UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISNEY MEDIA & ENTERTAINMENT DISTRIBUTION LLC,
Petitioner

v.

DIGITAL MEDIA TECHNOLOGY HOLDINGS, LLC,
Patent Owner.

Case No. IPR2024-00736
U.S. Patent No. 7,574,725

DEPOSITION OF JOHN DANIELS

APPEARING VIA VIDEOCONFERENCE

FRIDAY, MAY 9, 2025

7:10 A.M. - 10:28 A.M.

STENOGRAPHICALLY REPORTED BY:
CHERYL ASADA
CA CSR NO. 13496
JOB NO. 112598

DEPOSITION OF JOHN DANIELS, APPEARING VIA VIDEOCONFERENCE, TAKEN ON BEHALF OF PETITIONER, COMMENCING AT 7:10 A.M. AND CONCLUDING AT 10:28 A.M., FRIDAY, MAY 9, 2025, BEFORE CHERYL ASADA, CALIFORNIA CERTIFIED SHORTHAND REPORTER NO. 13496.

* * *

A P P E A R A N C E S:

FOR THE PETITIONER:

O'MELVENY & MYERS LLP
By: PATRIC M. REINBOLD, Esq.
(Appearing via videoconference)
1625 Eye Street, NW
Washington, DC 20006
(202) 383-5300
preinbold@omm.com

-and-

O'MELVENY & MYERS LLP
By: BEN HABER, Esq.
(Appearing via videoconference)
400 South Hope Street, 19th Floor
Los Angeles, California 90071
(213) 430-6000
bhaber@omm.com

Petitioner DMED Ex-1023, 0002

A P P E A R A N C E S (CONTINUED):

FOR THE PATENT OWNER:

HANDAL & MOROFSKY LLC
By: ANTHONY H. HANDAL, Esq.
(Appearing via videoconference)
420 Lexington Avenue, Suite 300
New York, New York 10170
(646) 770-1010
handal@handalglobal.com

ALSO PRESENT:

AMARIS AKER, TECH ASSISTANT
(Appearing via videoconference)

Petitioner DMED Ex-1023, 0003

I N D E X

W I T N E S S:

JOHN JAMES DANIELS PAGE
EXAMINATION BY MR. REINBOLD 5

INFORMATION REQUESTED:

(NONE)

QUESTIONS INSTRUCTED NOT TO ANSWER:

(NONE)

PREVIOUSLY MARKED EXHIBITS:

NUMBER	PAGE
Exhibit 1001	12
Exhibit 1007	42
Exhibit 2120	94
Exhibit 2121	14

E X H I B I T S

NUMBER	DESCRIPTION	PAGE
Exhibit 1021	Celluloid-Less Heroes, January 1999 by Matt Cheplic	56

Petitioner DMED Ex-1023, 0004

HELD VIA VIDEOCONFERENCE

FRIDAY, MAY 9, 2025

7:10 A.M. - 10:28 A.M.

* * *

THE COURT REPORTER: In accordance with AB 3252, we are on the record. My name is Cheryl Asada, CSR No. 13496. I will now swear in the witness.

JOHN JAMES DANIELS,

HAVING BEEN DULY ADMINISTERED AN OATH,

WAS THEREUPON EXAMINED AND TESTIFIED AS FOLLOWS:

THE WITNESS: I do.

THE COURT REPORTER: Thank you.

EXAMINATION

BY MR. REINBOLD:

Q. Good morning, Mr. Daniels. My name is Patric Reinbold. Can you please state your full name for the record.

A. John James Daniels.

Q. And what's your address?

A. 30 Renees Way, R-e-n-e-e-s, Madison, Connecticut.

Q. And is that where you're located right now --

A. Yes.

Petitioner DMED Ex-1023, 0005

Q. -- for this deposition?
Have you been deposed before?
A. I was a long time ago.
Q. Was it just one previous deposition?
A. Yes.
Q. And was that in a patent case?
A. It was.
Q. Do you know how recently that deposition occurred?
A. Probably early 2000s.
Q. Okay. Is there anyone else in the room with you there?
A. No.
Q. And do you have access to e-mail in the room that you're currently in?
A. Yes.
Q. Is that -- sorry.
Do you have access to any communication device other than the -- the Zoom link that you're using for this deposition?
A. No. My computer is on for the Zoom link, yeah.
Q. And you understand that you're under oath during this deposition. Correct?
A. Of course.
Q. And you understand that today's questions and

Petitioner DMED Ex-1023, 0006

answers will be transcribed by the court reporter?

A. Yes.

Q. So if at any point during the deposition today, you can't hear me or the question is unclear, will you please let me know?

A. I will.

Q. And, similarly, I'll be asking a series of questions, and I ask that provide answers verbally and clearly so the court reporter can transcribe them. Okay?

A. Uh-huh.

Q. And it's important that we don't speak over one another, so please allow me to finish my questions before you start your answer. And similarly, I will make sure to let you finish your answer before I ask another question. Is that fair?

A. Will do.

Q. And from time to time, your counsel may object to the question, so please give counsel some time to state his objections before you answer as well. But, even if there is an objection, you are to answer the question unless specifically instructed not to by counsel.

Do you understand?

A. I do.

Q. We'll surely take some breaks today, but if you

Petitioner DMED Ex-1023, 0007

need to take a break at any point, please just let me know, and we will go off the record. I just ask that you answer any question that's currently pending at that time.

Does that sound okay?

A. Sure.

Q. Is there any reason that you cannot give truthful testimony today?

A. No.

Q. And are you on any medication that would prevent you from giving truthful testimony today?

A. No.

Q. Do you have any materials in the room with you there?

A. Do I have any what?

Q. Materials, like documents, exhibits from this case?

A. I do. I've got my declaration. I've got the printed-out references.

Q. Okay. Do -- do those -- are those documents free of notes and annotations?

A. Underlines.

Q. Okay.

A. Yeah.

Q. So I'll do my best to share the documents and

Petitioner DMED Ex-1023, 0008

exhibits that I refer to on the screen here for your review, but you can refer to your copies there as well, whichever you prefer.

A. Okay.

Q. Mr. Daniels, where do you currently work?

A. I am the CEO of DiagMetrics.

Q. Okay. And what's your business address?

A. The same as my home address, 30 Renees Way, Madison, Connecticut.

Q. What's your occupation?

A. CEO of a start-up diagnostic company.

Q. Are you a professional expert witness?

A. No, I am not.

Q. In the deposition that you mentioned previously, were you -- were you serving as an expert witness in that case?

A. No. It was my own patent.

Q. I'm going to share a document on the screen.

MR. HANDAL: Patric, I need you to speak up and speak clearly because our connection is not what it should be. So please try to elucidate your words, and, you know -- you know, try -- try to make it very clear.

MR. REINBOLD: Okay. Is the court reporter able to hear me clearly? I'll try to speak up but...

THE COURT REPORTER: I can, thank you.

Petitioner DMED Ex-1023, 0009

MR. HANDAL: That's great.

BY MR. REINBOLD:

Q. Mr. Daniels, are you seeing on the screen here what's labeled as Exhibit 2121?

A. Yes.

Q. And do you recognize this document as the declaration that you filed in IPR2024-00736?

A. Yes.

Q. Are there any corrections you wish to make to your declaration at this time?

A. There's a small typo where -- my education. I went to law school at the University of Bridgeport and undergrad at UConn, and those are reversed.

Q. I see.

Okay. So here in Paragraph 2?

A. Right. Exactly.

Q. Okay. Understood.

Are there any other corrections you wish to make at this time?

A. No, there are not.

Q. Okay. Who drafted your declaration?

A. I drafted it. Tony asked me questions, and then I corrected his draft when he sent it back to me.

Q. Did anyone other than counsel contribute to your declaration?

Petitioner DMED Ex-1023, 0010

A. No.

Q. Did anybody else provide any comments or guidance for your declaration?

A. No.

Q. Have you met the inventor of the '725 patent, Nick Stiliadis?

A. No, I have not.

Q. How long did you spend drafting your declaration?

A. Probably four, five hours. And that's the actual writing. I spent quite a bit of time preparing and reviewing the documents.

Q. In your declaration, you did not provide a claim construction section. Correct?

A. That's correct.

Q. Did you provide a construction of the term "exhibition"?

A. No, I didn't.

Q. And you did not provide a construction of the term "exhibitor." Correct?

A. Correct.

Q. And you also did not provide a construction of the term "broadcast exhibitor." Correct?

A. Correct.

Q. Similarly, you did not provide a construction

Petitioner DMED Ex-1023, 0011

of the term "distribution." Correct?

A. Correct.

Q. And you did not provide a construction of the term "marketing." Correct?

A. Correct.

Q. And, finally, you did not provide a construction of the term "storing." Correct?

A. Correct.

Q. I'm going to switch over to an exhibit here that's labeled as Exhibit 1001 in this proceeding.

(Exhibit 1001 was previously marked.)

BY MR. REINBOLD:

Q. Mr. Daniels, do you recognize this as U.S. Patent Number 7,574,725?

A. Yes, I do.

Q. And this is the patent that's challenged in this proceeding. Correct?

A. Correct.

Q. And if I refer to this document as the '725 patent, will you know that I'm referring to U.S. Patent Number 7,574,725?

A. Yes, I will.

Q. Okay. And you're familiar with the '725 patent. Correct?

A. Yes, I am.

Petitioner DMED Ex-1023, 0012

Q. Okay. You reviewed the patent to prepare for your declaration?

A. Yes, I did.

Q. About how long would you say you spent reviewing the '725 patent?

A. A few hours.

Q. So would you say that more or less than -- when you say "a few," you mean, like, three? Like, more or less than three hours?

A. Yeah, throughout the preparation, I, of course, kept referring back to the patent. I didn't keep track of every minute that I spent reviewing its reference, obviously.

Q. Sure.

Are you aware that the claims challenged in this case are Claims 1, 4, 5, 6, 7, 9, and 11?

A. Yes, I am.

Q. And Claim 1 is the only independent claim at issue. Correct?

A. Correct.

Q. In your opinion, what is the purpose of the '725 patent?

A. The purpose is to provide access to an exhibitor of both a multimedia file and advertising material so that the exhibitor can use that advertising

Petitioner DMED Ex-1023, 0013

material for marketing purposes.

Q. I'm going to switch back to your declaration. I'm going to put it up on the screen here, but you can also refer to your copy. But I'm looking at Paragraph 4. Let me know when you're there, please.

A. I've got column and line numbers on mine. Are you talking about the declaration? I'm sorry. I'm looking --

Q. Yes, I'm sorry. Your declaration, Exhibit 2121.

A. Okay.

Q. Paragraph 4, you note that:

"The technology of the patent involves digital file transport."

Correct?

A. Correct.

Q. And specifically, you state that it:

"Involves digital file transport to movie theaters of electronic files of multimedia feature films to be displayed in the ordinary course of the movie theater's business. Also downloaded and stored, in accordance with the invention, are associated advertising materials, such as movie trailers, posters,

Petitioner DMED Ex-1023, 0014

television advertisements, and so forth."

Did I read that correctly?

A. You did.

Q. So the patent enables both distribution of multimedia materials, like feature films and movies, and advertising materials, like movie trailers. Correct?

A. Correct.

Q. And do you agree that both multimedia materials and advertising materials disclosed by the '725 patent can have both audio and video components?

A. They can have, yes.

Q. And the '725 patent handles these materials the same and even packages them together. Correct?

A. That's correct.

MR. HANDAL: Objection. Lack of foundation. Mischaracterizes the evidence.

BY MR. REINBOLD:

Q. So there's -- sorry. There's no difference in the technical infrastructure used for receiving, storing, and distributing the multimedia materials than there is for receiving, storing, and distributing the advertising materials. Correct?

A. Could you restate that, please?

Q. Yes.

So there's no technical infrastructure that's

Petitioner DMED Ex-1023, 0015

different for distributing, you know, receiving, all the steps of distributing discussed in Claim 1. There's no technical infrastructure difference for distributing the multimedia materials than there is for the advertising materials. Is that correct?

MR. HANDAL: Object -- objection to form.

You can answer, John.

THE WITNESS: Yeah. Can you point to what you're referring to? I'm not clear. Are you talking about the file that's transferred?

BY MR. REINBOLD:

Q. I'm just talking about broadly.

So in these couple -- the first couple of sentences of your declaration, you're discussing digital file transport of both multimedia and advertising materials. Is that fair?

A. Yes, it is.

Q. I'm just trying to understand.

Is there any difference in the hardware that's involved in distributing these multimedia materials and advertising materials?

A. No. The file is --

THE WITNESS: I'm sorry, Tony. Go ahead.

MR. HANDAL: No, that's fine.

THE WITNESS: Okay. The file is composed and

Petitioner DMED Ex-1023, 0016

the correlated materials are transferred as one file, if that's the question you're asking.

THE COURT REPORTER: And one second.

Mr. Handal, did you object?

MR. HANDAL: Yes, I made an objection to form.

THE COURT REPORTER: Thank you.

BY MR. REINBOLD:

Q. So coming back to the statement in Paragraph 4, you cited that:

"The '725 patent involves digital file transport to movie theaters."

But Claim 1 does not require distribution to movie theaters. Correct?

MR. HANDAL: Objection. Calls for a legal conclusion of law. Beyond the scope.

Objection to form.

BY MR. REINBOLD:

Q. You can answer, Mr. Daniels.

A. You'll have to please restate the question.

Q. Can you point me to something in Claim 1 that requires distribution to movie theaters?

MR. HANDAL: Same objection. Lack of foundation. Conclusion of law.

THE WITNESS: Do I answer the question, or am I waiting for the next question from Patric?

Petitioner DMED Ex-1023, 0017

MR. HANDAL: No. You answer the question.

Just to be clear, I'm making these objections for the record. They -- but you go ahead and answer the question.

THE WITNESS: I see.

MR. HANDAL: So I'm seeing something wrong with the question, and I'm reserving our rights by making the objection. And then you go ahead and answer the question once I finish my -- my --

THE WITNESS: Okay. I appreciate that. Thank you, Tony.

MR. HANDAL: You don't have to worry about it. It's just a lawyers thing.

THE WITNESS: Yeah, Patric, one more time, can you please restate the question?

BY MR. REINBOLD:

Q. Sure.

Can you point me to something in Claim 1 that requires distribution to movie theaters?

A. As an example --

MR. HANDAL: Same objections.

THE WITNESS: -- as an example, Element (e) of Claim 1 says:

"Downloading to said purchasers."

///

Petitioner DMED Ex-1023, 0018

BY MR. REINBOLD:

Q. Let's take a look at that. You said Claim Element 1(e)?

A. Yes.

Q. Okay. It says:

"Downloading to said purchasers."

But that does not say to movie theaters. Correct?

A. The purchasers are allowed to locally market the material, and they are also used in -- in a public theater. And I would make the connection that a public theater is a movie theater.

Q. Okay. I believe you're referring to -- the local market aspect is in Claim Element 1(f), and the public theater that you're mentioning is in Claim Element 1(g). Correct?

A. Yes. So unless there's -- and there aren't in the claims. There's only one purchasers, and "said purchasers is an exhibitor exhibiting said multimedia material... in a public theater," referring to 1(g).

Q. But Claim Limitation 1(g) also says that the said purchaser could be a broad exhibitor. Correct?

A. Is that in (g)?

Q. I'm reading about line 63, it looks like. So 62 to 63:

Petitioner DMED Ex-1023, 0019

"In a public theater to a number of individuals in exchange for a paid admission or a broadcast exhibitor."

MR. HANDAL: Objection to form.

MR. REINBOLD: I'm sorry. There wasn't a question there.

BY MR. REINBOLD:

Q. Did I read that correctly?

A. Yes, you did.

Q. So Claim Limitation 1(g) says that a said purchaser could be either a public -- a exhibitor exhibiting said multimedia material in a public theater or a broadcast exhibitor. Correct?

A. It says that, yes.

Q. And the '725 patent discloses numerous other types of exhibitors. Correct?

MR. HANDAL: Objection to form. Leading. Mischaracterizes evidence. Calls for a conclusion of law. Beyond the scope.

THE WITNESS: Could you direct me to a specific passage, Patric?

BY MR. REINBOLD:

Q. Sure.

Let's look at Column 4, Line 20. The '725 patent says:

Petitioner DMED Ex-1023, 0020

"Similarly, a plurality of exhibitors, including a movie theater 18a, television station 18b, a satellite television operator 18c, and a cable television operator 18d, and a high school 18e, are also connected through cyberspace 12 to central server 16."

Did I read that correctly?

A. You did.

Q. So within the context of Claim 1, these are additional other types of exhibitors. Correct?

MR. HANDAL: Objection. Calls for a conclusion of law. Beyond the scope.

THE WITNESS: I think this is a listing of examples of both exhibitors and broadcasters.

BY MR. REINBOLD:

Q. And then if you look at Figure 1 of the '725 patent, these same exhibitors are shown with the same labels. Correct?

18a is a movie theater, 18b is a television station, 18c is a satellite television operator, 18d is a cable television operator, and 18e is a high school. Correct?

A. I do see them labeled. Can you show me in the patent where the actual figure numbers are?

Petitioner DMED Ex-1023, 0021

Q. Sorry. That was the same, Column 4 --
A. Column 4, okay.
Q. Line 20 to -- I think it was 23 or so.
A. 18a, 18b, 18c, 18d, 18e.
Q. And those are described as exhibitors. Correct?
MR. HANDAL: Objection to form. Beyond the scope.
THE WITNESS: Yes. It appears to be covering both exhibitors or broadcasters.
BY MR. REINBOLD:
Q. Is there a distinction between broadcasters and exhibitors?
MR. HANDAL: Objection. Calls for a conclusion of law. Beyond the scope.
THE WITNESS: The distinction would be -- the examples would be a movie theater where the exhibitor has people coming to their location for the exhibition -- for the public exhibition, as opposed to a broadcaster, where it is broadcast the -- the information or the file over the air waves.
BY MR. REINBOLD:
Q. In Column 4, Lines 20 to about 25, all of the exhibitors 18a through 18e are described as a plurality of exhibitors. Correct?

Petitioner DMED Ex-1023, 0022

A. Correct.

Q. Okay. Going back to Paragraph 4 of your declaration. You further state in Paragraph 4:

"Digital file transport to movie theaters of electronic files of multimedia feature films."

But Claim 1 does not require multimedia to be feature films. Correct?

MR. HANDAL: Objection. Beyond the scope. Calls for a conclusion of law.

THE WITNESS: My reading of the -- of the patent and the claim is that multimedia material is the feature film in this case as opposed to the advertising material.

BY MR. REINBOLD:

Q. Can you point me to a place in Claim 1 that mentions the term "feature film"?

A. It mentions multimedia material.

Q. But the specification defines other types of multimedia as just feature films. Correct?

A. Can you point me to where --

MR. HANDAL: Objection. Objection.

THE WITNESS: Sorry, Tony.

MR. HANDAL: Objection to the form. Beyond the scope.

Petitioner DMED Ex-1023, 0023

BY MR. REINBOLD:

Q. Yes.

Can you look at Column 2, please, towards the bottom. I think it's 48 in this "Brief Summary of the Invention" section.

"The inventive method of marketing and distributing multimedia, such as motion picture films, television programming, and the like."

Did I read that correctly?

A. You did.

Q. So the specification defines other types of multimedia other than just feature films. Correct?

A. It says such as --

MR. HANDAL: Objection -- objection. Calls for a conclusion of law.

Objection to form.

