content panel type is determined and displayed. And,
13 yes, it's true the information is different. But it --
14 it may not be formatted the same. It may have
15 completely different formatting because it's a new kind
16 of panel type.

17 Q. And what do you mean by "formatting"? Do you
18 mean the size of the panel?

19 A. You know, kind of like when you think about --
20 I will use an analogy like to HTML when you format it,
21 like where things are, what there is, how they look,
22 what they are with respect to each other, the size, all
23 of that.

24 Q. And so you said that there's different panel
25 types that are determined when -- and displayed whenever

1 we switch tabs. What do you mean by "determined and
2 displayed"?

3 A. Just a moment. If you look at Figure 23 and
4 2312, that's what I mean.

5 Q. So it says there "Determined the panel type to
6 be displayed;" is that correct?

7 A. Yeah.

8 Q. So when you said earlier a new content panel
9 type is determined and displayed, what you were trying
10 to say is that it's determining which panel type to
11 display; is that right?

12 A. If the focus is shifted, yeah.

13 THE WITNESS: Do you think we could take a
14 break when you have a chance?

15 MR. CLEMENTS: Sure. Let's go ahead and take a
16 ten-minute break.

17 THE WITNESS: Thank you, sir.

18 (A recess was taken.)

19 BY MR. CLEMENTS:

20 Q. So we were discussing these various panel tabs
21 in the menu bar and how that changes the panel that's
22 displayed within content area 1608; correct?

23 A. I believe so.

24 Q. And so we discussed earlier an example of the
25 information tab and the types of information that can

1 display. Would you say that that information is based
2 on the content currently being displayed in the active
3 content area?

4 A. I would say generally that's true. But it can
5 be -- it can be a function of the input source, the
6 content information, and the content being displayed.

7 Q. So it could be based on things other than
8 what's currently being displayed; correct?

9 A. Well, I mean, all of that stuff is metadata
10 about what's being displayed. So in that context, I
11 mean, the content that's being displayed happens to come
12 from a particular input source. And as I understand the
13 patent, it allows for that information to be based on
14 that.

15 Q. So if the content area is displaying show A,
16 there could be information provided about show B if both
17 show A and show B are from the same content source. Is
18 that what you are saying?

19 MR. SCHREINER: Objection. Form.

20 THE WITNESS: Yeah, I don't know that the
21 patent goes into that specifically, but it definitely
22 talks about circumstances where the detailed
23 information, for example, that interactive menu for the
24 video on demand type, it's not clearly a show that's
25 being played.

1 But that's why I'm kind of saying they're
2 examples where there is no show being played, but there
3 is interactive content. And then that information is
4 being used to help decide what to show in the detailed
5 information panel.

6 BY MR. CLEMENTS:

7 Q. So there are -- go ahead.

8 A. But it is definitely the case that whatever is
9 being displayed has to consider what's being displayed
10 on the left, what's selected, and that contact
11 information is relevant.

12 Q. So if there is a currently tuned program being
13 displayed in the active content area, can the
14 information panel display content or information about
15 something other than that currently tuned program?

16 MR. SCHREINER: Objection. Form.

17 THE WITNESS: Yeah, I don't know that it can or
18 can't. I would just say that whatever it's doing to put
19 that information up, and whatever the content panel
20 type, the left-hand side will have a -- have a role in
21 deciding what is displayed. And I just gave you two
22 concrete examples regarding an interactive menu on the
23 left-hand side, or interactive piece on the left-hand
24 side, and then what the contents show.

25 I would say at least that's true. But for

1 displaying information about channel A.

2 But is there a particular place in my
3 declaration where I say something about this?

4 BY MR. CLEMENTS:

5 Q. I'm trying to understand your understanding of
6 the '174 patent and how it works.

7 A. Sure. I mean, I would just say that it's --
8 it's definitely a part of deciding what to show in that
9 area. And if it's a particular piece of content, it's
10 very likely that it will be that particular piece of
11 content. And it's going to depend on the kind of --

12 Let's look at 17. I mean, it could show series
13 info. It could show episode info. It could show
14 program info. It could show file info. It could show
15 directory info.

16 Q. And this info is based on what's in the active
17 content area as long as that what's in the active
18 content area plays a role in what's presented in the
19 content area 1608; correct?

20 A. Yeah, I think there's -- like I said, with the
21 caveats before what that meant by what's being played.

22 Q. Okay. So the information in the content area
23 panel 1608 is based on the currently tuned program if
24 the currently tuned program plays a role in presenting
25 what's in that content panel area 1608?

1 A. I think the 1608 -- oh, that's the right thing
2 in 1604. I mean, I would say that whatever is being
3 played, whatever is being displayed has -- plays --
4 plays a role.

5 Q. So what's ever being displayed plays a role in
6 what type of information is presented in the content
7 panel 1608; correct?

8 A. I think that's fair.

9 Q. I would like to turn to the claims of the '174
10 patent.

11 A. Okay.

12 Q. So in Claim 1 --

13 A. Just one second here.

14 Q. And in the '174 patent, this is on Column 49.
15 Let me know when you're there.

16 Are you there yet?

17 A. I'm getting there.

18 Okay. I'm in column 149.

19 Q. It says there at the top, "based on the content
20 and the at least one of the content source and the
21 content information, providing a first content panel in
22 the application panel interface."

23 So does that claim language cover what we just
24 discussed where if the information displayed in the
25 application panel interface is based on the content

1 currently being displayed, if that content plays a role?

2 MR. SCHREINER: Objection. Form.

3 THE WITNESS: So I think, yeah, what
4 application panel interface shows and the first content
5 panel of the first type is picked based on the content,
6 at least one of the content source, and the content
7 information.

8 BY MR. CLEMENTS:

9 Q. And so if the panel is displaying information
10 about what's currently being displayed, is that within
11 the scope of the claim?

12 MR. SCHREINER: Objection. Form.

13 THE WITNESS: So if you're evaluating something
14 where all of the limitations are being met, et cetera,
15 but we will put that aside and just talk about the
16 scope. The scope of the claim includes what you
17 described.

