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

GOOGLE LLC,	)	
	)	Case IPR2024-00752
Petitioner,	)	U.S. Patent
	)	No. 8,849,652 B2
VS.	)	
	)	
DIALECT LLC,	)	Case IPR2024-00753
	)	U.S. Patent
Patent Owner.	)	No. 7,640,160 B2
_____	)	

REMOTE DEPOSITION OF
BENEDICT OCCHIOGROSSO
WEDNESDAY, APRIL 9, 2025

STENOGRAPHIC REPORTER: CHRISTA YAN, CSR NO. 14316, RPR

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11
12 ALSO PRESENT:

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E X H I B I T S

EXHIBIT FOR IDENTIFICATION

PAGE

No Exhibits Marked.

--oOo--

Transcript of Benedict Occhiogrosso
Conducted on April 9, 2025

4

1 BE IT REMEMBERED that on WEDNESDAY, the 9TH DAY OF
2 APRIL, 2025, at the hour of 9:00 a.m., of said day, before
3 me remotely, CHRISTA YAN, a Certified Shorthand Reporter,
4 State of California, remotely appeared BENEDICT
5 OCCHIOGROSSO, who was examined as a witness in said cause;
6 that said transcript format was prepared in accordance
7 with California Code of Regulations Section 2473.

8 --oOo--

9 THE TECHNICIAN: Thank you to everyone for attending
10 this proceeding remotely, which we anticipate will run
11 smoothly. Please remember to speak slowly and do your
12 best not to talk over one another. Please be aware that
13 we are recording this proceeding for backup purposes. Any
14 off-the-record discussion should be had away from the
15 computer. Please remember to mute your mic for those
16 conversations. Please have your video enabled to help the
17 reporter identify who is speaking.

18 If you're unable to connect via video and are
19 connecting via phone, please identify yourself each time
20 before speaking. I apologize in advance for any
21 technical-related interruptions. Thank you.

22 BENEDICT OCCHIOGROSSO,
23 the Witness, called on behalf of the Petitioner, being
24 duly sworn to state the truth, the whole truth, and
25 nothing but the truth, testified on oath as follows:

1 EXAMINATION

2 BY MR. MACE:

3 Q Good afternoon, Mr. Occhiogrosso. Thanks for
4 your time today. You understand that you're here in
5 connection with declarations that you submitted in two IPR
6 proceedings, right?

7 A Yes.

8 Q Okay. And I understand you have copies of those
9 declarations?

10 A I do.

11 Q Okay. Great. And so just for the record, the
12 first one is a declaration that's been marked previously
13 as Exhibit 2013 in IPR 2024-00752. And that's for the
14 '652 patent. Is that right?

15 A Yes.

16 Q Okay. The second one, the second proceeding is
17 IPR 2024-00753 for the '160 patent, and that is
18 Exhibit 2010. Is that right?

19 A Yes.

20 Q Okay.

21 A I'm not 100 percent sure on the exhibit number,
22 but I'm actually looking through the documents to find the
23 declaration. There it is. '160. And let me get the
24 declaration for the '652. All right.

25 Q Okay. Great. And then so you'll understand I

1 might refer to the IPR proceeding involving the '652
2 patent as the '652 IPR and the proceeding involving the
3 '160 patent as the '160 IPR, you'll understand if I do
4 that, right?

5 A Yes.

6 Q Okay. Great. You've been deposed before, right?

7 A I have.

8 Q Okay. And as a technical expert, correct?

9 A Correct.

10 Q About how many times if you can recall?

11 A I don't have an exact count, but it's in excess
12 of two-dozen.

13 Q Okay. Great. So you're familiar with how
14 depositions work?

15 A Yes.

16 Q Okay. And so you understand that your testimony
17 here today has the same force and effect as if it were
18 stated in open court, correct?

19 A Yes.

20 Q Okay. Is there any reason you can't give your
21 best and most complete testimony today?

22 A Not to my knowledge. No.

23 Q And you're not taking any medications that could
24 adversely affect your ability to provide testimony today?

25 A That's questionable. I'm on medications, but I

1 don't think that will adversely impact my ability to
2 testify.

3 Q Okay. All right. Thanks.

4 What did you do to prepare for your deposition
5 today?

6 A I reread my declarations a couple of times.
7 Reviewed the patents, reviewed the petition, reviewed the
8 prior art and reviewed the patent owner response in no
9 particular order. I also met with counsel a couple of
10 times.

11 Q Okay. Well, let's start with Exhibit 2010, your
12 declaration, the '160 IPR.

13 A Okay.

14 Q Do you have it?

15 A I do.

16 Q Okay. Great. Let's go to -- first, to
17 paragraph 29. That's at page 14.

18 A All right. Okay. I'm there.

19 Q And you can take your time to review it, if you
20 need.

21 A Okay. I reviewed it.

22 Q And so in paragraph 29, you are discussing
23 Mr. Schmandt's formulation of a person of ordinary skill
24 in the art with respect to the '160 patent, right?