MR. REINBOLD: Counsel, I'm just going to remind you that under the Trial and Practice Guide, objections in this proceeding are limited to content, form, and matter objections.

MR. HANDAL: Nothing wrong with objection to form.

THE COURT REPORTER: And I'm sorry, can you please repeat the answer?

Petitioner DMED Ex-1023, 0024

THE WITNESS: I began saying the -- restating what Attorney Reinbold read. Multimedia --

MR. HANDAL: I'm going to put in a belated objection to the prior question. It's beyond the scope.

MR. REINBOLD: Can we try to not interrupt the witness, though, please, Counsel?

BY MR. REINBOLD:

Q. Mr. Daniels, can you please restate your answer?

A. Yeah. Column 2 around Line 48 says:

"Marketing and distributing multimedia, such as motion picture films, television programming, and the like compromising -- comprises receiving multimedia material."

Claim 1 is receiving by a server multimedia material.

Q. Thank you, Mr. Daniels.

So, again, in Paragraph 4, you further state:

"In the ordinary course of the movie theater's business."

Correct?

A. Correct.

Q. Multimedia material does not necessarily need to be displayed in the ordinary course of a movie

Petitioner DMED Ex-1023, 0025

theater's business. Correct?

MR. HANDAL: Objection. Beyond the scope.

Objection to form.

THE WITNESS: Multimedia materials, such as motion picture films, would be covered by the ordinary course of a movie theater. Motion picture films, movie theater.

BY MR. REINBOLD:

Q. Okay. But the purchaser/exhibitor defined in Claim 1 need not be a movie theater. Correct?

A. Movie theater or a broadcaster.

MR. HANDAL: Okay. Okay. A belated objection.

Objection to form. Beyond the scope. Calling for a legal conclusion.

BY MR. REINBOLD:

Q. So let's look at Column 12 of the '725 patent, please. About line 38 here, it says:

"Older films and 'B' movies may be available to some users, such as schools, libraries, and other nonprofit organizations, and these may be purchased by use of a credit card."

Did I read that correctly?

A. Yes, you did.

Q. So, for example, a library, school, or

Petitioner DMED Ex-1023, 0026

nonprofit could use the disclosed system for purposes of showing an educational film without charging admission to view the movie. Correct?

MR. HANDAL: Objection. Calls for speculation. Beyond the scope. Objection to form.

THE WITNESS: I would certainly have to speculate.

BY MR. REINBOLD:

Q. Would you say that a school is in -- you know, showing a movie would be in the ordinary course of business for a school?

A. A school --

MR. HANDAL: Beyond -- beyond the scope. Objection to form.

THE WITNESS: I think it's correct that schools do show films.

BY MR. REINBOLD:

Q. Is that in their -- in the business of a school?

MR. HANDAL: Objection. Beyond the scope.

Objection to the form. Mischaracterizes the evidence.

THE WITNESS: Yeah, again, I would have to speculate on what the purpose of the film is being shown by the school.

Petitioner DMED Ex-1023, 0027

BY MR. REINBOLD:

Q. So your statement is that its required under the patent that a movie be shown -- multimedia be shown in the ordinary course of a movie theater's business. Correct?

A. For Claim 1 --

MR. HANDAL: Same objections.

THE WITNESS: -- the multimedia material is being purchased, and the purchaser is making it available in a public theater.

BY MR. REINBOLD:

Q. But a broadcast exhibitor would not be making it available in a public theater. Correct?

MR. HANDAL: Objection. Mischaracterizes the evidence. Beyond the scope.

THE WITNESS: I think it would be helpful to bring up Element (g), Patric, please.

MR. REINBOLD: Sure.

THE WITNESS: Can you show me where the -- or a broadcaster. I just can't locate it.

BY MR. REINBOLD:

Q. Sure.

It looks like it's about Line 63 to 64. So:

"In a public theater to a number of individuals in exchange for a paid

Petitioner DMED Ex-1023, 0028

admission or a broad exhibitor."

A. Okay.

Q. I'll repeat the question.

A. Yes.

Q. A broadcast exhibitor need not show multimedia material in a public theater. Correct?

A. Correct.

MR. HANDAL: Objection to form. Beyond the scope.

BY MR. REINBOLD:

Q. So I'm going to flip back to Paragraph 4 again.

MR. HANDAL: Belated objection to the prior question. Calls for conclusion of law.

I didn't mean to interrupt your question, but you -- I think there was a -- yeah, you might want to start again with that question.

MR. REINBOLD: Again, Counsel, please try to limit your speaking objections and just limit the objections to content, form, and manner, please.

MR. HANDAL: I wasn't objecting. You can continue with the question as you wish. I just suggested for a clear record, it might be good if you started the question again. It might be easier.

BY MR. REINBOLD:

Q. Mr. Daniels, in Paragraph 4 about halfway

Petitioner DMED Ex-1023, 0029

through, you say:

"These materials are downloaded and stored locally, for example, on a hard drive of the movie theater computer."

Correct?

A. Yes.

Q. But the claims do not require storing multimedia material on a hard drive of a movie theater computer. Correct?

MR. HANDAL: Beyond the scope. Mischaracterizes the evidence. Objection to form.

THE WITNESS: What is the question, Patric?

BY MR. REINBOLD:

Q. Claim 1 does not require storing multimedia material on a hard drive of a movie theater computer. Correct?

MR. HANDAL: Same objections. Calls for a conclusion of law.

THE WITNESS: I -- I -- I'm not clear on the question because if you look at Element (b), if you bring back Claim 1.

MR. REINBOLD: Okay.

THE WITNESS: Okay. Element (c), downloading. I did (c), sorry about that.

Element (e), downloading to said purchasers.

Petitioner DMED Ex-1023, 0030

As far as I know, I'm not clear what the question is, actually, but when you download, you're storing it.

BY MR. REINBOLD:

Q. Does Claim Element 1(e) require storage on a hard drive of a movie theater computer?

MR. HANDAL: Objection to form. Calls for a conclusion of law.

THE WITNESS: Patric, I don't know any other way. Said purchaser storing downloaded correlated information in a digital format corresponding to said multimedia material.

BY MR. REINBOLD:

Q. Mr. Daniels, we've established that movie theaters are not the only exhibitors covered by Claim 1. Correct?

MR. HANDAL: Objection to form. Mischaracterizes the evidence. Calls for a conclusion of law.

THE WITNESS: You have established that there's -- the purchaser can be an exhibitor exhibiting in a public theater or a broadcast exhibitor.

BY MR. REINBOLD:

Q. So a broadcast exhibitor would be the one to store the multimedia material in Claim Element 1(e). Is

Petitioner DMED Ex-1023, 0031

that correct?

A. No, that's incorrect.

MR. HANDAL: Objection to -- beyond the scope. Calls for a conclusion of law.

BY MR. REINBOLD:

Q. Who is storing the multimedia material in Claim Element 1(e)?

A. Said purchasers.

Q. And said purchasers can be a broadcast exhibitor. Correct?

A. Said -- said purchasers can be the exhibitor exhibiting in the public theater or a broadcast exhibitor.

Q. So in Claim Element 1(e), broadcast exhibitor could be the exhibitor who purchases storing multimedia material. Correct?

A. I missed the question. Can you ask again, please?

Q. So in Claim Element 1(e), the said purchasers that's referred to as storing the downloaded correlated information, those said purchasers can be broadcast exhibitors. Correct?

A. Said purchaser is a movie theater, public theater, or a broadcast exhibitor.

Q. Mr. Daniels, can we look at Column 14 of the

Petitioner DMED Ex-1023, 0032

patent, about Line 54.

There, it says:

"Computer readable data storage media 28 is made available to exhibitors 18 using their own central processor units 206 and its associated memory."

And a little further on, it says:

"And digitized media materials may be downloaded to user's computer 206 using an appropriate data storage media depending upon the size of the media to be downloaded."

Correct?

A. That's what --

MR. HANDAL: Objection to form. Mischaracterizes the evidence.

I think you -- go on.

THE WITNESS: The -- I believe you read it verbatim, Patric.

BY MR. REINBOLD:

Q. And can you please look at Figure 9?

A. Okay.

Q. And here, you see there's two, sort of, dashed, outlined boxes. One for 16 and one for 18. Correct?

Petitioner DMED Ex-1023, 0033

A. Where is the 16 -- okay. The larger box.
Yes. I see that, yeah.
Q. And in 16, there is what's described as the central processor units 206. It's in an interior dashed box?
A. Yes, I see that.
Q. Okay. And then in the 18 box, there's a similar 206 central processor unit. Correct?
A. Correct.
Q. But there's -- in 16, there's only computer readable data storage 28 but not in 18. Is that correct?
MR. HANDAL: Objection to form. Mischaracterizes the evidence.
THE WITNESS: In Figure 9, there's Element 28, computer readable data storage, associated with Box 16.
BY MR. REINBOLD:
Q. Correct.
And is there a similar computer readable data storage in Box 18?
A. There is because --
MR. HANDAL: Objection to form. Beyond the scope.
THE WITNESS: Patric, I don't know of any computers like are shown in 206 in Box 18 that do not have computer readable data storage.

Petitioner DMED Ex-1023, 0034

BY MR. REINBOLD:

Q. So in -- in Column 14, it says:

"Central processor units 206 and its associated memory."

Correct?

A. Correct.

Q. What's your understanding of the associated memory that's referred to?

A. Yeah, it says:

"Made available to exhibitors using their own central processor units 206 and its associated memory."

Q. But this associated memory is not described as a hard drive. Correct?

A. As opposed to what?

MR. HANDAL: Beyond the scope.

BY MR. REINBOLD:

Q. Say, volatile memory?

MR. HANDAL: Beyond the scope.

THE WITNESS: I would have to speculate that the Box 206 in larger Box 18 is showing a complete computer system, which would include, especially at that time, non-volatile hard drive memory.

BY MR. REINBOLD:

Q. Okay. Can you please look at Column 4 of the

Petitioner DMED Ex-1023, 0035

'725 patent.

MR. HANDAL: Patric, can you blow it up? I'm having trouble reading that on my screen.

BY MR. REINBOLD:

Q. About Line 42, it says:

"In accordance with the invention, the same are loaded into a computer readable storage media 28, which is located at central server 16. Media 28 may take any one of a number of different forms, but in accordance with the preferred embodiment, comprises a hard drive with high-speed access and large capacity."

Did I read that correctly?

A. You did.

MR. HANDAL: Objection. Beyond the scope.

Give us a little time to read these paragraphs. Don't just go jumping around. The witness is entitled to read the paragraph and get the context.

BY MR. REINBOLD:

Q. Sorry. Mr. Daniels, please let me know if you need additional time to read the paragraph.

Figure 9 here shows computer readable data storage 28. Correct?

Sorry, in Box 16.

Petitioner DMED Ex-1023, 0036

A. Yes, it does.

Q. But no computer readable data storage 28 is depicted in Box 18. Correct?

A. Column 14 says:

"Computer readable data storage media 28 is made available to exhibitors 18 using their own central processor units 206 and its associated memory."

Q. Sorry. The question --

MR. HANDAL: Belated objection. Beyond the scope.

BY MR. REINBOLD:

Q. -- is a little bit different.

MR. HANDAL: Is that your answer?

I put in a belated objection. Beyond the scope.

John, give me a moment. I'm not as smart as you two guys. I don't know, maybe it's my 77-year-old brain. It takes me time to read those paragraphs.

So, okay. I apologize for the interruption.

But yeah, if we can get large images and time to read the stuff you're talking from. I mean, you've got your plan in front of you, Patric, which is fine, and we've got to follow it, but, you know, it's not a -- it's

Petitioner DMED Ex-1023, 0037

not a -- it's not a chess game with a timer between moves here.

MR. REINBOLD: Mr. Handal, this is my deposition. Can you please limit the interruptions.

MR. HANDAL: Mr. Reinbold, I asked you for the courtesy of showing us the contents of the patent in readable form. I asked you for the courtesy of giving us some time and giving the witness some time to look at what you're putting in front of him. You are not giving him that time.

MR. REINBOLD: Mr. --

MR. HANDAL: You are not doing that.

MR. REINBOLD: Respectfully, I'm --

MR. HANDAL: No. No. This deposition will end if you do not give the witness time to read the stuff.

MR. REINBOLD: Mr. Handal --

MR. HANDAL: I can't keep up, and I wrote the patent.

MR. HABER: Mr. Handal, I'm just going to jump in here. You're being abusive. Please refrain from speaking objections and allow this deposition to continue.

MR. HANDAL: It's not an objection. It's a request for courtesy.

MR. HABER: I understand. We should not be

Petitioner DMED Ex-1023, 0038

having colloquy on the record. We can take it off the record if we need to. Please allow the deposition to continue.

BY MR. REINBOLD:

Q. Mr. Daniels, is Figure 9 big enough here? Do you need me to blow it up further?

A. It's big enough.

Q. Okay. Thank you.

And please -- I'm trying to be respectful of your time and give you time to read these, so my apologies if I go to fast. Just please, you know, take your time, read -- read what I put on the screen. Read your own copy there as well. Let me know if you need a moment.

So in Figure 9, Mr. Daniels, computer readable data storage 28 is depicted in Box 16. Correct?

A. Depicted in both Box 16 and 18.

Q. In Box 18, are you referring to the depiction of 206, which is in both boxes 16 and 18?

A. Yeah, I think you said 206.

Q. Sorry. Then let me repeat -- restate my question.

Is computer readable data storage 28 depicted outside of Box 206 within Box 18?

Sorry. There's a lot of boxes.

Petitioner DMED Ex-1023, 0039

A. Yeah, it is shown in Box 16.

Q. I'm sorry. My question is: Is it depicted in Box 18?

A. No. In Box 18, we have the computer readable data storage media 28 made available to exhibitors using their own central processing units 206 and its associated memory.

Q. I'm going to transition back to your declaration. The same paragraph, Paragraph 4, let me know when you're there.

A. Okay.

Q. So about halfway through this paragraph, it says:

"This allows the movie theater to exhibit the film using a digital projector."

Correct?

A. Correct.

Q. Does Claim 1 require a digital projector?

MR. HANDAL: Objection. Calls for conclusion of law. Beyond the scope.

THE WITNESS: It will take me a while to read through this lengthy claim, Patric.

If you have a place you want to point me to, go ahead. Otherwise, I'll keep reading.

Petitioner DMED Ex-1023, 0040

BY MR. REINBOLD:

Q. Please take your time. Read through Claim 1.

A. And the question is: Does it require a digital projector?

Q. That's correct.

A. Okay.

MR. HANDAL: My objections are on the record.

THE WITNESS: So throughout the claim, the -- the files are transmitted in digital format, and then the purchaser, in the case of a movie theater, for example, is an exhibitor exhibiting said multimedia material after deriving -- deriving from the digital formatted material. Said multimedia material stored in digital format.

And I -- again, I would have to speculate how else you would be able to make that an exhibition of digital material in a movie theater unless you created a film version of it, which would go against the whole purpose.

BY MR. REINBOLD:

Q. Would a broadcast exhibitor use a digital projector?

A. The broadcast --

MR. HANDAL: Beyond the scope.

THE WITNESS: The broadcast exhibitor would not need to use a digital broadcast -- a digital projector.

Petitioner DMED Ex-1023, 0041

MR. REINBOLD: Mr. Daniels, we've been going about an hour. Would you like to take a break or would you like to keep going?

THE WITNESS: Press on, please.

MR. REINBOLD: Let me know if you change your mind at any point.

THE WITNESS: I appreciate that.

If anybody else needs to take a break, don't leave it to me.

BY MR. REINBOLD:

Q. Okay. Hearing no -- no objection. I'm going to switch over to a different exhibit.

MR. REINBOLD: This is Exhibit 1007 that's been previously labeled in IPR2024-00736.

(Exhibit 1007 was previously marked.)

BY MR. REINBOLD:

Q. Mr. Daniels, do you recognize this document as the Kosten reference filed in this matter?

A. I do.

Q. Are you familiar with this exhibit?

A. Yes, I am.

THE COURT REPORTER: And, Mr. Reinbold, I will ask for a break in about 15 minutes, if that's okay.

MR. REINBOLD: Sure. No problem.

///

BY MR. REINBOLD:

Q. Sorry, Mr. Daniels. I'm going to switch back to your declaration briefly to look at Paragraph 11. Please let me know when you're there.

A. Okay.

Q. In Paragraph 11, you state:

"Kosten also shows the transmission of trailers which could possibly be used for display on lobby billboards."

Correct?

A. Correct.

Q. So -- but in your opinion, it is possible that Kosten's satellite system transmits trailers to the theater where those trailers have been stored and displayed on the lobby billboards. Is that correct?

MR. HANDAL: Objection to form. Mischaracterizes the evidence. Beyond the scope.

THE WITNESS: Patric, this reference is really vague. Can you give me some -- a little bit more detail on your question, please?

BY MR. REINBOLD:

Q. I'm referring to your -- your statement, in the second sentence of Paragraph 11 when you said that:

"It could possibly be used for display on lobby billboards."

Petitioner DMED Ex-1023, 0043

What did you mean by that?

A. The lobby display shown in the gray box.

Q. Okay. And let me -- let me go to -- I believe you're referring to the figure on Page 54 of Kosten. Is that right?

A. That's correct.

Q. Sorry. Let me -- okay. Is that large enough? Can you see that?

A. If you can make it a little bit bigger, that would be helpful.

Q. Yeah, let me -- let me try to make it a little bigger without cutting it off.

That would be about as big as I can make it.

A. Okay.

Q. I'm sorry. You were saying that the Kosten -- sorry. Let me restate that. You can strike that.

You state in your declaration that:

"Kosten could possibly be used for display on lobby billboards."

And you're referring to the lobby displays in the bottom right of the -- of the feeder box of the figure. Is that correct?

A. I -- I believe so. I would have to read through the whole reference again to see if there's a mention of billboards. But I see lobby displays and in

Petitioner DMED Ex-1023, 0044

my mind, I would probably mix up lobby displays and lobby billboards.

Can you tell me if there is a mention of billboards in the reference?

Q. I don't know off the top of my head. I don't believe so. I think it's -- I think they're described as lobby displays.

A. So perhaps that's a typo on my part. I apologize.

Q. So is it possible that Kosten's satellite system transmits movie trailers to the theaters where those trailers are then stored and then displayed on the lobby billboards or displays?

MR. HANDAL: Objection. Lack of foundation. Mischaracterizes the evidence. And beyond the scope.

THE WITNESS: Yeah, again, this is -- obviously -- obviously, it's not written in the details of a patent, but it's vague to me. I'd have to speculate what the storage is and whether that storage is at the theater or not.

It says "Live broadcast capabilities under" CyberStar. And then in the theater box, it says "CyberStar video server," implying owned by the same organization, I would suppose, so I'm not sure.

I certainly don't see any more -- and, in fact,

Petitioner DMED Ex-1023, 0045

there's explicit description that the exhibitor is only allowed to route the -- the information to the displays. They have no control over the timing. That's completely under the control of the provider or, I guess, CyberStar or the studio. So I'm not sure how the storage comes into play or if that is storage.

BY MR. REINBOLD:

Q. You mentioned an explicit disclosure.

Can you point me to that, please.

A. Yeah. If you go to the second full paragraph of the second column. Right there. To the right there. Yeah. It starts with "In an open system."

Yes, there it is.

"In an open system, digital film files are stored in a broadcast queue at the satellite company's operations center. The studio, or a distribution -- distributor partner of the studio, then controls an online film management system -- "

Again, vague. I don't know where the online film management system is.