18 BY MR. CLEMENTS:

19 Q. So let's go back to Figure 16A. And we were
20 just discussing the "Information" tab. But now I want
21 to talk about the "New" tab, which is 1620B.

22 You said earlier this might display new content
23 related to the content source from what's currently
24 being displayed. Is that a correct understanding of
25 your earlier statement?

1 A. I think generally that's true.

2 Q. So could the new panel display information
3 about other shows that aren't currently playing on the
4 active content area?

5 A. I think that's fair.

6 THE WITNESS: I'm sorry. Do you have an
7 objection?

8 MR. SCHREINER: Yeah, scope.

9 THE WITNESS: I mean, I would say it's fair,
10 but it isn't something that I analyzed.

11 BY MR. CLEMENTS:

12 Q. And with respect to the "Recommended" tab,
13 would you say that it can display -- or it can recommend
14 content other than what the content that is currently
15 being displayed?

16 A. Just a second here.

17 I think it's -- I think it's basically the idea
18 that -- just one second here. Might display a menu list
19 of recommended shows displaying the show name and the
20 show description and pertaining to the active content
21 area 14A, for example, a menu list of recommended shows,
22 displaying the show name and show description and
23 pertaining to the active content area may be displayed
24 in the application panel.

25 Oh, that might not be -- I think -- I think

1 that concept is there for that recommended panel.

2 Q. So can that recommended panel recommend content
3 that is not related to the content that's currently
4 being displayed?

5 A. I think it would have to be related in some way
6 or based upon what's being displayed or the input source
7 type.

8 Q. So in other words, it could recommend content
9 based on the content source, not necessarily what
10 content is currently playing; is that right?

11 A. I think that's possible.

12 Q. If the "Favorites" tab is selected, can the
13 information within the content panel in 1608, can it
14 display the users favorites that are not related to the
15 show that's currently being displayed?

16 A. I think it would have to be based on the input
17 source type, the content information and the content in
18 some way.

19 Q. So you are saying it could recommend -- or it
20 could show the users favorites, but only the favorites
21 that somehow relate to either the content source, the
22 content currently being displayed, or content
23 information?

24 A. Related to that. Which is being displayed.

25 Q. Does the '174 patent describe filtering that

1 favorites list in that way?

2 MR. SCHREINER: Objection. Scope.

3 THE WITNESS: I think there's a description of
4 what you're talking about in the second paragraph in
5 Column 36, line 9 through 30.

6 BY MR. CLEMENTS:

7 Q. So that paragraph says, "When favorites panel
8 has a focus or is selected, a favorites category having
9 a panel type corresponding to 1716A to 1716D may be
10 utilized to display information regarding content items
11 marked as favorite."

12 Does it describe it's only showing the content
13 items marked as favorite that are from the same content
14 source?

15 A. Well, it goes on to say -- sorry. I'm just --
16 "Specifically, when the Intelligent TV is in the video
17 on demands application, the panel type will correspond
18 to one of 1716C and 1716D depending on whether the user
19 has selected movies on demand or TV series on demand
20 within the video on demand application."

21 Q. And where are you reading from there?

22 A. It's the sentence after the one you read.
23 Sorry.

24 Q. And if the user selects the "Search" tab, does
25 the search content panel display information that is not

1 related to what's currently being displayed?

2 MR. SCHREINER: Objection. Form.

3 THE WITNESS: So in Column 41, third paragraph,

4 it describes a similar video on demand situation.

5 BY MR. CLEMENTS:

6 Q. So the information in the search panel might be

7 based on something other than what's currently being

8 displayed; correct?

9 MR. SCHREINER: Objection. Form.

10 THE WITNESS: I would just say that it's based

11 on the content, the input source, and the content info.

12 BY MR. CLEMENTS:

13 Q. Is it based on just one of those things or all

14 of those things?

15 A. I think it depends.

16 Q. On what?

17 A. I would have to understand the particular

18 situation to answer that.

19 Q. Are there any situations where the information

20 within the search panel displays content that is not

21 related to what's currently being displayed in the

22 active content area?

23 A. Well, if we make the presumption that it's

24 based on it, then it's related in that way.

25 Q. So can you envision a situation where the

1 search panel displays results that are shows that are
2 not what is currently being displayed?

3 A. So you're asking whether it could list shows
4 that aren't the current thing being displayed?

5 Q. Yes.

6 A. So, I mean, generally when someone's pressing a
7 search button, they're looking for content other than
8 what's being displayed. So the presumption would be
9 that they would put a search criterion in that's
10 restricted to search of content that somehow related to
11 what's being displayed and the input source, et cetera,
12 and the content information. And that you have got a
13 set of results that may be different than the actual
14 content that's being displayed.

15 But still, if it's information that's related
16 to it based on the fact that what was selected from has
17 some relationship to the content that was being
18 displayed based on the fact that it was based on that.

19 But based on the fact that it was based on the
20 content, the content type, and the input source.

21 Q. I think one of the figures of the '174 patent
22 gives an example of a show called Game of Kings. So if
23 a user is watching Game of Kings, and they type in a
24 search query, how would that search query relate to Game
25 of Kings?

1 A. Just a moment. Okay? So -- one moment. So
2 Figure 19B -- just a moment -- might have a TV series
3 selected; right? And Game of Kings might be selected.
4 And maybe you picked it or viewed it, and something came
5 up that -- that's what's being played, Game of Kings?
6 That's what you are asking about, and what might happen
7 in the application panel interface if search is
8 selected? Is that what you're asking?

9 Q. Yes.

10 A. Okay. So I think we can -- I don't think it
11 explicitly says anything. Let me see. Let me
12 double-check.

13 Yeah. So -- I guess, you know, I didn't in
14 my -- I didn't in my declaration opine on what would
15 happen in that case, and I'm not sure I want to make a
16 new opinion that I haven't spent a long time
17 considering.