25 A Correct.

1 Q Okay. And just want to confirm you agree with
2 his formulation of the person of ordinary skill in the
3 art, right?

4 A Yes, I do.

5 Q Okay. Perfect. Let's go to paragraph 38 now.
6 That is page 19.

7 A Okay. I've reviewed it.

8 Q Okay. Paragraph 38, you are discussing the '160
9 patent's disclosure of the scoring system, correct?

10 THE STENOGRAPHIC REPORTER: I'm sorry, Andrew, you
11 said scoring system?

12 MR. MACE: Scoring, yeah. S-c-o-r-i-n-g.

13 THE STENOGRAPHIC REPORTER: Thank you.

14 THE WITNESS: That's correct.

15 BY MR. MACE:

16 Q Okay. And so my question is, when you reviewed
17 the '160 patent, it doesn't require the scores to be any
18 particular value, right?

19 A I don't recall seeing any disclosure in the '160
20 patent specification with respect to threshold values or
21 required scoring values.

22 Q Right.

23 And so, for example, possible scores could be 0
24 and 1, right?

25 MR. HELGE: Object to form.

1 THE WITNESS: I guess I need numerical value if the
2 inventor had established, you know, threshold parameters
3 of 0 to 1, 0 being the lowest and one being the highest,
4 then I would agree with your statement that it could be 0
5 to 1. It could also be 0 to 1 or 1 if the thresholds were
6 0 to 100.

7 BY MR. MACE:

8 Q Okay. Yeah. So let's -- if you have the '160
9 patent itself handy, let's take a look at that real quick.

10 A Yeah, I do.

11 Q Yeah, great. It's Exhibit 1001. And let's look
12 at Claim 12 real quick. This is the only claimant's
13 challenged in this IPR, the '160 IPR.

14 A All right.

15 Q Yeah. And specifically, let's take a look at the
16 limitation at the top of Column 31, the identifying
17 limitation.

18 A Yes.

19 Q Okay. So this limitation recites the identifying
20 matching context includes comparing the text
21 combinations -- sorry, let's restart.

22 It says, Identifying one or more contexts that
23 completely or partially match one or more text
24 combinations contained in the transcription. Do you see
25 that?

1 A Yes.

2 Q Okay. So a match, according to Claim 12, could
3 be either a complete match or a partial match, right?

4 A Yes, that's what the claim language says.

5 Q And so getting back to the scoring that we talked
6 about, how it could possibly be 0 or 1, for example, a
7 complete match could be a score of 1, a partial match
8 could be a score of 0, for example, right?

9 A I don't agree with that characterization.

10 Q So in your view, a partial match would have to be
11 something nonzero?

12 MR. HELGE: Object to form.

13 THE WITNESS: Again, based on the hypothetical you
14 pose, if the threshold for a perfect match was 1, and the
15 threshold for no match was 0, then I think in effect by
16 definition, 0 being no match, that in my interpretation
17 wouldn't constitute a partial match. That would
18 constitute no match.

19 BY MR. MACE:

20 Q Okay. And so, for example, if you had a
21 threshold and a partial match didn't meet that threshold,
22 giving a score of 0 would not in your opinion meet the
23 claim?

24 MR. HELGE: Object to form.

25 THE WITNESS: So I think there's a juxtaposition in

1 the way you asked the question, which is the scoring
2 process you're describing it in some respects out of
3 sequence with respect to the claim structure. The scoring
4 process is actually in the next element.

5 So in your hypothetical, I think that that's the
6 disconnect I'm having in trying to answer your question.
7 I'm seeing the scoring process really not integral or
8 intrinsic to the identifying step. The scoring process in
9 Claim 12 takes place after the identifying step.

10 BY MR. MACE:

11 Q So there could be, for example, a partial match
12 in accordance with the claim, and the score that that
13 partial match gets is separate from whether there was a
14 partial or complete match in the first place?

15 A The scoring is only performed on the identified
16 matching context, you know, be they partial or complete.

17 Q Okay. I think I understand.

18 Let's go to -- it's paragraphs 40 and 41 of your
19 '160 declaration, Exhibit 2010. We're still on page 19
20 and 20.

21 A I think I've reviewed this a number of times.
22 And in reviewing it, I wanted to amend the previous answer
23 because the disclosure clearly states that if a match is
24 not found, then the knowledge-enhanced speech recognition
25 can apply the semantic broadening.

1 So in the case of your hypothetical a few moments
2 ago where you posited that the scoring was taking place
3 earlier and had a value of 0, this disclosure clearly
4 states that if a match is not found or only a partial
5 match is found, but if a match is not found, one would
6 still subject the transcription to the semantically
7 broadened speech recognition system.

8 Q But with that semantically broadened search, that
9 could still involve both complete partial matches, right?

10 A It could.

11 Q Okay. It's fine.

12 A I'm sorry, could you reiterate that question?
13 I'm not...

14 Q Sure.

15 So you mentioned the semantically broadened
16 search. So that search could also identify both complete
17 and partial matches, right?