" -- selecting the time and locations to which each movie should be sent over the encrypted satellite system. The

Petitioner DMED Ex-1023, 0046

technology for encryption, the process of scrambling the film's data to make it unrecognizable to unauthorized parties, is also managed by the studio, giving them unique security options at all points of distribution.

"The only thing the exhibitors can do then is simply project the file, which is received at their network server, stored and routed to individual screens of their choice, within the boundaries of the distribution agreements already set up between the studios and theater owners. With service level agreements, the studios direct all the details of distribution, including where and when a film will open, how long it will run, and other details that have always been under their control."

And I think that's important. Right? It's under their control while the satellite distribution company takes care of transport and management.

Q. The second paragraph that you started reading begins with -- with "Service level agreements." Correct?

A. Correct.

Petitioner DMED Ex-1023, 0047

Q. And the previous paragraph starts with "In an open system." Correct?

A. Yes.

Q. Those are two separate implementations. Is that correct?

A. I don't believe so.

MR. HANDAL: Belated objection. Beyond the scope.

BY MR. REINBOLD:

Q. Why don't you believe those are separate implementations?

A. Because it's within the boundaries of distribution agreements for the open system. And to make that point finer, the exhibitors simply reject the file, so they can only route the file to the individual screens. They have no other control over the timing or the distribution through the CyberStar system.

Q. Can you please look at the second paragraph, underneath the figure here. It starts with "Improved feature film distribution."

A. Yes.

Q. Can you see that?

A. Yes.

Q. (As read):

"Improved feature film distribution is

Petitioner DMED Ex-1023, 0048

only one of the many benefits ushered in by this distribution process. Exhibitors can turn theater lobbies into smart advertising networks, targeting digital trailers and ad spots based on the demographic of their community and the film itself. No longer will they be stuck with standard trailers attached to each celluloid print."

Did I read that correctly?

A. You did.

Q. And it's the exhibitors, specifically, that turn their theater lobbies into smart advertising networks. Correct?

A. This is a very vague list of what-if statements, I would say. So exhibitors could turn them into advertising networks. I don't see the implementation described in this -- in the rest of this article at all. There's not much technical detail, of course, but there is that explicit description that the exhibitors only choose the routing to their displays. I think that's very --

Q. That was discussing feature films. Correct?

It didn't say anything about advertising?

I can go back up to that paragraph.

Petitioner DMED Ex-1023, 0049

A. It said:

"Digital film files are stored in the broadcast queue."

"Exhibitors can simply project the file, which is received on their network servers, stored, and route it to the individual screens."

What's your question, Patric, please?

Q. Sorry. The two paragraphs that you read before here in Kosten, neither of these paragraphs refer to advertising materials. Correct?

MR. HANDAL: Objection to form. Beyond the scope.

THE WITNESS: They say "project the file." They don't limit it only to the films. And -- and this --

BY MR. REINBOLD:

Q. Those --

A. Those sentences are really showing -- as I would speculate, it would be logical that the CyberStar system provides a lot of control on the provider side, not on the movie theater side, and then it explicitly says that they simply project the file and route it to the screens that they choose.

Q. So the previous instance of "file" in this

Petitioner DMED Ex-1023, 0050

paragraph was "digital film file." Correct?
MR. HANDAL: Objection to form. Vague.
THE WITNESS: Yeah, I -- I -- it does say "digital film file."
BY MR. REINBOLD:
Q. Is there any -- earlier, you mentioned the live broadcast capability, which we see in the second bullet in this box within the CyberStar box. Correct?
A. Correct.
Q. Is there any disclosure in Kosten that discusses live broadcast capability of advertising materials?
MR. HANDAL: Objection to form. Beyond the scope.
THE WITNESS: I -- I don't recall. Can you point me to where that might be?
BY MR. REINBOLD:
Q. I'm not aware of one. I was just asking if you were aware of one.
A. Okay. I am not aware of one. I would have to read through it -- and -- specifically.
Q. And it's your opinion that Kosten is an incorrect representation of the CyberStar system. Correct?
A. Well --

Petitioner DMED Ex-1023, 0051

MR. HANDAL: Objection to form. Mischaracterizes the evidence. Beyond the scope.

THE WITNESS: It -- and it's beyond the scope. I don't have an understanding of what the CyberStar system is, so I can't make an opinion on that.

BY MR. REINBOLD:

Q. Okay. I'm sorry. I'm going to refer back to Paragraph 11 of your declaration.

And toward the bottom here, you say:

"Importantly, Kosten's disclosure is somewhat confused. For example, on Page 54 of his article, the figure entitled 'From studio to satellite to a theater near you,' the block labeled 'theater' includes a CyberStar video server, which clearly should be in the block labeled 'CyberStar.' This would suggest that if it is storage, it is located in the CyberStar block."

Did I read that correctly?

A. You did.

Q. So looking at the figure of -- on Page 54 of Kosten, why do you say in your declaration that:

"The block labeled 'theater' includes a CyberStar video server, which clearly

Petitioner DMED Ex-1023, 0052

should be in the block labeled 'CyberStar'"?

A. Because it is under the control of CyberStar. And they use CyberStar video server explicitly, and they use CyberStar -- I can't see it. It's too small. But under the CyberStar -- in the CyberStar block, they've got the CyberStar system. And they talk about how there's much control on that transfer, and that use of that content, time, and manner under control explicitly of the provider of the film management system.

Q. Okay. So I'm trying to understand the -- the point you made in your declaration.

Is it your opinion that this CyberStar video server is not actually at the theater location?

A. No. This speaks to the vagueness of this article. Looking at it now, I can see how the CyberStar video server could be located at the theater, but clearly, the control of that server is from the CyberStar system or the provider, what they call the film management system.

And that would make sense, of course, that the provider would want to control the -- the distribution. They're encrypting it so that others can't take advantage of the file without the -- unencrypting it. And the only thing that the theater owner is able to do is to route

Petitioner DMED Ex-1023, 0053

the display.

Q. Okay. So in this paragraph right above the figure, it starts out by saying:

"A digital film file is simply transferred to and stored in the secure server system of the satellite distribution company, which then beams the film to theaters across the U.S. or around the world, who then store it on their servers for a later, digital projection."

Did I read that correctly?

A. You did.

Q. So is it your opinion that this server is correctly depicted in Kosten, that it's at the theater?

A. I think it depends on what "there" -- the word "there" means. The -- the picture, the cartoon is showing CyberStar controlling both the source at the CyberStar box and the CyberStar video server located at the theater box.

The paragraphs that we've gone through a few times says that the studio or distribution partner of the studio controls the film management system, selecting the time and location, that the movie should be beamed or sent over.

Petitioner DMED Ex-1023, 0054

And the paragraph or the sentence you just read creates that ambiguity of who -- whose system is it. If it's owned by the theater, then there's a mistake. It shouldn't say "CyberStar video server."

I think this article is -- in my opinion, is indicating reasonably that the control over the distribution of that digital format and making sure that it's encrypted so others can't pirate it is going to, by necessity, be under the control of CyberStar with the obligation to make sure it's secured.

And so the box there, instead of the -- that sentence, the ambiguity, I would resolve it saying that CyberStar is in control of that computer system at the theater. And at the time, I would say at the time of this article -- that's speculating again, but that would be a likely scenario where the -- CyberStar would install their own system in the theaters.

MR. REINBOLD: Is now a good time to take a short break? Is it -- is --

THE WITNESS: I'm fine, but Cheryl -- but -- yeah. Yes.

MR. HANDAL: How much time do you need, Cheryl?

THE COURT REPORTER: Ten minutes would be great.

MR. REINBOLD: Okay.

Petitioner DMED Ex-1023, 0055

MR. HANDAL: Okay. All right.
MR. REINBOLD: Sure.
Should we go off the record, then.
(Recess.)
BY MR. REINBOLD:
Q. Mr. Daniels, before the break, we were discussing the Kosten reference. And in specific, we were talking about the CyberStar system that's discussed in Kosten.
Are you aware that the CyberStar system was actually implemented?
A. No, I'm not.
Q. Okay.
MR. REINBOLD: I would like to mark a new exhibit. This document should be marked as Exhibit 1021, which is the next-available exhibit number for petitioner in this proceeding.
(Exhibit 1021 was marked for identification.)
BY MR. REINBOLD:
Q. Mr. Daniels, I'll represent to you that this is an article written in January 1999 by PRIMEDIA Business Magazines and Media Inc. It's entitled Celluloid-Less Heroes, and it's written by Matt Cheplic.
Are you able to see Exhibit -- what we've now

Petitioner DMED Ex-1023, 0056

marked as Exhibit 1021?

MR. HANDAL: Patric, can you put that into the chat so we can -- this is -- we've never seen this document before. I don't think it's ever been produced.

MR. REINBOLD: Yeah.

MR. HANDAL: Did you produce this before?

MR. REINBOLD: We have not. We're marking it now. I can e-mail it to you. I don't know if I can put it into the chat.

MR. HABER: I think you actually can upload it into the chat.

MR. REINBOLD: You can?

MR. HABER: I believe you can. I think in -- there's a way to do it. I was talking to someone about this before.

MR. REINBOLD: Give me just one moment. Let me see if I can figure that out.

THE TECH ASSISTANT: You can drag and drop it from where you have it downloaded on your computer into the chat box.

MR. REINBOLD: Okay. Let me give that a shot.

MR. HANDAL: John, there's a little chat icon at the bottom of your screen. You may have to bring the cursor down to the bottom to make it appear. And it's a ribbon. It will say "Phone, video participants, chat

Petitioner DMED Ex-1023, 0057

react, and leave." And there's a box there that's called "Chat." If you click on the chat box, on the chat button, so to speak, the chat box will appear, and then the document should appear in the chat. And if you click on the document, you can download it and -- and read through it.

THE WITNESS: I got the chat up. I used -- sorry, Tony. I used the chat to give Cheryl my e-mail address, but I don't see anything put into the chat box.

MR. REINBOLD: I'm still working on that.

THE WITNESS: He's still working.

MR. REINBOLD: It says "Unable to send file due to admin restrictions." Is that something that can we change the restrictions for a moment?

If not, I can start e-mailing it.

THE TECH ASSISTANT: I currently don't have the ability to change that right now. Give me one second.

Actually, wait. Okay. You should be able to do it now.

MR. REINBOLD: Okay. Let me give it a shot.

Sorry. Can we go off the record for this as well? Sorry about that.

(Recess.)

BY MR. REINBOLD:

Q. Okay. Mr. Daniels, right before we went off

Petitioner DMED Ex-1023, 0058

the record, I introduced Exhibit 1021, which is an article entitled Celluloid-less Heroes?

Have you had a chance to review this exhibit?

A. Yes, I have.

MR. HANDAL: Before we get on to these questions, I said I would make a statement --

MR. REINBOLD: Sure.

MR. HANDAL: -- for the record, what I think is a highly unusual nature of what's being suggested here.

For the record, I note that this document has never been produced. I believe it's intended for use as prior art, but I don't really understand that. Obviously, I've not had an opportunity to consult with my client -- to consult with my expert about this particular document. I have not consulted with my client with respect to its relationship to the case. Frankly, I don't understand it a hundred percent, at this point.

I think it's -- I think any discussion of this document is clearly beyond the scope of this witness's declaration, and I believe the document is not properly introduced into this proceeding at this time.

So I make that, sort of, omnibus objection here, beyond the scope, and the other things I mentioned. But I'll try to make specific objections to individual questions have been made.

Petitioner DMED Ex-1023, 0059

Please proceed.

MR. REINBOLD: Thank you, Counsel.

I would just like to note that counsel is --

MR. HANDAL: And we'll -- we'll take this up with the board, reserve our rights to move to strike, move to exclude both the questions and the -- and the -- and the document.

MR. REINBOLD: Okay. Thank you, Counsel.

I understand you've made your objections under 37 CFR 42.64(a), which envisions and contemplates the introduction of such an exhibit during these proceedings.

So having made your objections, we'll proceed with the line of questioning.

MR. HANDAL: Could you get a little closer to your microphone because I'm not understanding you so well. We've been having these -- this problem you know -- when you make an effort to get closer to the microphone, I think we get -- we get better audio.

MR. REINBOLD: I'll try to speak up.

BY MR. REINBOLD:

Q. Mr. Daniels --

MR. HANDAL: That's good.

BY MR. REINBOLD:

Q. -- are you hearing me okay?

A. Yes.

Petitioner DMED Ex-1023, 0060

Q. Okay. Mr. Daniels, in the -- looks like about the third paragraph, there's -- it starts with "Instead of using traditional delivery methods."

Do you see that?

A. Yes, I do.

Q. Okay. I'm going to start there. It says:

"Instead of using traditional delivery methods -- "

MR. HANDAL: Objection -- okay. Finish your question.

MR. REINBOLD: I'm sorry, Mr. Handal. I'm having a hard time hearing you now.

MR. HANDAL: Please finish -- finish your -- you're having problems hearing me?

MR. REINBOLD: I have been, yes.

MR. HANDAL: Okay. Objection. Beyond the scope to your previous question. Okay.

BY MR. REINBOLD:

Q. Okay. I'm not sure there was a question pending, but I'll continue.

"Instead of using traditional delivery methods, filmmakers encoded The Last Broadcast to an MPEG-2 signal and beamed it from a network operations center (technology by CyberStar) to a

Petitioner DMED Ex-1023, 0061

geosynchronous platform satellite 22,300 miles above North America. Upon returning to Earth, the signal went through a dish located on theaters, then through cabling to localized CyberStar servers, running Windows NT and ultimately, through a digital projection system using digital light processing by Texas Instruments."

Did I read that correctly?

A. Yes.

Q. And those two sentences that I just read, they refer to the network operations center of the CyberStar system, which is depicted in Kosten's figure on Page 54 of Kosten. Correct?

MR. HANDAL: Objection. Lack of foundation. Assumes facts not in evidence. Mischaracterizes the -- the evidence. And beyond the scope.

THE WITNESS: Please repeat the question.

BY MR. REINBOLD:

Q. Sure.

The -- the two sentences that I read, they referred to the network operations center of the CyberStar system. Correct?

MR. HANDAL: Same objections.

Petitioner DMED Ex-1023, 0062

THE WITNESS: Yeah, I have no idea. This is the first time I've seen this -- how long have you had this, Patric? Is this something you just uncovered?

BY MR. REINBOLD:

Q. Yeah, I just found this article online.

A. Okay.

Q. If you look at this second -- or sorry -- the third paragraph here, the last part, it says "from a network operations center."

And then there's a parenthetical, and it says "(technology by CyberStar)." Is that correct?

A. Yes.

Q. And looking back at Kosten on Page 54, this is the figure we were looking at before, do you see that it says "CyberStar network operations center" within the CyberStar box in the figure?

A. I do see that.

Q. Okay. And then the sentences that I read --

MR. HANDAL: Beyond the scope. Belated objection. Beyond the scope.

BY MR. REINBOLD:

Q. And then the sentences that I read from Exhibit 1021, they also refer to a geosynchronous satellite. Correct?

MR. HANDAL: Beyond the scope.

Petitioner DMED Ex-1023, 0063

BY MR. REINBOLD:
Q. Correct?
And do you -- there's a Loral Telstar 5 satellite depicted in the figure of Kosten. Correct?
A. Correct.
MR. HANDAL: Beyond the scope.
BY MR. REINBOLD:
Q. And the sentences that I read from Exhibit 1021 also refer to a localized CyberStar server at the theater. Is that correct?
MR. HANDAL: Beyond the scope.
THE WITNESS: So cabling -- you're saying: "Went through the dish through cabling to localized CyberStar servers running Windows NT." Is that -- you're referring to that, I assume.
BY MR. REINBOLD:
Q. That's correct.
A. Okay.
Q. And those localized CyberStar servers are at the theaters. Is that correct?
MR. HANDAL: Beyond the scope.
THE WITNESS: Yeah, it looks consistent. CyberStar is in control of the server or their source server, and the CyberStar beams up through the

Petitioner DMED Ex-1023, 0064

geosynchronous satellite to another controlled server that's controlled by CyberStar. That is located at the theater in the picture.

In the Kosten article, the signal went through a dish on the theaters, then through local -- then through cabling to localized CyberStar servers running Windows NT. Again, assuming that must be a CyberStar server under their control. And then, ultimately, to a digital projection system.

BY MR. REINBOLD:

Q. Okay. And the next sentence right after this, what you just read, the part about Texas Instruments, it says:

"While the process has been reported as a simulcast, this is technically inaccurate."

Is it correct, that it says that?

MR. HANDAL: Objection to scope -- beyond the scope. Mischaracterizes the evidence. Vague.

Objection to form.

BY MR. REINBOLD:

Q. Mr. Daniels, what's your understanding of a simulcast?

THE COURT REPORTER: I'm sorry, I didn't hear an answer to the last question.

Petitioner DMED Ex-1023, 0065

MR. REINBOLD: Oh, I'm sorry. You're right.
THE WITNESS: Please repeat the question, Patric.
BY MR. REINBOLD:
Q. Sorry, yeah.
So Exhibit 1021 says:
"While the process has been reported as a simulcast, this is technically inaccurate."
Did I read that correctly?
A. You did.
MR. HANDAL: Objection. Beyond the scope.
THE WITNESS: Yes, you did read it correctly.
BY MR. REINBOLD:
Q. And, Mr. Daniels, what's your understanding of a simulcast?
MR. HANDAL: Objection. Beyond the scope.
THE WITNESS: I don't have an understanding of simulcast.
BY MR. REINBOLD:
Q. Okay. I'm going to keep reading. The next sentence says:
"'Since the data is available to theaters on servers, the film can be shown at any time,' says Esther Robinson,

Petitioner DMED Ex-1023, 0066

Weiler and Avalos's partner in Wavelength Releasing, which distributed The Last Broadcast.

'We wanted to steer away from simulcast because moviegoers aren't going to want to see a movie at the same all across the country. Theaters are going to want the flexibility, says Robinson.'"

Did I read that correctly?

MR. HANDAL: Objection. Beyond the scope.

THE WITNESS: Yes, you read it correctly.

MR. HANDAL: Objection -- objection to form.

BY MR. REINBOLD:

Q. So do you agree that based on this disclosure that theaters have control of the showings of films in their theaters?

A. Absolutely not.

MR. HANDAL: Let me get an objection in.

It's -- the objection is that's beyond the scope.

The witness has answered, so it's a belated objection.

BY MR. REINBOLD:

Q. Okay. Mr. Daniels, what's your -- what's your rationale for saying that the theaters are not in control

Petitioner DMED Ex-1023, 0067

of the -- the time and, you know, location of the display of these movies?

MR. HANDAL: Objection. Beyond the scope. Surprise.

THE WITNESS: My rationale is the combination of the original Kosten reference and the words of the open system, based on the relationship with the studios where there -- the studios or the distribution partner dictates the time and location of which the movie should be sent over. And the theaters having that flexibility, they may be telling CyberStar what time they would like to have it. If you're on the east coast, you'd be three hours different than somebody on the west coast.

But other than that, there again, just routing that signal to the displays.

BY MR. REINBOLD:

Q. So if -- if the theater tells CyberStar what time it would like to show it, is the theater, you're saying, not in control of the showing?

A. Absolutely.

MR. HANDAL: Improper hypothetical. Objection to form. Beyond the scope. Surprise.