18 I mean, I could speculate and come up with
19 answers, but I would love -- I think it's better not to
20 have an off-the-cuff opinion about something that I
21 haven't -- haven't done a full analysis of.

22 Q. Okay. So you don't have an opinion on what the
23 search query or how that would relate to what's
24 currently being displayed; correct?

25 A. Beyond just the fact that it would have

1 something to do with the content, the content type, and
2 the input source, no.

3 I'm sorry. The content information.

4 Q. Okay. So as the user navigates these different
5 tabs, we discussed earlier that the information within
6 the content panel changes, and you said it changes to a
7 different type of content panel; is that correct?

8 A. I think so.

9 Q. So what makes a panel a different type?

10 MR. SCHREINER: Objection. Form.

11 THE WITNESS: Oh, since we are talking about
12 this, can we go to paragraph 50 and fix what I screwed
13 up? Where I talk about content panel type by accident
14 and should have used the word "view"?

15 BY MR. CLEMENTS:

16 Q. Content -- paragraph 50 of your declaration?

17 A. Yeah. There's two paragraphs -- two sentences
18 that I wanted to correct.

19 Q. Okay.

20 A. So it says, "Then a (first) content panel type"
21 what I meant to say was "content panel view" "is
22 selected."

23 And then at the end of the page on page 18, it
24 says, "The application panel for the selected panel
25 type" should say "selected panel view."

1 Q. And what's the significance of that distinction
2 between the panel type and the panel view?

3 A. Well, they're -- each of those views has a type
4 of panel that could be displayed underneath it, which is
5 referred to under Section 7 -- Figure 17.

6 Q. So panel view is a broader term than panel
7 type; is that what you are saying?

8 A. I think so. Just like it shows in Figure 15 --
9 I'm sorry, 17.

10 Q. So what makes different panels a different type
11 of panel?

12 A. I'm not sure how to answer that question. But
13 I would just say that an application panel can have
14 different panel types. And so, for example, an info
15 panel view, depending -- can have different types
16 depending upon its context.

17 So, for example, if you go to Figure 17, so on
18 Column 34, what we are talking about, the application
19 panel. "Moreover" --

20 And I'm reading from the end of line 2.

21 "Moreover, the application panel may utilize
22 one or more panel content types discussed in Figure 17A
23 and 17B."

24 "As illustrated" -- and so now on Column 35,
25 second paragraph down, line 26, "As illustrated in

1 Figure 17A and 17D, multiple content area panels are
2 provided in accordance with embodiments of the present
3 disclosure. Each panel may be provided based on the
4 context of the navigation. For example, if the panel
5 and navigation bar indicated that the focus is upon the
6 'Info' panel tab (also called the info panel herein), a
7 panel based on the Info Views category, such as the
8 'Series Info' may display content related to the current
9 active view. As another example, when the focus of the
10 panel and navigation bar 1604 is upon the 'Favorites'
11 panel tab, a panel based on the 'Favorites' 716 [sic]
12 category, such as 'Videos' 1716B, may display content
13 related to the current active view. The categories of
14 panels may include, but are not limited to 'Info Views'
15 having panel types corresponding to 1704A-1704J;
16 'Browse' 1708 having panel types corresponding to
17 1708A-1708K; 'Search' 1712 having panel types
18 1712A-1712B; 'Favorites' 1716 having panel types 1716A
19 -1716D; and 'Global' 1720 having a panel type of 1720A."
20 Moreover -- "More or less panel categories and panel
21 types may be provided."

22 Q. What makes an info panel different from, let's
23 say, the search panel?

24 MR. SCHREINER: Objection. Form.

25 THE WITNESS: You said info versus favorites?

1 Was that the question?

2 BY MR. CLEMENTS:

3 Q. I said what makes the info panel different from

4 the search panel.

5 A. The description.

6 Q. But my question is the same question.

7 A. No, no, that's fine. The search panel. I just

8 misheard you. I'm sorry.

9 So on line one -- sorry, line -- Column 33, 61

10 through 63, (As read:) "The information panel provides

11 the user with information related to the current

12 review" -- sorry, "the current active view."

13 Column 37, 31 through 32, "Additionally, as the

14 info panel is used to navigate through various

15 recommended network recommendations information about

16 the displayed content, the info panel does not obstruct

17 the user's view from viewing content displayed on the

18 screen of the intelligent television."

19 That's less relevant.

20 Q. Are you done with your answer?

21 A. No, not yet. Sorry.

22 Q. Okay. Yeah. I just didn't want to interrupt

23 you.

24 A. Oh, no.

25 So in Column 24, lines 10 through 35 describe

1 what a search might be. And the search results.

2 And a search panel would let you execute that
3 kind of search, and it would show you potential keywords
4 based on, say, the first key word search based on the
5 context that you are in, based on the context we have
6 described before related to the active content being
7 viewed, the input source, and the content information
8 about --

9 And again, in both cases, the words are
10 different, search and info.

11 And then lastly, if you look at 17B, there's
12 different types of panel types related to those two
13 different views.

14 That's my answer.

15 Q. So is the info panel a different type of panel
16 than the search panel?

17 A. I mean, it's a different type in the sense
18 that -- not in the sense like at the lower level that we
19 are talking about below where there are different types
20 of panels. But at a high layer, if you look at one
21 panel from a search panel type of a particular type, and
22 a information panel of a particular type, those two
23 would be different types, yes.

24 Q. And what makes them a different type of panel?

25 MR. SCHREINER: Objection. Mischaracterizes.

1 THE WITNESS: I mean, I don't want -- I would
2 say they -- the "they" would be the particular
3 instantiation of a search panel type is different from a
4 information panel type as shown in 17 as they're
5 different because they're defined differently.

6 BY MR. CLEMENTS:

7 Q. What do you mean "they're defined differently"?

8 A. Just that they're -- a POSITA would understand
9 looking at the drawing of 17 that those are intended to
10 be different types, and that they're different because
11 they're under different headings. And generally they
12 would have different information associated with them
13 because the source or intent of them is different as I
14 described before.

15 Q. So they would be different types of panels
16 because they display different information; is that
17 correct?

18 MR. SCHREINER: Objection. Form.

19 THE WITNESS: Well, I mean, what I would say is
20 that they -- they display information, different
21 information because the intent of the general -- general
22 panel view of each -- of each panel view is different.
23 So you're going to have different information coming
24 into them because the intent is different.

25 But as particular types of panel views, where

1 there are different panel views, then they're going to
2 have different information. And so they're at least
3 different because the information's different. But
4 there's more of a difference than that, because they're
5 different panel views, and the types are different under
6 different headings.

7 BY MR. CLEMENTS:

8 Q. So if the different types of panels are
9 classified under a different panel heading, that makes
10 them a different type of panel?

11 A. I think that's generally true. I mean -- sure.

12 Q. So if I have one panel that I classify as an
13 info panel, and another panel that I classify as a
14 search panel, they're different types of panels; is that
15 right?

16 MR. SCHREINER: Objection. Objection. Form,
17 scope.

18 THE WITNESS: Yeah, so in Figure 17, they make
19 that -- those kinds of distinctions clear.

20 BY MR. CLEMENTS:

21 Q. So let's look at the claims of the '174 patent
22 back on Column 48, Claim 1.

23 A. Mm-hmm.

24 Q. Actually, sorry, Column 49.

25 A. Okay.

1 Q. That first clause there where it says, "Based
2 on the content and the at least one of the content
3 source and the content information, providing a first
4 content panel in the application panel interface,
5 wherein the first content panel is a first type of
6 application panel."

7 Do you see that?

8 A. I do.

9 Q. And then later in the claim it recites:
10 "Wherein, the second content panel is a second type of
11 application panel."

12 Do you see that?

13 A. Yep.

14 Q. Could it be that in one example the first type
15 of panel is one of those search panels, and the other
16 type of panel -- the second type of panel is the info
17 panel?

18 A. I think that's fair. But in terms of the
19 reading of the -- of the claim, I would say that I would
20 say, the content panel view, the distinguishing part is
21 there is a first content panel view distinguished from
22 the second content panel view. And the information and
23 search would be distinguished there. And then they
24 would subsequently be further distinguished by the type
25 that's used of those.

1 Q. Now, I don't see the word "panel view" in the
2 claim. Can you show me where you're getting that from?

3 A. I'm just -- I'm just reading that the way that
4 I -- that a POSITA would.

5 Q. So a POSITA would understand when the claim
6 says a type of application panel, it means a type of
7 application panel view; is that what you are saying?

8 A. I think so.

9 Q. So if the -- so looking at the claims, if the
10 second type of application panel displays different
11 information than the first type of application panel, is
12 that within the scope of the claims?

13 MR. SCHREINER: Objection. Form; calls for a
14 legal conclusion.

15 THE WITNESS: So if there's different
16 information in the panels you are asking?

17 BY MR. CLEMENTS:

18 Q. Yes.

19 A. Is that enough to determine whether the two
20 panels are first and second panel?

21 I'm asking a question in case I wasn't clear.

22 Q. Yes, that's right.

23 A. Okay. So now I forgot what you asked me.

24 So I think that -- I don't think there is
25 enough information there for me to distinguish whether

1 one could be considered a first or second panel.

2 Q. So if we have two different panels that are
3 displaying different types of information, does that
4 make them a first and a second type of panel as recited
5 in the claim?

6 MR. SCHREINER: Objection. Form. Legal
7 conclusion.

8 THE WITNESS: I don't think I opined on this
9 particular topic. Can you show me where in my
10 declaration I talked about this?

11 BY MR. CLEMENTS:

12 Q. So I'm just looking at the claim right now, and
13 I'm trying to understand how you see what this claim
14 means.

15 A. Sure. But like I was -- my report's responding
16 to the -- to the Dr. Lippman's report. And maybe you
17 could help me understand where -- what, you know, where
18 I make an opinion about the particular term you are
19 talking about and say something like that. So I can
20 maybe help you understand what I meant.

21 Q. Well, what I'm trying to understand is your
22 understanding of this -- these claim terms. I mean, you
23 have opined -- you have read the '174 patent, I presume.
24 And I want to know if it's -- when it says a second type
25 of application panel and a first type of application

1 panel, what that means.

2 A. Right. You're just saying, well, there's
3 different information in both of them. And I can't
4 distinguish, between whether the -- I'm telling you,
5 that's not enough information for me to make any kind of
6 determination.

7 Q. Okay. So you have no opinion on whether
8 different types of information within the panel is
9 enough to make them a first and second panel type; is
10 that correct?

11 A. My opinion is that I do not have the ability to
12 determine -- determine whether it's one thing or the
13 other simply based on the fact that you said that the
14 information is different. And I don't know enough about
15 the circumstance, so I would be speculating to tell you
16 which of these things it was.

17 I could -- if I had more information, I could
18 think about it. But I need a lot more information to
19 make that determination.

20 Q. So we said earlier that one example of the
21 first type could be the info panel, and another example
22 of the second type could be the search panel.

23 A. Sure.

24 Q. And previously, we said that those are
25 different types of panels because they have different

1 types of information; is that right?

2 MR. SCHREINER: Objection. Mischaracterizes.

3 THE WITNESS: Yeah, I don't know that I said
4 that. But I would say that they're different because
5 they're different information panels. I'm sorry,
6 they're different panels, panel views.

7 MR. CLEMENTS: Why don't we take another
8 ten-minute break?

9 THE WITNESS: Sure.

10 (A recess was taken.)

11 BY MR. CLEMENTS:

12 Q. Dr. Surati, did you communicate with counsel
13 during the break?

14 A. No, sir.

15 Q. I would like to go back to Figure 16A.

16 A. Okay. Just a moment here. 16A. 16A. Let me
17 just look at -- okay.

18 Q. So we were discussing earlier there's these
19 various panel tabs and various panels, such as the info
20 panel or the search panel as they're illustrated in
21 Figure 17. And it's my understanding that as the user
22 navigates the "Menu" tab, those panels are being swapped
23 out within content area 1608; is that correct?