THE WITNESS: Yeah, this is a bit surprising, Patric, that you're making -- you're putting a lot of weight -- I understand the position you're in, the

Petitioner DMED Ex-1023, 0068

challenging position with these references, but a sentence that says theaters are going to want flexibility and then you want me to infer from that that the theater is in control is absolutely incorrect.

BY MR. REINBOLD:

Q. I'm just asking your position.

A. I took it.

Q. I'm going to go back to your declaration. Look at Paragraph 13, please. Let me know when you're there.

A. Okay.

Q. In Paragraph 13 of your declaration, you state:

"Allen discloses remote sales or rentals of videos casettes at a kiosk with manufacturing capability."

This technology is in the field of manufacturing, not advertising. Correct?

A. That's correct.

Q. And you did not address in your declaration the embodiment that disclosed a cable television headend or Regional Bell Operating Company. Correct?

MR. HANDAL: Objection. Mischaracterizes the evidence.

THE WITNESS: Patric, you're saying specific to Allen, that I didn't mention -- what was the specifics, please?

Petitioner DMED Ex-1023, 0069

BY MR. REINBOLD:

Q. Sure, yeah.

Allen's cable television headend or Regional Bell Operating Company. Those are often abbreviated CATV and RBOC.

A. And what's the question?

Q. You did not address in your declaration the embodiments of Allen that disclose the cable television headend or Regional Bell Operating Company. Correct?

A. I don't believe that I did.

Q. Is a cable television provider an exhibitor within the context of Claim 1 of the '725 patent?

MR. HANDAL: Objection to form.

Maybe I didn't hear that question properly. Could you repeat it?

MR. REINBOLD: I can restate it.

BY MR. REINBOLD:

Q. A cable television provider is an exhibitor within the context of Claim 1 of the '725 patent. Correct?

MR. HANDAL: Objection. Argumentative.

Objection to form. Calls for conclusion of law.

MR. REINBOLD: I apologize. I wasn't trying to be argumentative. I was just trying to speak up for the

Petitioner DMED Ex-1023, 0070

microphone.

THE WITNESS: Again, Patric, what's the question?

MR. REINBOLD: Sure.

BY MR. REINBOLD:

Q. A cable -- a cable television provider is an exhibitor within the context of Claim 1 of the '725 patent. Correct?

MR. HANDAL: Objection. Calls for conclusion of law. Mischaracterizes the evidence.

THE WITNESS: Yeah, I -- I -- I was simply applying the claims as they're written and how I understood them from the patent, so I can't make a conclusion like that.

BY MR. REINBOLD:

Q. So could we look at the '725 patent, Column 4, please.

A. Okay.

Q. About line 20, it says "a plurality of exhibitors." And I'm going to skip a little bit ahead.

It says, then, about 22, "a cable television operator 18d."

Did I read that correctly?

A. Yes.

MR. HANDAL: Objection.

Petitioner DMED Ex-1023, 0071

You got to give me a chance to object, John.

THE WITNESS: Okay.

MR. HANDAL: Objection. Beyond the scope. Objection to form. Asked and answered. Argumentative. Conclusion of law.

BY MR. REINBOLD:

Q. Mr. Daniels, I'm holding up Exhibit -- I'm sorry -- Claim Element 1(g) that we've looked at earlier. Let me know when you're there.

A. Yes.

Q. It says:

"Wherein said purchaser is an exhibitor exhibiting said multimedia material -- "

I'm going to skip a little bit down to Line 62.

" -- in a public theater to a number of individuals in exchange for a paid admission or a broadcast exhibitor."

Is that correct?

A. That is correct.

Q. So is a cable television provider within the context of the '725 patent a broadcast exhibitor?

MR. HANDAL: Objection. Calls for a conclusion of law. Asked and answered. Argumentative.

THE WITNESS: I would read broadcast exhibitor

Petitioner DMED Ex-1023, 0072

as an over-the-air radio frequency.

BY MR. REINBOLD:

Q. And what do you mean by "over-the-air radio frequency"?

A. Well, back then, you know, 25 years ago or so, we typically had televisions with aerials, and a broadcast came over the air.

Q. So your position is that Claim Element 1(g)'s broadcast exhibitor does not include, for example, a satellite television operator or a cable television operator?

MR. HANDAL: Objection. Calls for a conclusion of law.

THE WITNESS: Patric, I'm sorry. I would really have to speculate on that. My reading would be broadcast exhibitor is over the air.

BY MR. REINBOLD:

Q. Okay. I'm going to go back to your declaration, Paragraph 12. Let me know when you're there, please.

A. Okay.

Q. In Paragraph 12, you note:

"Allen's collection of credit card information is a sales activity, not a marketing activity.

Petitioner DMED Ex-1023, 0073

Correct?

A. Correct.

Q. And what, in your opinion, constitutes a sales activity?

A. The transaction.

Q. The transaction of...

A. The ability to take credit card information and apply it to a purchase.

Q. What's your understanding of a marketing activity?

A. The activity that would be done to -- to entice or bring someone to -- in this case, in the case of the '725 patent, into a movie theater to view a broadcast showing.

Q. And what constitutes sales data?

A. In the case of a movie theater, I would say it's a number of seats taken to watch a movie and paid for.

Q. Is that the only type of data that constitutes sales data?

A. Well, a -- transactional data, I don't know what else a movie theater does. Sells popcorn, I guess. But sales data would be the -- in this context, the purchase of a ticket so you can watch a movie.

Q. In the context of a broadcast exhibitor, what

Petitioner DMED Ex-1023, 0074

would sales data refer to?

A. Since it's broadcast --

MR. HANDAL: Objection. Beyond the scope. Calls for a conclusion of law.

THE WITNESS: Yeah, I'd have to speculate again, but since it's broadcast, it may be something where the number of people who are tuning in at a certain time, maybe Nielsen ratings or some other capabilities used to determine that that marketing activity resulted in a sales activity.

BY MR. REINBOLD:

Q. Is sales information the same as sales data?

MR. HANDAL: Could you restate that question? I -- I didn't hear it. I'm sorry.

MR. REINBOLD: Sure.

BY MR. REINBOLD:

Q. Is the -- is sales information the same thing as sales data?

MR. HANDAL: Objection. Beyond the scope. Calling for a conclusion of law.

Objection to form.

THE WITNESS: Can you point to the reference where there's a distinction made, please?

BY MR. REINBOLD:

Q. To be clear, I'm not saying whether there is or

Petitioner DMED Ex-1023, 0075

is not a distinction. I'm just trying to understand Claim 1, but I'll show you Claim 11 that uses both language.

A. Okay.

Q. Please let me know once you've had a moment to read it.

A. Yeah, in that context, I think the context, the sales information is collected, so that would be, as I said before -- and maybe I interposed or exchanged the two words. But the sales information would be the information from an exhibitor on the sales -- again, the number of seats taken to watch a movie. Sales and marketing data would be the data that's provided that refers to how that marketing resulted in the sales and -- and -- and is -- could be used for the next exhibitors to determine the actions they take with the multimedia and the advertising information.

Q. What constitutes marketing data?

A. I would say --

MR. HANDAL: Well, calls for a conclusion of law.

But you may answer.

THE WITNESS: Yeah, I would say the marketing data is likely to be the -- what advertisements were used, what trailers were used, and how those trailers

Petitioner DMED Ex-1023, 0076

were deployed. And, again, the -- the crux of it is that you can inform the actions of the exhibitors based on some kind of reference, looking back at what has been successful by other exhibitors, and that would be what I would consider that sales and marketing data.

BY MR. REINBOLD:

Q. So is it fair to say that marketing data is or could include the success of marketing or the promotional activities?

MR. HANDAL: Wait. Wait. Wait. I -- please speak clearly, Patric. I didn't hear the question.

BY MR. REINBOLD:

Q. Is everyone having a hard time hearing me? I can try to figure something else out if so.

John, Mr. Daniels, are you able to hear me okay?

A. I would need you to restate the question, please.

MR. REINBOLD: Sure.

BY MR. REINBOLD:

Q. Is it fair to say that success of marketing or promotional activities constitute marketing data?

MR. HANDAL: Calls for a conclusion of law.

THE WITNESS: I don't know that there would be a determination. There -- there would need to be a

Petitioner DMED Ex-1023, 0077

metric. I think the metric is the sales information. So the metric would be the sales information. The -- the success I don't think is specific to the marketing data. That's the vehicle that brings the people in for the sales information.

BY MR. REINBOLD:

Q. You would agree that Allen collects sales data. Correct?

I can refer you to Paragraph 15 of your report, your declaration.

A. Different context, but yes, I did state in my declaration that Allen does collect sales information that's not provided to the exhibitor because there are no exhibitors. And it's only to the seller or lessor of the product, so the source of that product, so that the seller can be paid. So what we're describing there is simply the transaction, the sales transaction.

Different context. I'm sorry that I used the same word, though.

Q. When you say that there's no exhibitors, you're referring to the retail, the manufacturing embodiment that you reviewed in Allen. Correct?

A. Yeah. In Allen, I would read it that you're a retail consumer receiving that packaged VSS to VHS tape or the MTP format, which I guess --

Petitioner DMED Ex-1023, 0078

But you're consuming it. You're not putting it for public display or broadcasting it.

Q. Can you please look at the previous paragraph of your declaration, Paragraph 14.

A. Okay.

Q. In Paragraph 14, you refer to the '725 -- sorry. You referred to the '725 patent's mention of a sales tool. Correct?

MR. HANDAL: And you can read your -- you can take time to read your paragraph.

THE WITNESS: I will. Thank you, Tony.

MR. HANDAL: Don't feel pressured.

And if you want to look at those reference sections in your paragraph, you can look at them, too, the parts of the patent that are referenced --

THE WITNESS: I'm going --

MR. HANDAL: -- you have --

THE WITNESS: -- yeah, I've got those printed out.

MR. HANDAL: Yeah. Okay.

BY MR. REINBOLD:

Q. I can put it up on the screen, too, if that's helpful.

A. It may be for everybody else, but I do have it in front of me.

Petitioner DMED Ex-1023, 0079

Q. Okay.

MR. HANDAL: And let me put that in front of me too, so I'm on the same page as everybody.

MR. REINBOLD: I can't show more than one at a time, but I'll show the first one.

MR. HANDAL: You pulled the declaration off of -- what paragraph were you looking at in the declaration?

MR. REINBOLD: Paragraph 14.

THE WITNESS: Paragraph -- oh, Paragraph 14 of the declaration, yeah.

There's a lot of content, Patric, so when you ask your question, I might need more time to go back and reread these, but I got them in my head.

MR. REINBOLD: Sure.

BY MR. REINBOLD:

Q. So my question -- my first question was just whether you referred to sales -- a sales tool in your -- Paragraph 14 of your declaration, citing the patent.

A. Yes. I think you understand that when I say "sales tool," I don't mean the transaction tool, like a credit card system. I mean a sales tool as a marketing tool. I'm sorry I didn't keep the specifics of sales tool and marketing tool consistent if I used it differently before, but it amounts to a sales tool as we

Petitioner DMED Ex-1023, 0080

describe it in the -- or as is described in those columns.

Q. Okay. So that was -- that was my next question.

So when you're referring to sales tool, you're referring specifically to these -- these -- Column 13, Lines 15 to 19, 27 -- I'm sorry. I missed one. Column 15, Lines 6 to 11, 60 to 64. Also, Column 13, Lines 15 to 19, 27 to 39, 41 to 47.

MR. HANDAL: Objection. Compound. Compound.

And belated objection to the prior questions, which related to a multiplicity of sections in the patent.

BY MR. REINBOLD:

Q. I'm sorry. I'm just trying to understand.

When you're referring to the term a "sales tool," you're referring to that -- that term as its used in the patent. Is that correct?

MR. HANDAL: Objection. Vague.

Objection to form.

BY MR. REINBOLD:

Q. I can -- strike that.

I can ask a different question.

A. Please. I'm not following where you're going.

Q. What is your --

Petitioner DMED Ex-1023, 0081

MR. HANDAL: I don't mean to be difficult, but maybe -- I'm trying to be constructive, honestly. If you're talking about something in the patent, why don't you tell us exactly where it is. And if you want to talk about these five different sections, why don't you talk about them one at a time because it's very difficult to follow, and I can't pull five different things in my mind and figure out which direction your -- you know, keep it simple because that's a compound question, and there's a reason why it's not permitted.

MR. REINBOLD: Mr. Handal, respectfully, I am only asking what the witness meant with the term in his declaration, a "sales tool."

BY MR. REINBOLD:

Q. And I think my question was interrupted before, but my question, as I don't think one is currently pending, is what's your opinion of a sales tool?

MR. HANDAL: Objection to form.

THE WITNESS: So you're asking what is -- what am I meaning by "sales tool"?

BY MR. REINBOLD:

Q. That's correct.

A. Yeah. Yeah, that would be the sales tool in the form of the information that's collected, and the metric uses the sales information in Claim 11 to indicate

Petitioner DMED Ex-1023, 0082

how well that information that was provided to elicit those sales was used by an exhibitor so that the next exhibitor can make use of that as a sales tool.

Q. So I'm going to look at the Column 15, Line 6 to 11. That's the first citation that you added. I believe I pulled that up on the screen here. It says:

> "In accordance with the embodiment of the system illustrated in Figure 10, data is collected for the purpose of billing and also for the purpose of generating a database useful as a sales tool and as a device for assuring a high likelihood of exhibitor satisfaction with the delivered product."

Did I read that correctly?

A. I didn't follow. Can you please read it again? Or I can read it but...

Q. Whichever you prefer. Would you like me to read it again?

A. Let me make sure I'm on the same page. And it looks like I am.

> **"A particularly advantageous embodiment of the system especially adapted to sales of audiovisual productions to television stations and**

Petitioner DMED Ex-1023, 0083

theaters is illustrated in Figure 10."

Q. You cited Lines 6 to 11. So --

A. Oh, I'm sorry. Okay.

Q. -- that's the correct paragraph but --

A. Okay. It's the correct paragraph, okay. So that's why -- I was looking at the top of the paragraph.

"In accordance with the embodiment of the system illustrated in Figure 10 -- "

Let's take a look at Figure 10 to refresh my memory a little bit.

Okay. That's a flowchart.

" -- data is directed for the purpose of billing and also for the purpose of generating a database of information useful as a sales tool and as a device for assuring a high likelihood of exhibitor satisfaction with the delivered product."

Was there a question, Patric?

Q. No. That was -- we were just confirming we were in the right spot.

A. Okay.

Q. What, in your opinion, makes up a database of information useful as a sales tool?

A. The information that's collected on the

Petitioner DMED Ex-1023, 0084

exhibitor when they are ordering their product or ordering the product, that exhibitor information, combined with the metric of the sales that that exhibitor was able to achieve with their specific appointment of the collateral or the advertising materials.

Q. The information that would form this database and be used as a sales tool, is the information sales information?

A. Yeah.

MR. HANDAL: Lack of foundation. Mischaracterizes the testimony.

THE WITNESS: That would get back to your question on the success metric, and the success metric would be the -- I believe the specific word -- I know I've interchanged them. I want to make sure I've used them specifically. On Claim 11, "Automatically collecting sales information."

So that's the metric from the exhibitors of various items of the multimedia material:

"And providing sales and marketing data, specific to the items of the multimedia material, to exhibitors based upon information from said exhibitors."

BY MR. REINBOLD:

Q. Make sure I understand this.

Petitioner DMED Ex-1023, 0085

Are you saying that the information that's part of this database that's useful as a sales tool constitutes both marketing and sales data?

A. It -- in that sentence, yes. The marketing data is the materials used, the collateral materials, the advertising materials, how they were deployed in a specific region where the theater is, and then the metric, which is automatically collected, of the sales that were generated from that deployment of the collateral materials.

Q. Okay. Could you please turn your attention to Claim Element 1(c).

A. Okay.

Q. Claim Element 1(c) requires the server system to be accessible over a communication network. Correct?

MR. HANDAL: Objection. Calls for conclusion of law. Beyond the scope.

THE WITNESS: I believe the question is, is the server system accessible over a communication network?

BY MR. REINBOLD:

Q. Sorry. My question was whether Claim 1 requires the server system to be accessible over a communication network.

MR. HANDAL: Objection. Calls for a conclusion of law.

Petitioner DMED Ex-1023, 0086

THE WITNESS: Element (c) recites:
"Providing a server system accessible over a communication network."
BY MR. REINBOLD:
Q. Claim 1 does not specify a type of communication network. Correct?
MR. HANDAL: Conclusion of law. Beyond the scope.
THE WITNESS: Yeah, this claim isn't written as a novel. You would have to read into it that the communication network is sufficient for transferring multimedia and advertising material in a digital format.
BY MR. REINBOLD:
Q. I'm sorry. I think my question is a little bit different.
So Claim 1 doesn't specify a type of communication network, just what it needs to be able to perform. Correct?
MR. HANDAL: The conclusion of law. Objection. Beyond the scope.
THE WITNESS: It doesn't specify the type of communication network that I can see. I'd have to, again, go carefully through each -- each of the words in the claim. But on its face, it needs to be sufficient for the transfer of the multimedia and advertising

Petitioner DMED Ex-1023, 0087

material in a digital format.
BY MR. REINBOLD:
Q. Okay. What is your understanding of a communication network?
MR. HANDAL: Objection. Calls for a conclusion of law. Beyond the scope.
THE WITNESS: A network that connects two devices where, in this case, digital content can be transferred from one device to another.
BY MR. REINBOLD:
Q. And I'm going to direct your attention to Claim 4 now, which is in the next column, Column 17. Let me know when you're there.
A. Yes, I'm there.
Q. Claim 4 requires a server system to be accessed over a public communication system. Correct?
A. It recites:
"Wherein said server system is accessed over a public communication system."
Yes.
Q. And what's your understanding of a public communication system?
MR. HANDAL: Objection. Calls for conclusion of law. Beyond the scope.

Petitioner DMED Ex-1023, 0088

THE WITNESS: I would have to use it by distinguishing between a private and a public. A public is one that is available to those who have access to it, where a private one would infer that it's a communication system that specifically requires someone to access it with some authority that controls the access.

BY MR. REINBOLD:

Q. Turning back to your declaration in Paragraph 18. Let me know once you've had a chance to get there.

A. Okay.

Q. In Paragraph 18 of your declaration, you state:

"I understand that it is being contended that the words 'optical fiber' and 'satellite links' and 'high-speed wire' described only public networks. This is incorrect, as all of these technologies can be used privately."

Did I read that correctly?

A. You did.

Q. Did you write this sentence?

A. I don't remember exactly writing this exact sentence, but this is my understanding.

Q. Did counsel ask you to write this sentence?

A. No, not that I recall.

Petitioner DMED Ex-1023, 0089

Q. What do you mean by these two sentences?
A. When I was discussing with counsel, with Tony, my declaration, we did talk about the possibility of the network being used privately or publicly. And I was clarifying that it's incorrect to say that these technologies can only be used as public networks because they can also be used privately.
Q. Did you cite to any evidence that these technologies are used privately?
MR. HANDAL: Objection. Beyond the scope. Irrelevant.
THE WITNESS: I don't recall which of the references. I don't recall, Patric.
BY MR. REINBOLD:
Q. In Paragraph 18, did you cite any references?
A. There was no references cited, no.
Q. I just scrolled up to Paragraph 9 in your declaration. You want to navigate there as well.
A. Okay.
MR. HANDAL: I haven't read it yet. I don't remember too well what's in your...
Okay. Thank you.
BY MR. REINBOLD:
Q. Are you finished reading as well, Mr. Daniels?
A. I am, yes.