24 A. I believe so.

25 Q. Okay. I would like to go to paragraph or

1 paragraph 91 of your declaration.

2 A. Okay. I'm on 80, 83, 85, and now we are
3 talking about Woods. Yeah.

4 Q. Yeah. Sorry, page -- page 91. My apologies.

5 A. Oh. Even further.

6 Q. Let me know when you're there.

7 A. Getting there. Okay. I'm on that page.

8 Q. Okay. So paragraph 162, you say that -- or
9 161, you say "A POSITA would understand the ordinary and
10 customary meaning of 'application panel interface' as
11 referring to a panel interface providing information
12 that is determined based on currently-displayed program
13 content."

14 Do you see that?

15 A. Yep.

16 Q. Was the term "application panel interface" a
17 term of art used by POSITAs in this space?

18 A. You know, I wouldn't say that, but I would say
19 a POSITA would understand the ordinary and customary
20 meaning of application panel interface, within the
21 context of this specification might be a better way to
22 say that.

23 Q. So did you ever use this term, "application
24 panel interface"?

25 A. I haven't used it outside the scope of this

1 particular context. But again, you know, I'm just
2 trying to say that that's how I understand it within the
3 context of the specification.

4 Q. Okay. So before the '174 patent, if a POSITA
5 heard the term "application panel interface," would they
6 understand it to be limited to a panel that displays
7 information that is determined based on the currently
8 displayed program content?

9 A. I think they would probably have a more general
10 understanding, but within the context of the
11 specification, I believe it -- I believe what I have
12 attributed here is consistent with what one would
13 understand having read the specification.

14 Q. So what makes this definition ordinary and
15 customary?

16 A. I would just say that I would -- it was
17 ordinary and customary, and I would just add the term
18 "within the context of the specification."

19 Q. And what in the context of the specification
20 led you to that definition of an application panel
21 interface?

22 A. Well, I think I go into that in paragraph 162,
23 and I give you several examples through paragraph 164.

24 Q. Is the term "application panel interface"
25 explicitly defined anywhere in the specification?

1 MR. SCHREINER: Objection. Calls for a legal
2 conclusion.

3 THE WITNESS: Yeah, I'm not a lawyer. But I
4 would just say that as I understand it, I'm -- the
5 context of those terms, and how it's -- I don't think
6 there is an explicit reference to it. But, again, I
7 give my reasons for why I think it is defined that way.
8 Or it has that meaning when I read it based on reading
9 the specification.

10 BY MR. CLEMENTS:

11 Q. So would you say that in all of the examples
12 that you list here and all of the examples in the '174
13 specification that the content within the application
14 panel interface is determined based on the currently
15 tuned program?

16 A. I mean, generally, I think that's true. I
17 think we get into more specifics when we look at the
18 actual -- actual claims.

19 Q. So if there was a panel in the application
20 panel interface that was displaying something that is
21 not determined based on the currently displayed program
22 content, that would mean that the application -- or that
23 panel would not be an application panel interface under
24 your definition; correct?

25 MR. SCHREINER: Objection. Form, scope.

1 THE WITNESS: I mean, I -- I would have to see
2 a particular example to help you determine -- like when
3 you say "determined based on a currently displayed
4 program," this isn't a -- this is -- that's at least
5 information related to the information source, the
6 content and the content information more explicitly in
7 the claims.

8 BY MR. CLEMENTS:

9 Q. So when you say here that it has to be
10 determined based on the currently tuned program, what
11 you really mean is that it can be determined based on
12 other things, as well, like the content source and
13 content information?

14 MR. SCHREINER: Objection. Form.

15 THE WITNESS: I mean, I think currently
16 displayed program content includes those concepts.

17 BY MR. CLEMENTS:

18 Q. Okay. So when it says -- when your definition
19 says it has to be determined based on the currently
20 tuned or currently displayed program content, what you
21 mean by that is all of those things that you listed
22 before, the content source, the content information, and
23 the content?

24 A. Yeah. And I think "determined" means that, you
25 know, the program took it into consideration when it --

1 when it did the determination.

2 Q. So in other words, if -- you said if the
3 program took it into consideration. So as long as that
4 content or content source or content information played
5 a role in providing that panel, that's within that
6 definition; correct?

7 MR. SCHREINER: Objection. Form, scope.

8 THE WITNESS: I mean, I didn't use those words.
9 But, I mean, do I say -- I think that it's fair to say
10 that it -- determine could include playing a role.

11 BY MR. CLEMENTS:

12 Q. So I would like to turn to the Woods reference
13 now. That's Exhibit 1005.

14 A. Okay. Do you want me to open it?

15 Q. Yes, please.

16 A. Okay.

17 Q. Go to Figure 10 when you get it open.

18 A. Just a second here. Under Multimedia, exhibit
19 (audibly reviewing document) --

20 (Stenographer clarification.)

21 THE WITNESS: Okay. I'm now looking at
22 Exhibit 1005. You wanted me to go to Figure 10. That's
23 Figure 9. And now we are in Figure 10.

24 BY MR. CLEMENTS:

25 Q. Do you see "options region 1020"?

1 A. Uh-huh.

2 Q. In your declaration, you describe 1020 as a
3 single type of panel. What type of panel would you say
4 that options region 1020 is?

5 MR. SCHREINER: Objection. Form.

6 THE WITNESS: Just one second here.

7 I don't think that there is a concept of a
8 panel type in Woods.

9 BY MR. CLEMENTS:

10 Q. So when you said that Woods describes a single
11 type of panel, what did you mean by that?

12 A. I meant simply that there's one kind of panel
13 in Woods.

14 Q. And what kind of panel is that?

15 MR. SCHREINER: Objection. Objection form.
16 Asked and answered.

17 THE WITNESS: So just a moment.

18 Where was it that I said that, just so that I'm
19 clear?

20 BY MR. CLEMENTS:

21 Q. One example would be paragraph 184 of your
22 declaration.

23 A. Oh. Okay. I will just go there.

24 So I think that, you know, in the case of this
25 particular application panel that's being shown or the

1 alleged application panel interface that's being shown,
2 there's just one -- one panel type because there's only
3 one panel type. And there is no other ones.