Petitioner DMED Ex-1023, 0090

Q. It is your position that a person of ordinary skill in the art would not combine Garfinkle and Kosten because Garfinkle is a low-bandwidth system that does not deal with satellites. Correct?

A. No, not necessarily. The Garfinkle really solves the problem, which was very inherent back in that day of very slow data rates, especially for video and audio files. And what Garfinkle -- Garfinkle came up was a way of prestoring some of that information. So you've got a few different selections that are prestored. Once you select it, it starts to play back that -- that lead-in portion so that you can seamlessly watch the movie while it dribbles in through the slow bandwidth.

Q. Okay. Specifically, this third sentence:

"At its essence, this is a low-bandwidth system, different in genre from satellite systems."

What did you mean by this sentence?

A. That from the reference, Garfinkle and the problem that they were solving, you can only read that as a low-bandwidth system. And in -- in today's viewpoint, where we have -- of course, you can stream anything because of compression and the transfer rates. But back then, if -- you look kind of young. But back them, we had to dial up on a modem, and it would take a long time

Petitioner DMED Ex-1023, 0091

to get a large file transferred. So that's the -- that's -- the low bandwidth is the typical way that you would be able to get the -- a video file for video on demand.

Q. And just to be clear. When you say "at its essence, this is a low-bandwidth system," you're referring to Garfinkle?

A. Is that -- can you point to that in Paragraph 9?

Q. Yeah, it's the third sentence, like, the fourth line down.

A. Okay. Okay.

"As its essence, this is a low-bandwidth system."

Yes. It's a low-bandwidth system. If it was high bandwidth, you wouldn't need to have the lead in.

Q. Sorry. I'm just trying --

MR. HANDAL: Patric, Patric, can you raise your voice? You're starting to fade.

MR. REINBOLD: Sure.

MR. HANDAL: Maybe get a little closer to your microphone.

BY MR. REINBOLD:

Q. When you say "at its essence" and "this is a low-bandwidth system," are you referring to Garfinkle?

Petitioner DMED Ex-1023, 0092

A. Yes.

Q. And what do you mean by "different in genre from satellite systems"?

A. That satellite systems can typically beam the information faster than the digital modems, and so the satellite system is different than the digital modem system that would be used at the time of Garfinkle, and that was the problem that Garfinkle was solving by having those lead-ins prestored.

Q. When were you first contacted about appearing as an expert in this case?

A. Probably, two months ago, I would say. Maybe a little bit less.

Q. Before that date, had you ever heard of Digital Media Technology Holdings, LLC?

A. No, not that I can recall.

Q. Had you heard of the '725 patent's inventor Nick Stiliadis before you were contacted for this case?

A. No, I didn't.

Q. Are you aware of any commercial system for marketing and distributing multimedia that Digital Media Technology Holdings has on the market?

A. No, no idea.

Q. Are you aware of any product or system on the market by Digital Media Technology Holdings?

Petitioner DMED Ex-1023, 0093

A. No, I do not.

Q. Are you aware whether Digital Media Technology Holdings has licensed the '725 patent?

A. No, not that I recall.

MR. REINBOLD: Just recognizing that we've been going for a little while now, is anyone in need of a break?

THE COURT REPORTER: A break would be great. Thank you.

MR. HANDAL: How much time do you think you have at this point?

MR. REINBOLD: Not too much more, but I think we could probably take a ten-minute break, and probably no more than another hour.

MR. HANDAL: Okay. We'll take our ten minutes.

MR. REINBOLD: Ten-minute break?

Okay. So come back about 1:00 o'clock.

(Recess.)

MR. REINBOLD: Mr. Daniels, I've added on to the screen Exhibit 2120 in the current proceeding. I'll scroll down.

(Exhibit 2120 was previously marked.)

BY MR. REINBOLD:

Q. But do you recognize this as your resum that you filed as Exhibit 2120?

Petitioner DMED Ex-1023, 0094

A. I do, yes.
Q. Is this a true and correct copy of your resum ?
A. Looks like it.
Q. Do you have any corrections you wish to make to your resum at this time?
A. Hopefully, it's accurate. But why don't you scroll the whole thing.
Q. Sure.
A. I've got it printed out. Let me --
Q. I'll represent to you that I have three pages plus a cover page.
A. Yeah, it looks like the same thing I got.
Q. I can -- sorry. Let me jump back to your declaration real quick, Paragraph 6.
Have you had a chance to review Paragraph 6 of your declaration?
A. Yes.
Q. But in this paragraph, you identify a proposed definition of "level of skill in the art." Correct?
A. Yes.
Q. Do you consider yourself an expert under that definition?
A. I would consider myself a bit more than a POSITA, so I would say yes, an expert.
Q. I'm sorry. Did you say a bit more than a

Petitioner DMED Ex-1023, 0095

positive?

A. No. How do you say it, a --

Q. Oh, sorry.

A. -- person of ordinary skill in the art.

Q. Yeah. There's various ways, POSITA, POSITA. I don't know.

A. I've never used the term myself, the acronym, but that's fine.

Q. Understood.

MR. HANDAL: John is thinking positives but it's POSITA.

THE WITNESS: Because I heard we have an hour left, but we'll see.

BY MR. REINBOLD:

Q. I'm sorry. So your answer was that you do consider yourself a person of ordinary skill in the art under this definition?

MR. HANDAL: Objection. Mischaracterizes the witness's testimony.

THE WITNESS: I -- I --

BY MR. REINBOLD:

Q. I'm sorry. Can you repeat your answer, Mr. Daniels?

A. I would say so, yes. Yeah.

Q. I'm going back to your resum now. Again, this

Petitioner DMED Ex-1023, 0096

is Exhibit 2120.

Have you ever worked as an engineer?

A. I did before law school.

Q. And where did you work as an engineer?

A. At PerkinElmer.

Q. And that's -- that's --

A. That was --

Q. -- from January 1987 to December 1988?

A. Yes.

Q. And what was your role at PerkinElmer?

A. Optical coatings, designing optical coatings and applying them onto lenses and other optical elements.

Q. And what was the focus of your work in that role?

A. A lot of it had to do with aerospace, but it was mainly designing and developing coatings. In fact, now that you're jogging my memory, a challenge then was to come up with something that was non-conductive but reflective.

Q. Your role at PerkinElmer is the engineering role on your resum . Is that correct?

A. Well, it probably is, as far as formal employment, but I've been an innovator in designing and building prototypes of electronic circuits, computer algorithms, and software and many things.

Petitioner DMED Ex-1023, 0097

Q. Were those at other companies?
A. Typically, they were as an independent inventor. And then a few times, I've started up my own company.
Q. For PerkinElmer, in your role there, did you -- you did not work on computer networks. Correct?
A. No, not at PerkinElmer. I wouldn't have been working on computer programs and computer --
Q. And you did not work on the marketing and distribution of multimedia. Correct?
A. Not at PerkinElmer, no.
Q. You also earned a juris doctorate. Correct?
A. That's correct.
Q. And for most of your career, you worked as a patent prosecution attorney. Is that correct?
A. When I've worked as a patent prosecutor, Patric, I've had a very different career probably than the typical course of a patent attorney. I went to patent law really to learn how to patent my own inventions. And then as often as I could, I used those skills as an inventor and the advantage of being able to write and prosecute my own patents.
So that is something that I can sell to companies, and I've sold a few different inventions over the years. And sometimes I've started up companies based

Petitioner DMED Ex-1023, 0098

on my own inventions as well.

Q. And some of the --

A. The patent law -- the patent law gig was really to pay the mortgage.

Q. Understood.

Can you tell me about some of the inventions?

A. Yeah, everything from a fogless shower mirror; an anti-backlashing fishing reel; a radiation shield for cell phones; a suite of interactive television innovations, which I actually spent quite a bit of time on. I created the first working pause button, demonstrated that around 1988, and then ultimately sold that to one of the largest global companies.

Q. And what company was that?

A. I can't disclose the company.

And I worked on a LED development where we were able to take bare die directly from the wafer and electrically connect them through a simple lamination process rather than wire bonding and encapsulation.

I worked on wearable electronics. Spent a couple of years in Berlin working with Bayer pharmaceuticals in wearable electronics for deep vein thrombosis.

And my recent stint, I would say, or gig is a CEO of a breath-based diagnostic company.

Petitioner DMED Ex-1023, 0099

Q. You mentioned that some of the innovations that led to your own companies. Are those companies DiagMetrics Inc. and Kinaptic, LLC?

A. Yes, and Articulated Technologies as well.

Q. I see. Okay. This one at the bottom of the page here.

A. Right.

Q. Are there any other companies that you founded?

A. Yeah. An outdoor grill company. A -- call it a pizza grate for making pizzas in your home oven. That's probably all I can recall, but I've been very entrepreneurial.

Q. And your resum indicates that you actually worked for the law firm currently representing Digital Media Technology Holdings in this case. Correct?

A. That's correct.

Q. When did you work there?

A. When I was in law school. I went to law school at the University of Bridgeport, and I think I may have spent a few months with Tony after law school, and then I got a job at a firm down in New York.

Q. About how long do you think you worked at Handal & Morofsky?

A. Probably the most -- well, not the most -- probably the last year or so of law school and then a few

Petitioner DMED Ex-1023, 0100

months after law school. It's hard to recall. It's been quite a while.

Q. Sure.

And what was your role while working there?

A. Patent prosecution, drafting and prosecution.

Q. So before being contacted for this matter, you knew Anthony Handal?

A. Yes, I did.

Q. And what was your relationship with Mr. Handal?

A. I would call him my first mentor.

Q. So fair to say that you kept in touch since leaving the firm?

A. Yeah, off and on. We would reconnect every now and then. And as Tony alluded to at the beginning of the deposition, sort of grew old together and stayed in contact. Not very frequently, but every now and then, we would drop each other a line or a phone call.

Q. Is it fair to say that your current employment, which I believe is at Kinaptic LLC and DiagMetrics, are both in the medical device space?

A. Yes, they are.

Q. Is it fair to say that you've never worked in the entertainment industry?

A. No. I've never worked in the entertainment industry.

Petitioner DMED Ex-1023, 0101

Q. Have you ever worked in -- actively involved -- sorry.

Have you ever been actively involved in the marketing and the distribution of multimedia material over a communication network?

A. On the invention side, certainly. That was the suite of patents that were sold.

Q. What was your role in -- in that -- I guess was it a company?

A. I did have a company. I can't even recall the name -- Intelisync, we called it. Tried to raise funds, but wasn't able to raise enough funds, so I ended up finding an outlet for the IP.

Q. Can you point me to that in your resum ?

A. If it's not there, I didn't include it, probably. It was just too distant and not relevant to this resum that I have. One of the reasons would be I was restricted by contract to not disclose the sale of those inventions.

Q. Have you ever been employed by Digital Media Technology Holdings?

A. No.

Q. Are you being compensated for your time related to this action?

A. Yes.

Petitioner DMED Ex-1023, 0102

Q. How much are you being compensated for your time related to this action?
A. $250 per hour.
Q. Is this your usual and customary rate?
A. No, I don't have a usual and customary rate.
Q. And you're not currently employed by Handal & Morofsky. Correct?
A. That's correct. I am not.
Q. Are you being compensated at the same rate you were when you worked for Handal & Morofsky?
A. No. This was many decades ago, but no.
Q. Does any part of your compensation depend on the outcome of this proceeding?
A. None at all.
Q. Do you have any other interest in this proceeding?
A. No, I do not.
Q. How did you prepare for your deposition today?
A. A lot of it was really putting in my -- putting my mindset back into a patent prosecuting attorney and looking through the references and seeing the challenges that you guys had on trying to make a combination of those references into a invalidating argument for an issued patent.
Q. Did you meet with anyone to prepare for your

Petitioner DMED Ex-1023, 0103

deposition today?

A. I spoke with Tony.

Q. About how long did you speak with Tony in regard to preparing for this deposition?

A. Probably in total, three hours. Maybe a little bit less. Three to four hours.

Q. Did you review any documents in preparing for your deposition today?

A. Sure, all the references. The '725 patent. I scanned through it. I didn't really review it too closely, the declaration of Dr. Houh. I may have gotten -- but I didn't -- I don't remember going through the -- the -- I don't know what the document is called, but from your side, the pleading or whatever that document is.

Scanning through -- in fact, that's -- Dr. Houh, I think, had a couple of misstatements. I don't know if you want me to go into that. But, for example, he said motivation isn't required when you're combining references, and I thought that was -- I got a chuckle out of that but -- because that's one of the tools I have always been using for 103 rejections, and I'm sure you guys do too.

Q. A moment ago, you mentioned that you were getting into the mindset of a patent prosecutor.

Petitioner DMED Ex-1023, 0104

Is that your approach to viewing this case?

A. Well, in the context of the combination of claims -- I'm sorry, the combination of elements picked out of references, it was really a cherry-picking of reference elements, which I understand the position. I've done that as well, and that's sometimes all you're -- available to you. So that's what I mean by putting on that prosecutor -- or patent prosecution hat is really look at this from a how would I make the argument that you made, and then look to see if there was any gaps, and I found significant gaps in that combination.

Q. Did you discuss the substance of the deposition or any of the questions or answers with anyone at any of the breaks today?

A. No.

MR. REINBOLD: Would you mind if we take a five-minute break, and I'll go over my notes again and see if I have anything else. And I think we're getting pretty close.

THE WITNESS: Okay.

MR. HANDAL: Okay.

MR. REINBOLD: Can we go off the record, please.

(Recess.)

Petitioner DMED Ex-1023, 0105

MR. REINBOLD: I have no further questions at this time.

Mr. Daniels, Counsel, Cheryl, Amaris, thank you for your time today.

MR. HANDAL: Yeah, I don't have any questions on examination.

(Whereupon, at the hour of 10:28 a.m., the proceedings concluded.)

* * *

Petitioner DMED Ex-1023, 0106

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, JOHN DANIELS, do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition, taken on MAY 9, 2025; that I have made any corrections, additions, or deletions to reflect my accurate testimony; that my transcript is a true and accurate transcription of my testimony.

Signed at _____, _____.
(City) (State)

_____ _____
JOHN DANIELS (Date)

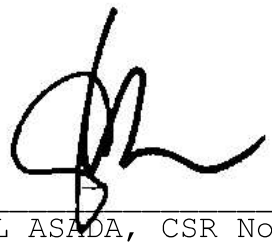
Petitioner DMED Ex-1023, 0107

REPORTER'S CERTIFICATE

I, CHERYL ASADA, CSR No. 13496, DO HEREBY CERTIFY THAT THE FOREGOING DEPOSITION OF JOHN DANIELS, WAS TAKEN ON MAY 9, 2025 REMOTELY BEFORE ME AT 7:10 A.M. FOR THE PURPOSE IN THE CAPTION STATED; THAT THE WITNESS WAS FIRST DULY SWORN TO TELL THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH; THAT THE DEPOSITION WAS TAKEN BEFORE ME STENOGRAPHICALLY AND AFTERWARDS TRANSCRIBED UNDER MY DIRECTION; THAT THE FOREGOING IS A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE SAID DEPOSITION SO GIVEN; THAT COUNSEL FOR ALL PARTIES WERE PRESENT AT THE TIME OF THE DEPOSITION; THAT THERE WAS A REQUEST THAT THE WITNESS READ AND SIGN THE TRANSCRIPT.

I FURTHER CERTIFY THAT I AM NEITHER OF COUNSEL NOR OF KIN TO ANY OF THE PARTIES TO THIS ACTION, AND AM IN NO WAY INTERESTED IN THE OUTCOME OF SAID ACTION.

DATED THIS 11TH DAY OF MAY, 2025.



CHERYL ASADA, CSR No. 13496

Petitioner DMED Ex-1023, 0108

Errata Sheet

NAME OF CASE: DISNEY MEDIA & ENTMT DISTRIB. vs DIGITAL MEDIA TECH. HOLDINGS

DATE OF DEPOSITION: 05/09/2025

NAME OF WITNESS: JOHN DANIELS

Reason Codes:

1. To clarify the record.

2. To conform to the facts.

3. To correct transcription errors.

Page _____ Line _____ Reason _____

From _____ to _____

Page _____ Line _____ Reason _____

From _____ to _____

Page _____ Line _____ Reason _____

From _____ to _____

Page _____ Line _____ Reason _____

From _____ to _____

Page _____ Line _____ Reason _____

From _____ to _____

Page _____ Line _____ Reason _____

From _____ to _____

Page _____ Line _____ Reason _____

From _____ to _____

_____

Petitioner DMED Ex-1023, 0109

Exhibits

Exhibit 1001
4:15 12:10,11

Exhibit 1007
4:15 42:13,15

Exhibit 1021
4:21 56:15,18 57:1 59:1 63:23 64:8 66:6

Exhibit 2120
4:16 94:20, 22,25 97:1

Exhibit 2121
4:16 10:4 14:10

$

$250
103:3

(

(b)
30:20

(c)
30:23,24 87:1

(e)
18:22 30:25

(g)
19:23 28:17

1

1
13:16,18 16:2 17:12,20 18:18,23 21:10,17 23:7,16 25:16 26:10 28:6 30:14,21 31:15 40:19 41:2 70:12,19 71:7 76:2 86:21 87:5,16

1(c)
86:12,14

1(e)
19:3 31:5,25 32:7,14,19

1(f)
19:14

1(g)
19:16,20,21 20:10 72:8

1(g)'s
73:8

10
83:8 84:1,8,9

1001
12:10,11

1007
42:13,15

1021
56:15,18 57:1 59:1 63:23 64:8 66:6

103
104:22

10:28
5:3 106:7

11
13:16 43:3,6, 23 52:8 76:2 81:8 82:25 83:5 84:2 85:16

12
21:6 26:16 73:19,22

13
69:9,11 81:6, 8

13496
5:7

14
32:25 35:2 37:4 79:4,6 80:9,10,19

15
42:23 78:9 81:7,8,9 83:4

16
21:7 33:25 34:1,3,10,15 36:9,25 39:16,17,19 40:1

17
88:12

18
33:5,25 34:7, 11,19,24 35:21 37:3,7 39:17,18,19, 24 40:3,4 89:9,12 90:15

18a
21:2,20 22:4, 24

18b
21:3,20 22:4

18c
21:4,21 22:4

18d
21:5,21 22:4 71:22

18e
21:5,22 22:4, 24

19
81:7,9

1987
97:8

1988
97:8 99:12

1999
56:22

1:00
94:17

2

2
10:15 24:3 25:10

20
20:24 22:3,23 71:19

2000s
6:10

2025
5:2

206
33:6,10 34:4, 8,24 35:3,11, 21 37:8 39:19,20,24 40:6

2120
94:20,22,25 97:1

2121
10:4 14:10

22
71:21

22,300
62:2

23
22:3

25
22:23 73:5

27
81:7,9

28
33:4 34:11,14 36:8,9,24 37:2,6 39:16, 23 40:5

3

30
5:22 9:8

3252
5:6

37
60:10

38
26:17

39
81:9

4

4
13:16 14:4,12 17:8 20:24 22:1,2,23 23:2,3 25:19 29:11,25

Petitioner DMED Ex-1023, 0110

35:25 40:9 71:16 88:12, 15

41
81:9

42
36:5

42.64(a)
60:10

47
81:9

48
24:4 25:10

5

5
13:16 64:3

54
33:1 44:4 52:12,22 62:14 63:13

6

6
13:16 81:8 83:4 84:2 95:14,15

60
81:8

62
19:25 72:15

63
19:24,25 28:23

64
28:23 81:8

7

7
13:16

7,574,725
12:14,21

725
11:5 12:20,24 13:5,22 15:9, 12 17:10 20:15,25 21:18 26:16 36:1 70:12,19 71:8,16 72:22 74:13 79:6,7 93:17 94:3 104:9