4 And so you're asking whether -- how it's
5 distinguished, or I guess maybe can you repeat your
6 question so I can clarify?

7 Q. Well, usually when people use the word "type,"
8 they use it to distinguish two different things,
9 different types.

10 So I'm trying to understand what you mean by a
11 single type of panel?

12 A. I think the challenge here is in one case we
13 have types, and in another case, we don't -- there's a
14 single type associated with it.

15 So I think I'm using that term in that sense.
16 But this particular alleged application panel interface.

17 Q. So looking at Woods Figure 10, when the user
18 selects a "Cast" tab, what is displayed within the
19 option region?

20 A. The names of cast members.

21 Q. So cast information would be displayed within
22 options regions 1020; correct?

23 A. That's what it shows.

24 Q. And if the user were to navigate through that
25 "Menu" tab to something different, say reviews, it would

1 then display different types of information within that
2 options region; correct?

3 A. It would.

4 Q. And if we're displaying cast information, that
5 cast is for what show?

6 A. I believe it's for the show -- well, there's
7 a -- the show that was selected in the -- hold on a
8 second.

9 It's -- it's the program listing selected from
10 a program guide that was prior to that.

11 Q. And it could be that the user selected the
12 currently displaying program; correct?

13 A. Well, I think what's shown in Figure 10 is a
14 Mercedes advertisement. So I'm not sure what you mean.

15 Q. Right. But we can see that there's a Mercedes
16 ad there.

17 A. Mm-hmm.

18 Q. But we can also envision the user can select
19 the program that's currently being displayed, so it
20 could be that they selected the Heroes show; correct?

21 A. You mean in a happenstance way, they could
22 have -- I think in this case, they did pick the Heroes
23 show as I understood Figure 10 from the reference. But
24 that's not the program that's being displayed. The
25 advertisement is what's being displayed.

1 Q. But it could be the case that Heroes is what's
2 being displayed, and the user selected Heroes; correct?

3 A. So hypothetically, that, on a happenstance way,
4 could be true.

5 Q. And what do you mean by "happenstance"?

6 A. Well, I mean, you're creating a happenstance
7 circumstance or circumstance where you have -- you're
8 saying that it could be the case that what's being
9 displayed is the Heroes program. And in that case,
10 it's -- it would correspond to what was being displayed.

11 But it would have been the result of having
12 picked the -- the reason it is what it is, is it --
13 sorry. The reason that the options menu displays the
14 cast for the Heroes program is because that was what was
15 selected from the program guide.

16 Q. And would you agree that the program guide,
17 when first opened up, guides the user to the currently
18 tuned program?

19 MR. SCHREINER: Objection. Form.

20 THE WITNESS: I would just say that the program
21 guide let's the user select a program that can be
22 displayed on the TV.

23 BY MR. CLEMENTS:

24 Q. Do you think it's common for users to select
25 the currently tuned program?

1 MR. SCHREINER: Objection. Form.

2 THE WITNESS: I'm not sure what you mean. In
3 what context?

4 BY MR. CLEMENTS:

5 Q. Well, just generally. Wouldn't a user want
6 information about what they're currently watching?

7 A. If they want the information about what they're
8 watching, and the program guide is being displayed or
9 show that they had selected in the program guide is
10 being displayed.

11 Q. So let's say the user is watching Heroes.
12 Wouldn't it seem natural the user would want to learn
13 information about the show they're watching, Heroes?

14 A. That seems reasonable.

15 But they could also be interested in
16 information about the ad that's being displayed.

17 Q. So in the case where the user is watching
18 Heroes, and they select Heroes, which you say is
19 happenstance, even in that case, the cast information
20 displayed would be about the show that's currently being
21 displayed; correct?

22 A. It happens to be about the show that's being
23 displayed. But it's not because of the show being
24 displayed. It's because the Heroes show is selected in
25 the electronic programming guide.

1 Q. And if the user is watching Heroes, and then
2 they select Heroes, and it then presents that cast
3 information, and the user navigates to a different tab,
4 say the "Detailed Information" tab, would that detailed
5 information also be about the currently tuned program?

6 A. So because they were watching the show, or
7 because they happen to be watching the show that's tuned
8 to the happens to be Heroes, it would happen to be the
9 case that if you selected what you suggested that --
10 that what's displayed happens to be the detailed
11 information about Heroes. But the reason it's the
12 detailed information about Heroes is because Heroes was
13 selected in the electronic programming guide.

14 Q. And what happens when the user navigates to the
15 "Recommend" tab? Would they be displayed information
16 about recommended shows?

17 A. Just one second. Sorry.

18 So what was the question again? Sorry.

19 Q. So when the user navigates to the "Recommend"
20 tab, what information would be displayed within options
21 region 1020?

22 A. I think some recommendations.

23 Q. And if the user is watching Heroes and selects
24 Heroes, would those recommendations be based on what the
25 user is watching?

1 MR. SCHREINER: Objection. Form.

2 THE WITNESS: I don't think I have a discussion

3 in my patent -- I'm sorry -- in my response that

4 discusses that particular circumstance.

5 BY MR. CLEMENTS:

6 Q. How do you think a POSITA would understand

7 Woods, looking at that figure?

8 A. I think -- I don't think I saw anything in the

9 patent that would lead me to understand exactly what it

10 did. So it would be kind of speculating as to what it

11 did. It could or could not. I don't have an opinion

12 about what it might do, because I don't see anything in

13 the patent that says what it will do.

14 Q. So I just want to make sure that I understand

15 your position clearly on this issue. So you're saying

16 that the options region 1020 can display information

17 about what's currently been displayed, but it's only

18 because the user selected it; is that right?

19 MR. SCHREINER: Objection. Form.

20 THE WITNESS: You're saying that the option

21 could -- I'm sorry. I didn't understand the question.

22 You said it, and then like you said that the options --

23 the options could display information on what?

24 BY MR. CLEMENTS:

25 Q. The options region 1020.

1 A. Yeah.

2 Q. It could display cast information about the
3 show that's currently tuned and currently displayed.
4 But it's only because the user selected it from the
5 "Menu" tab; is that your position?

6 A. Well, that's what the patent says.

7 Q. You mean, that's what the claim says of the
8 '174 patent?

9 A. Let me just hold on for a second.

10 Can we look at paragraphs 175 -- well, just
11 look at paragraph 178. "Options or items provided in
12 function options regions when the "Cast" function
13 indicator is in focus may include a selectable list of
14 all or most of the cast members that are present in the
15 media asset corresponding to the selected program
16 listing. For example --

17 (Stenographer admonition.)

18 THE WITNESS: Sorry. I'll start over.

19 In paragraph 178, "Options or items provided in
20 function options region 1020 when the 'Cast' function
21 indicator is in focus, may include a selectable list of
22 all or most of the cast members that are present in the
23 media asset corresponding to the selected program
24 listing. For example, when the media asset
25 corresponding to the program listing is 'Heroes,' a list

1 of the cast members in Heros may be displayed."

2 BY MR. CLEMENTS:

3 Q. Okay. So your position is that in Woods, the
4 cast information can be about what's currently
5 displayed, but only because the user selected it from
6 the program listing as described in 178?

7 MR. SCHREINER: Objection. Form.

8 THE WITNESS: I think that's -- I think that's
9 fair.

10 And then I go on to say in 146, "Accordingly,
11 Wood teaches that options region displays information
12 based on the 'selected program listing' from -- (Heroes)
13 from the program guide, Fig. 9. The Petitioner admits
14 that the region 1020 displays information 'corresponding
15 to the programming listing selected from screen 900.'
16 Options region 1020 does not display information based
17 on the currently-viewed content media 1030 in Figure 10.
18 The point is confirmed because the media region in
19 Figure 10 provides the Mercedes advertisement, which is
20 not related to the information for the selected program
21 listing of Heroes that is displayed in region 1020 of
22 Figure 10. Woods Fig. 10."

23 BY MR. CLEMENTS:

24 Q. So if we look back at the claim language of the
25 '174 patent.

1 A. Okay.

2 Q. Back to Column 49.

3 A. Okay. Claim 1.

4 Q. Claim 1, yep.

5 A. Okay.

6 Q. So it -- when it talks about providing a first

7 content panel, and before that, it says, "based on the

8 content," are you interpreting that to mean based on the

9 content as long as the content wasn't selected?

10 MR. SCHREINER: Objection. Form.

11 THE WITNESS: I'm not sure when you say "as

12 long as the content wasn't selected," what's the context

13 of that?

14 BY MR. CLEMENTS:

15 Q. So when the claim says, "based on the content,"

16 if I understand -- I'm just trying to understand your

17 position here. So when the claim says, "based on the

18 content," you're excluding the case where the user

19 selects that content; is that correct?

20 A. Yeah, well, I think what I mean is that it's

21 not based on the content that's being displayed. It's

22 based on the content that was selected. And so the

23 content that's selected isn't what's being displayed

24 because what's being displayed is a Mercedes

25 advertisement.

1 Q. Okay. Let's move on to the Machida reference.
2 I think I'm saying that correctly. It's Exhibit 1008.

3 A. Okay. This is the one with -- let's see which
4 one this one is. Is that -- one second. I'm sorry.
5 Let me just open it, sorry.

6 Machida, I think Machida is that Japanese?
7 Yeah. Yeah, I think that's Machida.

8 Q. Okay. And then your declaration describes
9 Machida on page 129.

10 A. Yes, sir.

11 Q. So why don't we turn there because you have got
12 an annotated version of Machida there?

13 A. Mm-hmm.

14 Q. What is your understanding of the operation
15 panel display area A3?

16 A. So it's an area that might show the linear
17 operation panel, the linear contents operation panel, or
18 it could show A5.

19 So it a place where you could put A4 -- no.
20 Sorry. I'm sorry. A4 or A5.

21 Q. So you can swap A4 or A5, those different
22 panels within that space; correct?

23 A. I think that's fair.

24 Q. And what's your understanding of the linear
25 content operation panel A4?

1 A. I think it lets you control the content that's
2 shown in the content display area that's linear content.

3 Q. And what's your understanding of the
4 interactive content operation panel A5.

5 A. So, again, you can control the content in the
6 display area, but it's interactive. So you can enter
7 numbers or select things or press colors.

8 Q. Would you say that A4 and A5 are different
9 types of panels?

10 A. In the context of this patent, they have -- in
11 the context of -- just a second.

12 Let me see something here. There are two
13 different panels, for sure.

14 Q. Would they be different types of panels?

15 A. I understand.

16 MR. SCHREINER: Objection. Scope.

17 THE WITNESS: So I don't believe I have opined
18 on that. And if you want me to opine on that, I could
19 certainly take some time to do that. But do you think I
20 have opined on that in this document?