77-year-old
37:19

7:10
5:3

9

9
5:2 13:16 33:22 34:14 36:23 39:5,15 90:17 92:9

A

a.m.
5:3 106:7

AB
5:6

abbreviated
70:4

ability
58:17 74:7

absolutely
67:17 68:20 69:4

abusive
38:20

access
6:14,18 13:23 36:13 89:3,5, 6

accessed
88:15,19

accessible
86:15,19,22 87:2

accordance
5:5 14:23 36:6,11 83:7 84:7

accurate
95:6

achieve
85:4

acronym
96:7

action
102:24 103:2

actions
76:16 77:2

actively
102:1,3

activities
77:9,22

activity
73:24,25 74:4,10,11 75:9,10

actual
11:11 21:25

ad
49:5

adapted
83:24

added
83:5 94:19

additional
21:11 36:22

address
5:21 9:7,8 58:9 69:18 70:7

admin
58:13

ADMINISTERED
5:10

admission
20:3 27:2 29:1 72:18

advantage
53:23 98:21

advantageous
83:22

advertisements
15:1 76:24

advertising
13:24,25 14:24 15:6,9, 21 16:4,15,21 23:13 49:4, 13,17,24 50:11 51:11 69:16 76:17 85:5 86:6 87:12,25

aerials
73:6

aerospace
97:15

agree
15:8 67:14 78:7

agreements
47:12,14,24 48:13

ahead
16:23 18:3,8 40:25 71:20

air
22:21 73:7,16

algorithms
97:25

Allen
69:12,24 70:8 78:7,12,22,23

Allen's
70:3 73:23

allowed
19:9 46:2

alluded
101:14

Amaris
106:3

ambiguity
55:2,12

America
62:2

amounts
80:25

annotations
8:21

Petitioner DMED Ex-1023, 0111

answers
7:1,8 105:14
Anthony
101:7
anti-backlashing
99:8
apologies
39:11
apologize
37:21 45:9 70:24
appearing
93:10
appears
22:9
apply
74:8
applying
71:12 97:12
appointment
85:4
approach
105:1
argument
103:23 105:10
argumentative
70:21,25 72:5,24
art
59:12 91:2 95:19 96:4,16
article
49:19 52:12 53:16 55:5,15 56:22 59:2 63:5 65:4
Articulated
100:4
Asada
5:6
aspect
19:14
ASSISTANT
57:18 58:16
assume
64:16
Assumes
62:17
assuming
65:7
assuring
83:12 84:16
attached
49:8
attention
86:11 88:11
attorney
25:2 98:15,18 103:20
audio
15:10 60:18 91:8
audiovisual
83:24
authority
89:6
automatically
85:16 86:8
Avalos's
67:1
aware
13:15 51:18,19,20 56:10 93:20,24 94:2

B

back
10:23 13:11 14:2 17:8 23:2 29:11 30:21 40:8 43:2 49:25 52:7 63:13 69:8 73:5,18 77:3 80:13 85:12 89:8 91:6,11,23,24 94:17 95:13 96:25 103:20
bandwidth
91:13 92:2,16
bare
99:17
based
49:5 67:14 68:7 77:2 85:22 98:25
Bayer
99:21
beam
93:4
beamed
54:24 61:23
beams
54:7 64:25
began
25:1
beginning
101:14
begins
47:24
belated
25:3 26:12 29:12 37:11,16 48:7 63:19 67:21 81:11
Bell
69:20 70:4,9
benefits
49:1
Berlin
99:21
big
39:5,7 44:13
bigger
44:9,12
billboards
43:9,15,25 44:19,25 45:2,4,13
billing
83:9 84:13
bit
11:11 37:14 43:19 44:9 68:23 71:20 72:15 84:10 87:14 93:13 95:23,25 99:10 104:6
block
52:14,17,19,24 53:1,6
blow
36:2 39:6
board
60:5
bonding
99:19
bottom
24:4 44:21 52:9 57:23,24 100:5
boundaries
47:11 48:12
box
34:1,5,7,15,19,24 35:21 36:25 37:3 39:16,17,18,24 40:1,3,4 44:2,21 45:22 51:8 54:19,20 55:11 57:20 58:1,2,3,9 63:16
boxes
33:25 39:19,25
brain
37:20
break
8:1 42:2,8,23 55:19 56:6 94:7,8,13,16 105:18
breaks
7:25 105:15
breath-based
99:25
Bridgeport
10:12 100:19
briefly
43:3
bring
28:17 30:20 57:23 74:12

Petitioner DMED Ex-1023, 0112

brings
78:4

broad
19:22 29:1

broadcast
11:23 20:3,13 22:20 28:12 29:5 31:22,24 32:9,12,14, 21,24 41:20, 22,24,25 45:21 46:15 50:3 51:7,11 61:23 67:3 72:18,22,25 73:7,9,16 74:13,25 75:2,6

broadcaster
22:19 26:11 28:20

broadcasters
21:15 22:10, 12

broadcasting
79:2

broadly
16:12

building
97:24

bullet
51:7

business
9:7 14:22 25:21 26:1 27:11,18 28:4 56:22

button
58:3 99:11

C

cable
21:4,22 69:19 70:3,8,11,18 71:6,21 72:21 73:10

cabling
62:5 64:12,13 65:6

call
53:19 100:9 101:10,17

called
58:1 102:11 104:13

Calling
26:13 75:20

calls
17:14 20:18 21:12 22:14 23:10 24:15 27:4 29:13 30:17 31:7,18 32:4 40:20 70:22 71:9 72:23 73:12 75:4 76:20 77:23 86:16, 24 88:5,24

capabilities
45:21 75:8

capability
51:7,11 69:14

capacity
36:13

card
26:22 73:23 74:7 80:22

care
47:22

career
98:14,17

carefully
87:23

cartoon
54:17

case
6:6 8:17 9:16 13:16 23:13 41:10 59:16 74:12,16 88:8 93:11,18 100:15 105:1

casettes
69:13

CATV
70:4

cell
99:9

celluloid
49:9

Celluloid-less
56:23 59:2

center
46:16 61:24 62:13,23 63:9,15

central
21:7 33:5 34:4,8 35:3, 11 36:9 37:7 40:6

CEO
9:6,11 99:25

CFR
60:10

challenge
97:17

challenged
12:16 13:15

challenges
103:21

challenging
69:1

chance
59:3 72:1 89:9 95:15

change
42:5 58:14,17

charging
27:2

chat
57:3,9,11,20, 22,25 58:2,3, 4,7,8,9

Cheplic
56:24

cherry-picking
105:4

Cheryl
5:6 55:20,22 58:8 106:3

chess
38:1

choice
47:11

choose
49:21 50:24

chuckle
104:21

circuits
97:24

citation
83:5

cite
90:8,15

cited
17:9 84:2 90:16

citing
80:19

claim
11:14 13:18 16:2 17:12,20 18:18,23 19:2,14,15,21 20:10 21:10 23:7,12,16 25:16 26:10 28:6 30:14,21 31:5,15,25 32:6,14,19 40:19,23 41:2,8 70:12, 19 71:7 72:8 73:8 76:2 82:25 85:16 86:12,14,21 87:5,9,16,24 88:12,15

claims
13:15,16 19:18 30:7 71:12 105:3

clarifying
90:5

clear
9:22 16:9 18:2 29:22 30:19 31:1 75:25 92:5

click

Petitioner DMED Ex-1023, 0113

58:2,4
client 59:14,15
close 105:20
closely 104:11
closer 60:14,17 92:21
coast 68:12,13
coatings 97:11,16
collateral 85:5 86:5,10
collect 78:12
collected 76:8 82:24 83:9 84:25 86:8
collecting 85:17
collection 73:23
collects 78:7
colloquy 39:1
column 14:6 20:24 22:1,2,23 24:3 25:10 26:16 32:25 35:2,25 37:4 46:11 71:16 81:6,8 83:4 88:12
columns 81:2
combination 68:5 103:22 105:2,3,12
combine 91:2
combined 85:3
combining 104:20
comments 11:2
commercial 93:20
communication 6:18 86:15, 19,23 87:3,6, 11,17,22 88:4,16,19,23 89:4 102:5
community 49:6
companies 98:1,24,25 99:13 100:2,8
company 9:11 47:22 54:7 69:20 70:4,9 98:4 99:14,15,25 100:9 102:9, 10
company's 46:16
compensated 102:23 103:1, 9
compensation 103:12
complete 35:21
completely 46:3
components 15:10
composed 16:25
compound 81:10 82:9
compression 91:23
comprises 25:14 36:12
compromising 25:14
computer 6:21 30:4,9, 15 31:6 33:3, 10 34:10,15, 18,25 35:22 36:7,23 37:2, 5 39:15,23 40:4 55:13 57:19 97:24 98:6,8
computers 34:24
concluded 106:8
conclusion 17:15,23 20:18 21:12 22:14 23:10 24:16 26:14 29:13 30:18 31:8,18 32:4 40:20 70:22 71:9,14 72:5, 23 73:12 75:4,20 76:20 77:23 86:16, 24 87:7,19 88:5,24
confirming 84:20
confused 52:11
connect 99:18
connected 21:6
Connecticut 5:23 9:9
connection 9:20 19:11
connects 88:7
consistent 64:23 80:24
constitute 77:22
constitutes 74:3,15,19 76:18 86:3
construction 11:14,16,19, 22,25 12:3,7
constructive 82:2
consult 59:13,14
consulted 59:15
consumer 78:24
consuming 79:1
contact 101:16
contacted 93:10,18 101:6
contemplates 60:10
contended 89:14
content 24:20 29:19 53:9 80:12 88:8
contents 38:6
context 21:10 36:19 70:12,19 71:7 72:22 74:23, 25 76:7 78:11,18 105:2
continue 29:21 38:22 39:3 61:20
contract 102:18
contribute 10:24

Petitioner DMED Ex-1023, 0114

control
46:3,4 47:19, 21 48:16 50:21 53:3,8, 9,18,22 55:6, 9,13 64:24 65:8 67:15,25 68:19 69:4

controlled
65:1,2

controlling
54:18

controls
46:19 54:23 89:6

copies
9:2

copy
14:4 39:13 95:2

correct
6:23 11:14, 15,20,21,23, 24 12:1,2,4,5, 7,8,17,18,24 13:19,20 14:15,16 15:6,7,13,14, 22 16:5 17:13 19:8,16,22 20:13,16 21:11,19,23 22:6,25 23:1, 8,20 24:13 25:22,23 26:1,10 27:3, 15 28:5,13 29:6,7 30:5,9, 16 31:16 32:1,10,16,22 33:14,25 34:8,9,11,17 35:5,6,14 36:24 37:3 39:16 40:17, 18 41:5 43:10,11,15 44:6,22 47:24,25 48:2,5 49:14, 23 50:11 51:1,8,9,24 62:15,24 63:11,24 64:2,4,5,10, 18,21 65:17 69:16,17,20 70:9,20 71:8 72:19,20 74:1,2 78:8, 22 79:8 81:18 82:22 84:4,5 86:15 87:6,18 88:16 91:4 95:2,19 97:21 98:6,10,12, 13,15 100:15, 16 103:7,8

corrected
10:23

corrections
10:9,18 95:4

correctly
15:2 20:8 21:8 24:10 26:23 36:14 49:10 52:20 54:12,15 62:10 66:10, 13 67:9,11 71:23 83:15 89:19

correlated
17:1 31:10 32:20

counsel
7:17,18,22 10:24 24:18 25:6 29:17 60:2,3,8 89:24 90:2 106:3

country
67:7

couple
16:13 99:21 104:17

court
5:5,13 7:1,9 9:23,25 17:3, 6 24:24 42:22 55:23 65:24 94:8

courtesy
38:6,7,24

cover
95:11

covered
26:5 31:15

covering
22:9

created
41:16 99:11

creates
55:2

credit
26:22 73:23 74:7 80:22

crux
77:1

CSR
5:7

current
94:20 101:18

cursor
57:24

customary
103:4,5

cutting
44:12

cyberspace
21:6

Cyberstar
45:22,23 46:4 48:17 50:20 51:8,23 52:4, 15,17,19,25 53:3,4,5,6,7, 13,16,18 54:18,19 55:4,9,13,16 56:8,10 61:25 62:5,13,24 63:11,15,16 64:9,14,20, 24,25 65:2,6, 7 68:11,17

Cyberstar'
53:2

D

Daniels
5:9,17,20 9:5 10:3 12:13 17:18 25:8,18 29:25 31:14 32:25 36:21 39:5,15 42:1, 17 43:2 56:6, 21 58:25 60:21 61:1 65:22 66:15 67:24 72:7 77:15 90:24 94:19 96:23 106:3

dashed
33:24 34:4

data
33:3,11 34:11,15,18, 25 36:23 37:2,5 39:16, 23 40:5 47:2 66:23 74:15, 19,20,21,23 75:1,12,18 76:13,18,24 77:5,7,22 78:3,7 83:8 84:12 85:21 86:3,5 91:7

database
83:11 84:14, 23 85:6 86:2

date
93:14

day
91:7

deal
91:4

decades
103:11

December
97:8

declaration
8:18 10:7,10, 21,25 11:3,9, 13 13:2 14:2,

Petitioner DMED Ex-1023, 0115

7,9 16:14 23:3 40:9 43:3 44:17 52:8,23 53:12 59:20 69:8, 11,18 70:7 73:19 78:10, 12 79:4 80:6, 8,11,19 82:13 89:8,12 90:3, 18 95:14,16 104:11

deep 99:22

defined 26:9

defines 23:19 24:12

definition 95:19,22 96:17

delivered 83:13 84:17

delivery 61:3,7,21

demand 92:4

demographic 49:6

demonstrated 99:12

depend 103:12

depending 33:12

depends 54:16

depicted 37:3 39:16, 17,23 40:2 54:15 62:14 64:4

depiction 39:18

deployed 77:1 86:6

deployment 86:9

deposed 6:2

deposition 6:1,4,8,20,23 7:3 9:14 38:4, 14,21 39:2 101:15 103:18 104:1, 4,8 105:13

deriving 41:12

describe 81:1

describing 78:16

description 46:1 49:20

designing 97:11,16,23

detail 43:19 49:19

details 45:17 47:15, 18

determination 77:25

determine 75:9 76:16

developing 97:16

development 99:16

device 6:18 83:12 84:15 88:9 101:20

devices 88:8

Diagmetrics 9:6 100:3 101:19

diagnostic 9:11 99:25

dial 91:25

dictates 68:9

die 99:17

difference 15:18 16:3,19

differently 80:25

difficult 82:1,6

digital 14:14,18 16:14 17:10 23:4 31:11 40:15,19 41:3,9,12,13, 16,20,25 46:14 49:4 50:2 51:1,4 54:4,10 55:7 62:7,8 65:9 87:12 88:1,8 93:5,6,14,21, 25 94:2 100:14 102:20

digitized 33:9

direct 20:20 47:15 88:11

directed 84:12

direction 82:8

directly 99:17

disclose 70:8 99:15 102:18

disclosed 15:9 27:1 69:19

discloses 20:15 69:12

disclosure 46:8 51:10 52:10 67:14

discuss 105:13

discussed 16:2 56:8

discusses 51:11

discussing 16:14 49:23 56:7 90:2

discussion 59:18

dish 62:4 64:13 65:5

display 43:9,24 44:2, 19 54:1 68:1 79:2

displayed 14:20 25:25 43:15 45:12

displays 44:20,25 45:1,7,13 46:2 49:21 68:15

distant 102:16

distinction 22:12,16 75:23 76:1

distinguishing 89:2

distributed 67:2

distributing 15:20,21 16:1,2,3,20 24:7 25:11 93:21

distribution 12:1 15:4 17:12,21 18:19 46:17 47:6,12,16,21 48:13,17,20, 25 49:2 53:22 54:7,22 55:7 68:8 98:10 102:4

Petitioner DMED Ex-1023, 0116

distributor 46:18
doctorate 98:12
document 9:18 10:6 12:19 42:17 56:15 57:4 58:4,5 59:10, 15,19,20 60:7 104:13,15
documents 8:16,20,25 11:12 104:7
download 31:2 58:5
downloaded 14:22 30:2 31:10 32:20 33:10,13 57:19
downloading 18:24 19:6 30:23,25
draft 10:23
drafted 10:21,22
drafting 11:8 101:5
drag 57:18
dribbles 91:13
drive 30:4,8,15 31:6 35:14,23 36:12
drop 57:18 101:17
due 58:12
DULY 5:10

E

e-mail 6:14 57:8 58:8
e-mailing 58:15
earlier 51:6 72:8
early 6:10
earned 98:12
Earth 62:3
easier 29:23
east 68:12
education 10:11
educational 27:2
effort 60:17
electrically 99:18
electronic 14:19 23:5 97:24
electronics 99:20,22
Element 18:22 19:3, 14,16 28:17 30:20,23,25 31:5,25 32:7, 14,19 34:14 72:8 73:8 86:12,14 87:1
elements 97:12 105:3,5
elicit 83:1
elucidate 9:21
embodiment 36:12 69:19 78:21 83:7,23 84:7
embodiments 70:8
employed 102:20 103:6
employment 97:23 101:18
enables 15:4
encapsulation 99:19
encoded 61:22
encrypted 46:25 55:8
encrypting 53:23
encryption 47:1
end 38:14
ended 102:12
engineer 97:2,4
engineering 97:20
entertainment 101:23,24
entice 74:11
entitled 36:18 52:13 56:23 59:2
entrepreneurial 100:12
envisions 60:10
essence 91:15 92:6, 13,24
established 31:14,20
Esther 66:25
evidence 15:16 20:18 27:22 28:15 30:11 31:18 33:17 34:13 43:17 45:15 52:2 62:17,18 65:19 69:22 71:10 90:8
exact 89:22
examination 5:15 106:6
EXAMINED 5:11
examples 21:15 22:17
exchange 20:2 28:25 72:17
exchanged 76:9
exclude 60:6
exhibit 10:4 12:9,10, 11 14:10 40:15 42:12, 13,15,20 56:15,16,18, 25 57:1 59:1, 3 60:11 63:23 64:8 66:6 72:7 94:20, 22,25 97:1
exhibiting 19:19 20:12 31:21 32:12 41:11 72:13
exhibition 11:17 22:18, 19 41:15
exhibitor 11:20,23 13:24,25 19:19,22 20:3,11,13 22:17 28:12

Petitioner DMED Ex-1023, 0117

29:1,5 31:21, 22,24 32:10, 11,13,14,15, 24 41:11,20, 24 46:1 70:11,18 71:7 72:13,18,22, 25 73:9,16 74:25 76:11 78:13 83:2,3, 13 84:17 85:1,2,3

exhibitors
20:16 21:1, 11,15,18 22:5,10,13, 24,25 31:15 32:22 33:5 35:10 37:7 40:5 47:7 48:14 49:2, 12,16,21 50:4 71:20 76:15 77:2,4 78:14, 20 85:18,22, 23

exhibits
8:16 9:1

expert
9:12,15 59:14 93:11 95:21, 24

explicit
46:1,8 49:20

explicitly
50:22 53:4,9

F

face
87:24

fact
45:25 97:16 104:16

facts
62:17

fade
92:19

fair
7:15 16:16 77:7,21 101:11,18,22

familiar
12:23 42:20

fast
39:11

faster
93:5

feature
14:20 15:5 23:6,8,13,17, 20 24:13 48:20,25 49:23

feeder
44:21

feel
79:12

fiber
89:14

field
69:15

figure
21:17,25 33:22 34:14 36:23 39:5,15 44:4,22 48:19 52:12,22 54:3 57:17 62:14 63:14,16 64:4 77:14 82:8 83:8 84:1,8,9

file
13:24 14:14, 18 16:10,15, 22,25 17:1,10 22:20 23:4 47:8 48:14,15 50:5,14,23,25 51:1,4 53:24 54:4 58:12 92:1,3

filed
10:7 42:18 94:25

files
14:19 23:5 41:9 46:14 50:2 91:8

film
23:13,17 27:2,24 40:15 41:17 46:14, 19,22 47:17 48:20,25 49:7 50:2 51:1,4 53:10,19 54:4,8,23 66:24

film's
47:2

filmmakers
61:22

films
14:20 15:5 23:6,8,20 24:8,13 25:12 26:5,6,18 27:16 49:23 50:15 67:15

finally
12:6

finding
102:13

fine
16:24 37:24 55:20 96:8

finer
48:14

finish
7:12,14 18:9 61:9,13

finished
90:24

firm
100:14,21 101:12

fishing
99:8

five-minute
105:18

flexibility
67:8 68:10 69:2

flip
29:11

flowchart
84:11

focus
97:13

fogless
99:7

follow
37:25 82:7 83:16

form
16:6 17:5,16 20:4,17 22:7 23:24 24:17, 21,23 26:3,13 27:5,14,21 29:8,19 30:11 31:7,17 33:16 34:12,21 38:7 43:16 50:12 51:2,13 52:1 65:20 67:12 68:22 70:13, 22 72:4 75:21 81:20 82:18, 24 85:6

formal
97:22

format
31:11 41:9,13 55:7 78:25 87:12 88:1

formatted
41:12

forms
36:10

found
63:5 105:11

foundation
15:15 17:23 45:14 62:16 85:10

founded
100:8

fourth
92:10

Frankly
59:16

free
8:21

frequency

Petitioner DMED Ex-1023, 0118

73:1,4
frequently 101:16
FRIDAY 5:2
front 37:24 38:9 79:25 80:2
full 5:18 46:10
funds 102:11,12

G

game 38:1
gaps 105:11
Garfinkle 91:2,3,5,8,19 92:7,25 93:7,8
generated 86:9
generating 83:10 84:14
genre 91:16 93:2
geosynchronous 62:1 63:23 65:1
gig 99:3,24
give 7:18 8:7 36:17 37:18 38:15 39:10 43:19 57:16,21 58:8,17,20 72:1
giving 8:11 38:7,8,9 47:4
global 99:13
good 5:17 29:22 55:18 60:22
grate 100:10
gray 44:2
great 10:1 55:24 94:8
grew 101:15
grill 100:9
guess 46:4 74:22 78:25 102:8
guidance 11:3
Guide 24:19
guys 37:19 103:22 104:23

H

HABER 38:19,25 57:10,13
halfway 29:25 40:12
Handal 9:19 10:1 15:15 16:6,24 17:4,5,14,22 18:1,6,12,21 20:4,17 21:12 22:7,14 23:9,22,24 24:15,22 25:3 26:2,12 27:4,13,20 28:7,14 29:8,12,20 30:10,17 31:7,17 32:3 33:16 34:12,21 35:16,19 36:2,16 37:11,15 38:3,5,12,14,16,17,19,23 40:20 41:7,23 43:16 45:14 48:7 50:12 51:2,13 52:1 55:22 56:1 57:2,6,22 59:5,8 60:4,14,22 61:9,11,13,16 62:16,25 63:19,25 64:6,11,22 65:18 66:12,17 67:10,12,18 68:3,21 69:21 70:13,21 71:9,25 72:3,23 73:12 75:3,13,19 76:20 77:10,23 79:9,12,17,20 80:2,6 81:10,19 82:1,11,18 85:10 86:16,24 87:7,19 88:5,24 90:10,20 92:18,21 94:10,15 96:10,18 100:23 101:7,9 103:6,10 105:22 106:5
handles 15:12
hard 30:3,8,15 31:6 35:14,23 36:12 61:12 77:13 101:1
hardware 16:19
hat 105:8
head 45:5 80:14
headend 69:19 70:3,9
hear 7:4 9:24 65:24 70:14 75:14 77:11,15
heard 93:14,17 96:12
hearing 42:11 60:24 61:12,14 77:13
HELD 5:1
helpful 28:16 44:10 79:23
Heroes 56:24 59:2
high 21:5,22 83:12 84:16 92:16
high-speed 36:13 89:15
highly 59:9
holding 72:7
Holdings 93:15,22,25 94:3 100:15 102:21
home 9:8 100:10
honestly 82:2
Houh 104:11,17
hour 42:2 94:14 96:12 103:3 106:7
hours 11:10 13:6,9 68:13 104:5,6
hundred 59:17
hypothetical

Petitioner DMED Ex-1023, 0119

68:21

I

icon 57:22
idea 63:1 93:23
identification 56:19
identify 95:18
illustrated 83:8 84:1,8
images 37:22
implementation 49:18
implementations 48:4,11
implemented 56:11
implying 45:23
important 7:11 47:20
Importantly 52:10
Improper 68:21
Improved 48:19,25
inaccurate 65:16 66:9
include 35:22 73:9 77:8 102:15
includes 52:15,24
including 21:2 47:16
incorrect 32:2 51:23 69:4 89:17 90:5
independent 13:18 98:2
indicating 55:6
individual 47:10 48:15 50:7 59:24
individuals 20:2 28:25 72:17
industry 101:23,25
infer 69:3 89:4
inform 77:2
information 22:20 31:11 32:21 46:2 73:24 74:7 75:12,17 76:8,10,11,17 78:1,2,5,12 82:24,25 83:1 84:14,24,25 85:2,6,7,8,17, 23 86:1 91:9 93:5
infrastructure 15:19,25 16:3
inherent 91:6
innovations 99:10 100:1
innovator 97:23
install 55:16
instance 50:25
instructed 7:21
Instruments 62:9 65:12
Intelisync 102:11
intended 59:11
interactive 99:9
interchanged 85:15
interest 103:15
interior 34:4
interposed 76:9
interrupt 25:5 29:14
interrupted 82:15
interruption 37:21
interruptions 38:4
introduced 59:1,21
introduction 60:11
invalidating 103:23
invention 14:23 24:5 36:6 102:6
inventions 98:20,24 99:1,6 102:19
inventive 24:6
inventor 11:5 93:17 98:3,21
involved 16:20 102:1,3
involves 14:13,18 17:10
IP 102:13
IPR2024-00736 10:7 42:14
Irrelevant 90:11
issue 13:19
issued 103:24
items 85:19,21

J

James 5:9,20
January 56:22 97:8
job 100:21
jogging 97:17
John 5:9,20 16:7 37:18 57:22 72:1 77:15 96:10
jump 38:19 95:13
jumping 36:18
juris 98:12

K

Kinaptic 100:3 101:19
kind 77:3 91:24
kiosk 69:13
knew 101:7
Kosten 42:18 43:7 44:4,15,18 50:10 51:10, 22 52:23 54:15 56:7,9

Petitioner DMED Ex-1023, 0120

62:15 63:13 64:4 65:4 68:6 91:2

Kosten's
43:13 45:10 52:10 62:14

L

labeled
10:4 12:10 21:24 42:14 52:14,17,24 53:1

labels
21:19

Lack
15:15 17:22 45:14 62:16 85:10

lamination
99:18

language
76:3

large
36:13 37:22 44:7 92:1

larger
34:1 35:21

largest
99:13

law
10:12 17:15, 23 20:19 21:13 22:15 23:10 24:16 29:13 30:18 31:8,19 32:4 40:21 70:23 71:10 72:5,24 73:13 75:4,20 76:21 77:23 86:17,25 87:7,19 88:6, 25 97:3 98:19 99:3 100:14, 18,20,25 101:1

lawyers
18:13

lead
92:16

lead-in
91:12

lead-ins
93:9

Leading
20:17

learn
98:19

leave
42:9 58:1

leaving
101:12

led
99:16 100:2

left
96:13

legal
17:14 26:14

lengthy
40:23

lenses
97:12

lessor
78:14

level
47:14,24 95:19

libraries
26:20

library
26:25

licensed
94:3

light
62:8

likelihood
83:12 84:16

limit
29:18 38:4 50:15

Limitation
19:21 20:10

limited
24:20

Lines
22:23 81:7,8, 9 84:2

link
6:19,21

links
89:15

list
49:15

listing
21:14

live
45:21 51:6,11

LLC
93:15 100:3 101:19

loaded
36:7

lobbies
49:3,13

lobby
43:9,15,25 44:2,19,20,25 45:1,7,13

local
19:14 65:5

localized
62:5 64:9,14, 20 65:6

locally
19:9 30:3

locate
28:20

located
5:24 36:8 52:19 53:17 54:19 62:4 65:2

location
22:18 53:14 54:24 68:1,9

locations
46:23

logical
50:20

long
6:3 11:8 13:4 47:17 63:2 91:25 100:22 104:3

longer
49:7

looked
72:8

Loral
64:3

lot
39:25 50:21 68:24 80:12 97:15 103:19

low
92:2

low-bandwidth
91:3,16,21 92:6,14,15,25

M

made
17:5 33:4 35:10 37:6 40:5 53:12 59:25 60:9,12 75:23 105:10

Madison
5:22 9:9

Magazines
56:23

make
7:13 9:22 10:9,19 19:11 41:15 44:9, 11,13 47:2 48:13 52:5 53:21 55:10 57:24 59:6, 22,24 60:17 71:13 83:3,20 85:15,25 95:4 103:22 105:9

makes
84:23

making
18:2,7 28:9, 12 55:7 68:24

Petitioner DMED Ex-1023, 0121

100:10
managed
47:4
management
46:19,22 47:22 53:10, 20 54:23
manner
29:19 53:9
manufacturing
69:14,16 78:21
mark
56:14
marked
12:11 42:15 56:15,18 57:1 94:22
market
19:9,14 93:22,25
marketing
12:4 14:1 24:6 25:11 73:25 74:9 75:9 76:13, 14,18,23 77:5,7,8,21, 22 78:3 80:22,24 85:20 86:3,4 93:21 98:9 102:4
marking
57:7
material
13:25 14:1 19:10,20 20:12 23:12, 14,18 25:15, 17,24 28:8 29:6 30:8,15 31:12,25 32:6,16 41:11,12,13, 16 72:14 85:19,22 87:12 88:1 102:4
materials
8:13,16 14:24 15:5,6,8,9,12, 20,22 16:4,5, 16,20,21 17:1 26:4 30:2 33:9 50:11 51:12 85:5 86:5,6,10
Matt
56:24
matter
24:21 42:18 101:6
meaning
82:20
means
54:17
meant
82:12
media
33:4,9,11,12 36:8,9 37:6 40:5 56:23 93:15,21,25 94:2 100:15 102:20
medical
101:20
medication
8:10
meet
103:25
memory
33:7 35:4,8, 12,13,18,23 37:9 40:7 84:10 97:17
mention
44:25 45:3 69:24 79:7
mentioned
9:14 46:8 51:6 59:23 100:1 104:24
mentioning
19:15
mentions
23:17,18
mentor
101:10
met
11:5
method
24:6
methods
61:3,8,22
metric
78:1,2 82:25 85:3,13,18 86:8
microphone
60:15,18 71:1 92:22
miles
62:2
mind
42:6 45:1 82:7 105:17
mindset
103:20 104:25
mine
14:6
minute
13:12
minutes
42:23 55:23 94:15
mirror
99:7
Mischaracterizes
15:16 20:18 27:21 28:14 30:11 31:18 33:17 34:13 43:17 45:15 52:2 62:17 65:19 69:21 71:10 85:11 96:18
missed
32:17 81:7
misstatements
104:17
mistake
55:3
mix
45:1
modem
91:25 93:6
modems
93:5
moment
37:18 39:14 57:16 58:14 76:5 104:24
months
93:12 100:20 101:1
morning
5:17
Morofsky
100:23 103:7, 10
mortgage
99:4
motion
24:7 25:12 26:5,6
motivation
104:19
move
60:5,6
moves
38:1
movie
14:19,21,25 15:6 17:11, 13,21 18:19 19:7,12 21:2, 20 22:17 23:4 25:20,25 26:6,10,11 27:3,10 28:3, 4 30:4,8,15 31:6,14 32:23 40:14 41:10, 16 45:11 46:24 50:22 54:24 67:6 68:9 74:13, 16,17,22,24

Petitioner DMED Ex-1023, 0122

76:12 91:13

moviegoers
67:5

movies
15:5 26:18 68:2

MPEG-2
61:23

MTP
78:25

multimedia
13:24 14:20 15:5,8,20 16:4,15,20 19:19 20:12 23:6,7,12,18, 20 24:7,13 25:2,12,15, 16,24 26:4 28:3,8 29:5 30:8,14 31:12,25 32:6,15 41:11,13 72:13 76:16 85:19,22 87:12,25 93:21 98:10 102:4

multiplicity
81:12

N

nature
59:9

navigate
90:18

necessarily
25:24 91:5

necessity
55:9

network
47:9 50:5 61:24 62:13, 23 63:9,15 86:15,19,23 87:3,6,11,17, 22 88:4,7 90:4 102:5

networks
49:4,14,17 89:16 90:6 98:6

next-available
56:16

Nick
11:6 93:18

Nielsen
75:8

non-conductive
97:18

non-volatile
35:23

nonprofit
26:20 27:1

North
62:2

note
14:12 59:10 60:3 73:22

notes
8:21 105:18

NT
62:6 64:15 65:7

number
12:14,21 20:1 28:24 36:10 56:16 72:16 74:17 75:7 76:12

numbers
14:6 21:25

numerous
20:15

O

oath
5:10 6:22

object
7:17 16:6 17:4 72:1

objecting
29:20

objection
7:20 15:15 16:6 17:5,14, 16,22 18:8 20:4,17 21:12 22:7,14 23:9, 22,24 24:15, 17,22 25:4 26:2,3,12,13 27:4,5,14,20, 21 28:14 29:8,12 30:11 31:7,17 32:3 33:16 34:12, 21 36:16 37:11,16 38:23 40:20 42:11 43:16 45:14 48:7 50:12 51:2,13 52:1 59:22 61:9,16 62:16 63:20 65:18, 20 66:12,17 67:10,12,18, 19,22 68:3,21 69:21 70:13, 21,22 71:9,25 72:3,4,23 73:12 75:3, 19,21 81:10, 11,19,20 82:18 86:16, 24 87:19 88:5,24 90:10 96:18

objections
7:19 18:2,21 24:20,21 28:7 29:18,19 30:17 38:21 41:7 59:24 60:9,12 62:25

obligation
55:10

occupation
9:10

occurred
6:9

Older
26:18

omnibus
59:22

online
46:19,21 63:5

open
46:12,14 47:17 48:2,13 68:7

Operating
69:20 70:4,9

operations
46:16 61:24 62:13,23 63:9,15

operator
21:4,5,21,22 71:22 73:10, 11

opinion
13:21 43:12 51:22 52:5 53:13 54:14 55:5 74:3 82:17 84:23

opportunity
59:13

opposed
22:19 23:13 35:15

optical
89:14 97:11, 12

options
47:5

ordering
85:1,2

ordinary
14:21 25:20, 25 26:5 27:10 28:4 91:1 96:4,16

organization
45:24

organizations
26:21

original
68:6

outcome
103:13

Petitioner DMED Ex-1023, 0123

outdoor
100:9

outlet
102:13

outlined
33:25

oven
100:10

over-the-air
73:1,3

owned
45:23 55:3

owner
53:25

owners
47:13

P

packaged
78:24

packages
15:13

pages
95:10

paid
20:2 28:25 72:17 74:17 78:16

paragraph
10:15 14:4,12 17:8 23:2,3 25:19 29:11, 25 36:19,22 40:9,12 43:3, 6,23 46:10 47:23 48:1,18 49:25 51:1 52:8 54:2 55:1 61:2 63:8 69:9,11 73:19,22 78:9 79:3,4,6,10, 14 80:7,9,10, 19 84:4,5,6 89:9,12 90:15,17 92:9 95:14,15,18

paragraphs
36:17 37:20 50:9,10 54:21

parenthetical
63:10

part
45:8 63:8 65:12 86:1 103:12

participants
57:25

parties
47:3

partner
46:18 54:22 67:1 68:8

parts
79:15

passage
20:21

patent
6:6 9:17 11:5 12:14,16,20, 21,24 13:1,5, 11,22 14:13 15:4,9,12 17:10 20:15, 25 21:18,25 23:12 26:16 28:3 33:1 36:1 38:6,18 45:18 70:12, 19 71:8,13,16 72:22 74:13 79:15 80:19 81:13,18 82:3 94:3 98:15, 16,18,19 99:3 101:5 103:20, 24 104:9,25 105:8

patent's
79:7 93:17

patents
98:22 102:7

Patric
5:17 9:19 17:25 18:14 20:21 28:17 30:12 31:9 33:20 34:23 36:2 37:24 40:23 43:18 50:8 57:2 63:3 66:3 68:24 69:23 71:2 73:14 77:11 80:12 84:19 90:13 92:18 98:17

pause
99:11

pay
99:4

pending
8:3 61:20 82:17

people
22:18 75:7 78:4

percent
59:17

perform
87:18

Perkinelmer
97:5,10,20 98:5,7,11

permitted
82:10

person
91:1 96:4,16

petitioner
56:16

pharmaceuticals
99:22

phone
57:25 101:17

phones
99:9

picked
105:3

picture
24:8 25:12 26:5,6 54:17 65:3

pirate
55:8

pizza
100:10

pizzas
100:10

place
23:16 40:24

plan
37:24

platform
62:1

play
46:6 91:11

pleading
104:14

plurality
21:1 22:24 71:19

point
7:3 8:1 16:8 17:20 18:18 23:16,21 40:24 42:6 46:9 48:14 51:16 53:12 59:17 75:22 92:8 94:11 102:14

points
47:6

popcorn
74:22

portion
91:12

POSITA
95:24 96:5,11

position
68:25 69:1,6 73:8 91:1 105:5

positive
96:1

positives
96:10

possibility
90:3

possibly
43:8,24 44:18

posters

Petitioner DMED Ex-1023, 0124

14:25
Practice 24:19
prefer 9:3 83:18
preferred 36:11
preparation 13:10
prepare 13:1 103:18, 25
preparing 11:11 104:4,7
Press 42:4
pressured 79:12
prestored 91:10 93:9
prestoring 91:9
pretty 105:20
prevent 8:11
previous 6:4 48:1 50:25 61:17 79:3
previously 9:15 12:11 42:14,15 94:22
PRIMEDIA 56:22
print 49:9
printed 79:18 95:9
printed-out 8:19
prior 25:4 29:12 59:12 81:11
private 89:2,4
privately 89:18 90:4,7, 9
problem 42:24 60:16 91:6,20 93:8
problems 61:14
proceed 60:1,12
proceeding 12:10,17 24:20 56:17 59:21 94:20 103:13,16
proceedings 60:11 106:8
process 47:1 49:2 65:14 66:7 99:19
processing 40:6 62:8
processor 33:6 34:4,8 35:3,11 37:8
produce 57:6
produced 57:4 59:11
product 78:15 83:14 84:18 85:1,2 93:24
productions 83:25
professional 9:12
programming 24:8 25:13
programs 98:8
project 47:8 50:4,14, 23
projection 54:11 62:7 65:9
projector 40:16,19 41:4,21,25
promotional 77:8,22
properly 59:20 70:14
proposed 95:18
prosecute 98:22
prosecuting 103:20
prosecution 98:15 101:5 105:8
prosecutor 98:16 104:25 105:8
prototypes 97:24
provide 7:8 11:2,13, 16,19,22,25 12:3,6 13:23
provided 76:13 78:13 83:1
provider 46:4 50:21 53:10,19,22 70:11,18 71:6 72:21
providing 85:20 87:2
public 19:10,11,15, 20 20:1,11,12 22:19 28:10, 13,24 29:6 31:22 32:12, 23 72:16 79:2 88:16,19,22 89:2,16 90:6
publicly 90:4
pull 82:7
pulled 80:6 83:6
purchase 74:8,24
purchased 26:21 28:9
purchaser 19:22 20:11 28:9 31:10,21 32:23 41:10 72:12
purchaser/ exhibitor 26:9
purchasers 18:24 19:6,9, 18,19 30:25 32:8,9,11,19, 21
purchases 32:15
purpose 13:21,23 27:24 41:18 83:9,10 84:12,13
purposes 14:1 27:1
put 14:3 25:3 37:16 39:12 57:2,8 58:9 79:22 80:2
putting 38:9 68:24 79:1 103:19 105:8