21 BY MR. CLEMENTS:

22 Q. I'm just trying to understand if a POSITA would
23 see these and different types of panels.

24 A. Yeah, I mean, I don't --

25 MR. SCHREINER: Objection. Scope.

1 THE WITNESS: Yeah, I don't want to make an
2 off-the-cuff -- I mean, they're different panels. I am
3 willing to say that. But beyond that, I don't think I
4 have a opinion either way in that case.
5 BY MR. CLEMENTS:
6 Q. So you don't have an opinion whether they're
7 the same type of panel, or whether they're different
8 types of panels; correct?
9 A. At this time, I haven't made an opinion on it.
10 So I don't want to make a new opinion without a lot of
11 consideration.
12 Q. Well, Dr. Surati, thank you for your time
13 today. I have no further questions for you.
14 THE WITNESS: Okay. Well, that was fast.
15 MR. SCHREINER: Calmann, I have maybe just one
16 or two questions on redirect.
17 MR. CLEMENTS: Okay.
18 THE WITNESS: Is there a way I could go to the
19 restroom real quick?
20 MR. SCHREINER: Yeah, why don't we take -- why
21 don't we take ten minutes, then we can reconvene for my
22 brief redirect.
23 (A recess was taken.)
24 EXAMINATION
25

1 BY MR. SCHREINER:

2 Q. Dr. Surati, I would like to refer you to the

3 174 patent. I think that's Exhibit 1001.

4 A. Mm-hmm.

5 Q. Column 22, lines 17 through 19. I will read

6 the passage just so you can find it.

7 A. Okay.

8 Q. It says, "The panel manager 536 is operable to

9 display panels in the user interface to manage

10 transactions between those panels or to affect user

11 interface inputs received in the panel. The panel

12 manager 536 may thus be in communication with different

13 user interface panels such as global panel 516, a volume

14 panel 520, a settings panel 524 and/or a notification

15 panel 528."

16 Do you see that?

17 A. Yeah.

18 Q. And do you understand that to be part of the

19 disclosed -- disclosed invention in the '174 patent?

20 A. I do.

21 Q. Can you take a look at Figure 5 of the '174

22 patent?

23 Do you have Figure 5 up?

24 A. I'm working on it.

25 Q. Okay.

1 A. Figure 6, Figure 5, yeah.

2 Q. Do you understand Figure 5 to be part of the
3 disclosure of the invention of the '174 patent?

4 A. I do.

5 Q. Okay. And does Figure 5 depict in a "Global
6 Panel," "Volume Panel," "Settings panel," and
7 "Notification Panel"?

8 A. It does.

9 Q. And I would like to ask the -- I'm going to
10 read back some testimony that you gave, and I will
11 identify the start and end points in the transcript.

12 This is at hour nine, minute 52, line 47
13 through hour nine, minute 53, line 41. And the question
14 was.

15 "So generally, what types of panels were
16 available or known before the '174 patent?"

17 "Answer: Well, outside of a type of
18 application panel, there might have been a global
19 settings panel. There might have been -- just a moment.
20 Sorry -- a global panel, a volume panel, settings panel,
21 notification panel. I think those are all fair. Those
22 are some examples, I think."

23 Do you generally recall that testimony?

24 A. Yes.

25 Q. And the question that was posed to you was:

1 "What types of panels were available or known before the
2 '174 patent?"

3 A. Yeah. Okay.

4 Q. Was your answer correct to the extent that it
5 was indicating that those items; a global panel, volume
6 panel, settings panel, and notification panel were known
7 before the '174 patent?

8 A. I would just say that not as disclosed in
9 the -- in the patent. But maybe in a very generic
10 sense, like that there was a volume panel that people
11 had.

12 I was just using the -- that to jog my memory
13 about general things that I would imagine existed
14 beforehand. But not in the specific way described in
15 the patent.

16 Q. Right. So just to be clear: When you said
17 "volume panics -- volume panel, settings panel,
18 notification panel, and global settings panel, you had
19 in mind what was disclosed in the '174 patent. You
20 weren't indicating that those were -- those were
21 concepts known in the prior art before the '174 patent?

22 A. Right.

23 MR. CLEMENTS: Object to form.

24 MR. SCHREINER: That's all I have.

25 THE STENOGRAPHER: Mr. Schreiner, did you want

1 a certified copy?

2 MR. SCHREINER: Yeah, please.

3 THE STENOGRAPHER: Ms. Hargrave, did you want a

4 certified copy?

5 MS. HARGRAVE: No, ma'am. Thank you so much.

6 THE STENOGRAPHER: Thank you. Off the record?

7 MR. SCHREINER: Okay.

8 MR. CLEMENTS: And I have no further questions

9 on redirect or recross.

10 THE STENOGRAPHER: Okay. Thank you.

11 Any confidentiality or stipulations you needed

12 on the record?

13 MR. SCHREINER: Not here.

14 MR. CLEMENTS: Nope.

15 THE STENOGRAPHER: Okay. Thank you.

16 (Proceedings concluded at 12:50 p.m.)

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1 REPORTER'S CERTIFICATE

2 -o0o-

3 I, LYNETTE M. NELSON, CA CSR No. 11585, OR CSR
4 No. 250121, TN LCR No. 896, RPR, CRR, CCRR, CRG, duly
5 licensed and qualified in and for the State of
6 California, Oregon, and Tennessee, do hereby certify
7 that there came before me on the 12th day of November,
8 2024, via web videoconference, the following named
9 person, to-wit RAJEEV SURATI, Ph.D., who was duly sworn
10 to testify the truth, the whole truth, and nothing but
11 the truth of knowledge touching and concerning the
12 matters in controversy in this case; and that he was
13 thereupon examined under oath and his examination
14 reduced to typewriting under my supervision; that the
15 deposition is a true record of the testimony given by
16 the witness.

17 I further certify that pursuant to FRCP Rule
18 30(e)(1) that the signature of the deponent:

19 () Was requested by the deponent or a party
20 before the completion of the deposition;

21 (X) Was not requested by the deponent of a
22 party before the completion of the deposition.

23 I further certify that I am neither attorney or
24 counsel for, nor related to or employed by any of the
25 parties to the action in which this deposition is taken,

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and further that I am not a relative, employee of any attorney or counsel employed by the parties hereto, or financially interested in the action.

CERTIFIED TO BY ME on this 12th day of November, 2024.



LYNETTE M. NELSON,
CA CSR No. 11585, OR CSR No. 250121,
TN LCR No. 896, RPR, CRR, CCRR, CRG,
REALTIME SYSTEMS ADMIN.

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