Q

question 7:4,15,18,21 8:3 17:2,19, 24,25 18:1,4, 7,8,15 20:6 25:4 29:3,13, 14,16,21,23 30:12,20 31:2

Petitioner DMED Ex-1023, 0125

32:17 37:10 39:22 40:2 41:3 43:20 50:8 61:10, 17,19 62:19 65:25 66:2 70:6,14 71:3 75:13 77:11, 17 80:13,17 81:4,23 82:9, 15,16 84:19 85:13 86:18, 21 87:14

questioning
60:13

questions
6:25 7:8,12 10:22 59:6,25 60:6 81:11 105:14 106:1, 5

queue
46:15 50:3

quick
95:14

R

R-E-N-E-E-S
5:22

radiation
99:8

radio
73:1,3

raise
92:18 102:11, 12

rate
103:4,5,9

rates
91:7,23

ratings
75:8

rationale
67:25 68:5

RBOC
70:5

react
58:1

read
15:2 20:8 21:8 24:10 25:2 26:23 33:19 36:14, 17,19,22 37:20,23 38:15 39:10, 12 40:22 41:2 44:23 48:24 49:10 50:9 51:21 52:20 54:12 55:1 58:5 62:10, 12,22 63:18, 22 64:8 65:12 66:10,13 67:9,11 71:23 72:25 76:6 78:23 79:9,10 83:15,16,17, 19 87:10 89:19 90:20 91:20

readable
33:3 34:11, 15,18,25 36:7,23 37:2, 5 38:7 39:15, 23 40:4

reading
19:24 23:11 36:3 40:25 47:23 66:21 73:15 90:24

real
95:14

reason
8:7 82:10

reasons
102:17

recall
51:15 89:25 90:12,13 93:16 94:4 100:11 101:1 102:10

received
47:9 50:5

receiving
15:19,21 16:1 25:14,16 78:24

recent
99:24

recently
6:8

Recess
56:4 58:23 94:18 105:25

recites
87:1 88:17

recognize
10:6 12:13 42:17 94:24

recognizing
94:5

reconnect
101:13

record
5:6,19 8:2 18:3 29:22 39:1,2 41:7 56:3 58:21 59:1,8,10 105:23

reel
99:8

refer
9:1,2 12:19 14:4 50:10 52:7 62:13 63:23 64:9 75:1 78:9 79:6

reference
13:12 42:18 43:18 44:24 45:4 56:7 68:6 75:22 77:3 79:13 91:19 105:5

referenced
79:15

references
8:19 69:1 90:13,15,16 103:21,23 104:9,20 105:4

referred
32:20 35:8 62:23 79:7 80:18

referring
12:20 13:11 16:9 19:13,20 39:18 43:22

44:4,20 64:16 78:21 81:5,6, 16,17 92:7,25

refers
76:14

reflective
97:19

refrain
38:20

refresh
84:9

regard
104:4

region
86:7

Regional
69:20 70:3,9

Reinbold
5:16,18 9:23 10:2 12:12 15:17 16:11 17:7,17 18:16 19:1 20:5,7, 22 21:16 22:11,22 23:15 24:1,18 25:2,5,7 26:8, 15 27:8,17 28:1,11,18,21 29:10,17,24 30:13,22 31:4,13,23 32:5 33:21 34:16 35:1, 17,24 36:4,20 37:13 38:3,5, 11,13,16 39:4 41:1,19 42:1, 5,10,13,16, 22,24 43:1,21

Petitioner DMED Ex-1023, 0126

46:7 48:9 50:17 51:5,17 52:6 55:18,25 56:2,5,14,20 57:5,7,12,16, 21 58:10,12, 20,24 59:7 60:2,8,19,20, 23 61:11,15, 18 62:20 63:4,21 64:1, 7,17 65:10,21 66:1,4,14,20 67:13,23 68:16 69:5 70:1,16,17,24 71:4,5,15 72:6 73:2,17 75:11,15,16, 24 77:6,12, 19,20 78:6 79:21 80:4,9, 15,16 81:14, 21 82:11,14, 21 85:24 86:20 87:4,13 88:2,10 89:7 90:14,23 92:20,23 94:5,12,16, 19,23 96:14, 21 105:17,23 106:1

reject 48:14

rejections 104:22

related 81:12 102:23 103:2

relationship 59:16 68:7

101:9

Releasing 67:2

relevant 102:16

remember 89:22 90:21 104:12

remind 24:19

remote 69:12

Renees 5:22 9:8

rentals 69:13

repeat 24:25 29:3 39:21 62:19 66:2 70:15 96:22

report 78:9

reported 65:14 66:7

reporter 5:5,13 7:1,9 9:23,25 17:3, 6 24:24 42:22 55:23 65:24 94:8

represent 56:21 95:10

representatio n 51:23

representing 100:14

request 38:24

require 17:12 23:7 30:7,14 31:5 40:19 41:3

required 28:2 104:19

requires 17:21 18:19 86:14,22 88:15 89:5

reread 80:14

reserve 60:5

reserving 18:7

resolve 55:12

respect 59:16

respectful 39:9

respectfully 38:13 82:11

rest 49:18

restate 15:23 17:19 18:15 25:8 39:21 44:16 70:16 75:13 77:17

restating 25:1

restricted 102:18

restrictions 58:13,14

resulted 75:9 76:14

resum 94:24 95:2,5 96:25 97:21 100:13 102:14,17

retail 78:21,24

returning 62:3

reversed 10:13

review 9:2 59:3 95:15 104:7, 10

reviewed 13:1 78:22

reviewing 11:12 13:5,12

ribbon 57:25

rights 18:7 60:5

Robinson 66:25

Robinson.' 67:8

role 97:10,14,20, 21 98:5 101:4 102:8

room 6:11,14 8:13

route 46:2 48:15 50:6,23 53:25

routed 47:10

routing 49:21 68:14

run 47:17

running 62:6 64:14 65:6

S

sale 102:18

sales 69:12 73:24 74:3,15,20,23 75:1,10,12, 17,18 76:8, 10,11,12,14 77:5 78:1,2,5, 7,12,17 79:8 80:18,21,22, 23,25 81:5,16 82:13,17,20, 23,25 83:2,3, 11,24 84:15, 24 85:3,7,17, 20 86:2,3,8

satellite 21:3,21 43:13 45:10 46:16, 25 47:21 52:13 54:6 62:1 63:24 64:4 65:1 73:10 89:15 91:17 93:3,4,

Petitioner DMED Ex-1023, 0127

6

satellites
91:4

satisfaction
83:13 84:17

scanned
104:10

Scanning
104:16

scenario
55:16

school
10:12 21:5,22 26:25 27:9, 11,12,19,25 97:3 100:18, 20,25 101:1

schools
26:19 27:15

scope
17:15 20:19 21:13 22:8,15 23:9,25 25:4 26:2,13 27:5, 13,20 28:15 29:9 30:10 32:3 34:22 35:16,19 36:16 37:12, 17 40:21 41:23 43:17 45:15 48:8 50:13 51:14 52:2,3 59:19, 23 61:17 62:18 63:19, 20,25 64:6, 11,22 65:18, 19 66:12,17 67:10,20 68:3,22 72:3 75:3,19 86:17 87:8,20 88:6, 25 90:10

scrambling
47:2

screen
9:1,18 10:3 14:3 36:3 39:12 57:23 79:22 83:6 94:20

screens
47:10 48:16 50:7,24

scroll
94:21 95:7

scrolled
90:17

seamlessly
91:12

seats
74:17 76:12

section
11:14 24:5

sections
79:14 81:12 82:5

secure
54:5

secured
55:10

security
47:5

select
91:11

selecting
46:23 54:23

selections
91:10

sell
98:23

seller
78:14,16

Sells
74:22

send
58:12

sense
53:21

sentence
43:23 55:1,12 65:11 66:22 69:2 86:4 89:21,23,24 91:14,18 92:10

sentences
16:14 50:19 62:12,22 63:18,22 64:8 90:1

separate
48:4,10

series
7:7

server
21:7 25:16 36:9 45:23 47:9 52:16,25 53:4,14,17,18 54:6,14,19 55:4 64:9,24, 25 65:1,8 86:14,19,22 87:2 88:15,18

servers
50:6 54:10 62:6 64:14,20 65:6 66:24

service
47:14,24

serving
9:15

set
47:12

share
8:25 9:18

shield
99:8

short
55:19

shot
57:21 58:20

show
21:24 27:16 28:19 29:5 68:18 76:2 80:4,5

shower
99:7

showing
27:2,10 35:21 38:6 50:19 54:18 68:19 74:14

showings
67:15

shown
21:18 27:24 28:3 34:24 40:1 44:2 66:25

shows
36:23 43:7

side
50:21,22 102:6 104:14

signal
61:23 62:3 65:4 68:15

significant
105:11

similar
34:8,18

similarly
7:7,13 11:25 21:1

simple
82:9 99:18

simply
47:8 48:14 50:4,23 54:4 71:11 78:17

simulcast
65:15,23 66:8,16,19 67:5

size
33:12

skill
91:2 95:19 96:4,16

skills
98:21

skip
71:20 72:15

slow
91:7,13

small
10:11 53:5

smart
37:18 49:3,13

Petitioner DMED Ex-1023, 0128

software
97:25

sold
98:24 99:12
102:7

solves
91:6

solving
91:20 93:8

sort
33:24 59:22
101:15

sound
8:5

source
54:18 64:24
78:15

space
101:20

speak
7:11 9:19,20,
24 58:3 60:19
70:25 77:11
104:3

speaking
29:18 38:21

speaks
53:15

specific
20:20 56:7
59:24 69:23
78:3 85:4,14,
21 86:7

specifically
7:21 14:17
49:12 51:21
81:6 85:16
89:5 91:14

specification
23:19 24:12

specifics
69:24 80:23

speculate
27:7,24 35:20
41:14 45:18
50:20 73:15
75:5

speculating
55:15

speculation
27:4

spend
11:8

spent
11:11 13:4,12
99:10,20
100:20

spoke
104:2

spot
84:21

spots
49:5

standard
49:8

start
7:13 29:16
58:15 61:6

start-up
9:11

started
29:22 47:23
98:3,25

starting
92:19

starts
46:12 48:1,19
54:3 61:2
91:11

state
5:18 7:19
14:17 23:3
25:19 43:6
44:17 69:11
78:11 89:12

statement
17:8 28:2
43:22 59:6

statements
49:16

station
21:3,21

stations
83:25

stayed
101:15

steer
67:4

steps
16:2

Stiliadis
11:6 93:18

stint
99:24

storage
31:5 33:3,11
34:11,15,19,
25 36:8,24
37:2,5 39:16,
23 40:5 45:19
46:5,6 52:18

store
31:25 54:9

stored
14:23 30:3
41:13 43:14
45:12 46:15
47:9 50:2,6
54:5

storing
12:7 15:19,21
30:7,14 31:3,
10 32:6,15,20

stream
91:22

strike
44:16 60:5
81:22

stuck
49:8

studio
46:5,17,18
47:4 52:13
54:22,23

studios
47:13,15
68:7,8

stuff
37:23 38:15

substance
105:13

success
77:8,21 78:3
85:13

successful
77:4

sufficient
87:11,24

suggest
52:18

suggested
29:21 59:9

suite
99:9 102:7

Summary
24:4

suppose
45:24

surely
7:25

Surprise
68:4,22

surprising
68:23

swear
5:7

switch
12:9 14:2
42:12 43:2

system
27:1 35:22
43:13 45:11
46:12,14,20,
22,25 48:2,
13,17 50:21
51:23 52:5
53:7,10,19,20
54:6,23 55:2,
13,17 56:8,10
62:8,14,24
65:9 68:7
80:22 83:8,23
84:8 86:14,
19,22 87:2
88:15,16,18,
20,23 89:5
91:3,16,21
92:6,14,15,25
93:6,7,20,24

systems

Petitioner DMED Ex-1023, 0129

91:17 93:3,4

T

takes
37:20 47:22

talk
53:7 82:4,5 90:3

talking
14:7 16:9,12 37:23 56:8 57:14 82:3

tape
78:24

targeting
49:4

TECH
57:18 58:16

technical
15:19,25 16:3 49:19

technically
65:15 66:8

technologies
89:18 90:6,9 100:4

technology
14:13 47:1 61:25 63:11 69:15 93:15, 22,25 94:2 100:15 102:21

television
15:1 21:2,3,4, 20,21,22 24:8 25:13 69:19 70:3,8,11,18 71:6,21 72:21 73:10 83:25 99:9

televisions
73:6

telling
68:11

tells
68:17

Telstar
64:3

ten
55:23 94:15

ten-minute
94:13,16

term
11:16,20,23 12:1,4,7 23:17 81:16, 17 82:12 96:7

TESTIFIED
5:11

testimony
8:8,11 85:11 96:19

Texas
62:9 65:12

theater
19:11,12,15, 20 20:1,12 21:2,20 22:17 26:6,7,10,11 28:10,13,24 29:6 30:4,8, 15 31:6,22 32:12,23,24 40:14 41:10, 16 43:14 45:20,22 47:13 49:3,13 50:22 52:14, 15,24 53:14, 17,25 54:15, 20 55:3,14 64:10 65:3 68:17,18 69:3 72:16 74:13, 16,22 86:7

theater's
14:22 25:21 26:1 28:4

theaters
14:19 17:11, 13,21 18:19 19:7 23:5 31:15 45:11 54:8 55:17 62:4 64:21 65:5 66:24 67:7,15,16,25 68:10 69:2 84:1

thing
18:13 47:7 53:25 75:17 95:7,12

things
59:23 82:7 97:25

thinking
96:10

thought
104:20

thrombosis
99:23

ticket
74:24

time
6:3 7:17,18 8:4 10:10,19 11:11 18:14 35:23 36:17, 22 37:20,22 38:8,10,15 39:10,12 41:2 46:23 53:9 54:24 55:14, 18,22 59:21 61:12 63:2 68:1,9,11,18 75:8 77:13 79:10 80:5,13 82:6 91:25 93:7 94:10 95:5 99:10 102:23 103:2 106:2,4

time,'
66:25

timer
38:1

times
54:22 98:3

timing
46:3 48:16

today
7:3,25 8:8,11 103:18 104:1, 8 105:15 106:4

today's
6:25 91:21

Tony
10:22 16:23 18:11 23:23 58:8 79:11 90:2 100:20 101:14 104:2, 3

tool
79:8 80:18, 21,22,23,24, 25 81:5,17 82:13,17,20, 23 83:3,11 84:15,24 85:7 86:2

tools
104:22

top
45:5 84:6

total
104:5

touch
101:11

track
13:11

traditional
61:3,7,21

trailers
14:25 15:6 43:8,13,14 45:11,12 49:5,8 76:25

transaction
74:5,6 78:17 80:21

transactional
74:21

transcribe
7:9

transcribed
7:1

transfer
53:8 87:25 91:23

transferred

Petitioner DMED Ex-1023, 0130

16:10 17:1 54:5 88:9 92:1

transferring 87:11

transition 40:8

transmission 43:7

transmits 43:13 45:11

transmitted 41:9

transport 14:14,18 16:15 17:11 23:4 47:22

Trial 24:19

trouble 36:3

true 95:2

truthful 8:8,11

tuning 75:7

turn 49:3,13,16 86:11

Turning 89:8

type 74:19 87:5, 16,21

types 20:16 21:11 23:19 24:12

typical 92:2 98:18

typically 73:6 93:4 98:2

typo 10:11 45:8

U

U.S. 12:14,21 54:8

UCONN 10:13

Uh-huh 7:10

ultimately 62:7 65:8 99:12

Unable 58:12

unauthorized 47:3

unclear 7:4

uncovered 63:3

undergrad 10:13

Underlines 8:22

underneath 48:19

understand 6:22,25 7:23 16:18 38:25 53:11 59:12, 17 60:9 68:25 76:1 80:20 81:15 85:25 89:13 105:5

understanding 35:7 52:4 60:15 65:22 66:15,18 74:9 88:3,22 89:23

understood 10:17 71:13 96:9 99:5

unencrypting 53:24

unique 47:5

unit 34:8

units 33:6 34:4 35:3,11 37:8 40:6

University 10:12 100:19

unrecognizable 47:3

unusual 59:9

upload 57:10

user's 33:10

users 26:19

ushered 49:1

usual 103:4,5

V

vague 43:19 45:18 46:21 49:15 51:2 65:19 81:19

vagueness 53:15

vehicle 78:4

vein 99:22

verbally 7:8

verbatim 33:20

version 41:17

VHS 78:24

video 15:10 45:23 52:15,25 53:4,13,17 54:19 55:4 57:25 91:7 92:3

VIDEOCONFERENCE 5:1

videos 69:13

view 27:3 74:13

viewing 105:1

viewpoint 91:21

voice 92:19

volatile 35:18

VSS 78:24

W

wafer 99:17

wait 58:18 77:10

waiting 17:25

wanted 67:4

watch 74:17,24 76:12 91:12

Wavelength 67:1

waves 22:21

ways 96:5

wearable 99:20,22

weight 68:25

Weiler 67:1

Petitioner DMED Ex-1023, 0131

west
68:13

what-if
49:15

whichever
9:3 83:18

Windows
62:6 64:15
65:7

wire
99:19

wire'
89:16

witness's
59:19 96:19

word
54:16 78:19
85:14

words
9:21 68:6
76:10 87:23
89:14

work
9:5 97:4,13
98:6,9 100:17

worked
97:2 98:14,16
99:16,20
100:14,22
101:22,24
102:1 103:10

working
58:10,11 98:8
99:11,21
101:4

world
54:9

worry
18:12

write
89:21,24
98:22

writing
11:11 89:22

written
45:17 56:22,
24 71:12 87:9

wrong
18:6 24:22

wrote
38:17

Y

year
100:25

years
73:5 98:25
99:21

York
100:21

you,'
52:14

young
91:24

Z

Zoom
6:19,21

Petitioner DMED Ex-1023, 0132