18 A The result of that search may yield complete or
19 partial matches, correct.

20 Q Okay. That's fine.

21 So all right. So paragraph 40 here, you have an
22 excerpt that's this blue underlining that you say the '160
23 patent added relative to the prior art Kennewick
24 reference, right?

25 A Correct.

1 Q Okay. And I want to direct your attention to
2 just a sentence in there. It says, The knowledge-enhanced
3 speech recognition may access a set of expected contexts
4 that are stored in a context stack to determine most
5 likely context. And then it says, The knowledge-enhanced
6 speech recognition may use context specific matchers that
7 are able to identify context such as time, location,
8 numbers, date, categories, e.g., music, television,
9 addresses, et cetera, and other context.

10 Do you see that?

11 A Yes.

12 Q Okay. So that sentence I just read about using
13 context specific matchers that are able to identify
14 context, that sentence just says context, right, it
15 doesn't say expected context?

16 A That's correct. That sentence does not use the
17 term expected context.

18 Q Okay. And the sentence also says, context such
19 as time, location, and so on.

20 So this sentence is just identifying examples of
21 context, right?

22 MR. HELGE: Object to form.

23 THE WITNESS: Yeah, the phrase such as posits
24 examples.

25

1 BY MR. MACE:

2 Q So, for example, could weather be another
3 context?

4 MR. HELGE: Object to form.

5 THE WITNESS: Yes, I imagine it could be.

6 BY MR. MACE:

7 Q Okay. Perfect. That's good because that's what
8 the patent says later. So, for example, a weather
9 context, it might be matched with the word temperature,
10 right?

11 MR. HELGE: Object to form.

12 THE WITNESS: Temperature may be an attribute within
13 the weather context.

14 BY MR. MACE:

15 Q Right.

16 So, for example, the word temperature might be a
17 way to match a weather context?

18 A The algorithm may yield the expected context
19 weather if the transcription contained the word
20 temperature.

21 Q Let's move on to paragraph 62. This is at pages
22 28 to 29 of your '160 declaration.

23 A Okay. I've reviewed 62.

24 Q Okay. And so at paragraph 62, you are
25 reproducing Claim 12, right?

1 A Yes.

2 Q And then paragraph 63 you say, That process of
3 Step 12B yields the, quote, identified matching contexts.
4 Which is recited in Step 12C, right?

5 A I think that the sentence is Step 12B yields the
6 identified matching context.

7 Q Right.

8 And then those -- those identified matching
9 contexts that you write here in this sentence, those
10 correspond to the identified matching contexts that are
11 recited in Step 12C, right?

12 A In Step 12C, the identified matching contexts are
13 scored.

14 Q Right.

15 And so my question is: The -- so in 12C, it
16 recites the identified matching contexts, right?

17 A Yes.

18 Q Okay. And that is referring back to the one or
19 more contexts that were completely or partially matched --
20 strike that.

21 I'll restart. So 12C says, The identified
22 matching contexts, and that is referring back to 12B and
23 the one or more contexts that were identified, right?

24 A 12C relies on the identified matching contexts
25 that are yielded by 12B.

1 Q Right.

2 And so the identified matching contexts in 12C,
3 that's referring to the one or more contexts that were
4 identified in Step 12B, right?

5 A That's my understanding.

6 Q Okay. Okay. Let's move on to paragraph 66,
7 page 30 of Exhibit 2010.

8 A Okay. I reviewed paragraph 66.

9 Q Okay. Great. And so at paragraph 66, you say,
10 At minimum, through this claimed process, the identified
11 matching contexts would in practice represent a subset of
12 expected contexts. However, this is not expressly
13 required by Claim 12. And you go on, and you say, In that
14 case every expected context could be an identified
15 matching contexts. Do you see that?

16 A Yes.

17 Q Okay. So for Claim 12, in your view, it's
18 possible that every single expected context in the context
19 stack could be an identified matching context, right?

20 A Could you repeat the question?

21 Q Sure.

22 So for Claim 12, in your view, it's possible that
23 every single expected context in the context stack could
24 be an identified matching context, right?

25 A Yes.

1 Q Okay. Let's go to paragraph -- sorry, page 45 of
2 your declaration. It's paragraphs 101, 102, matching the
3 area.

4 A 101 beginning on page 44?

5 Q Yeah, but my question is for page 45.

6 A Okay.

7 Q We're talking about the Ross reference there.

8 Okay.

9 MR. HELGE: I'm sorry, is there a question pending?
10 I'm losing track of what's going on here.

11 MR. MACE: I'm waiting for Mr. Occhiogrosso to read
12 the paragraph and confirm he's ready to proceed.

13 THE WITNESS: Oh, my god, I had done that several
14 minutes ago. I thought you were formulating the question,
15 my apologies.

16 BY MR. MACE:

17 Q Okay. Well, that's fine.

18 Okay. Well, so my questions are going to be on
19 Ross. So if you want to have that reference handy, that's
20 fine. So on page 45 you reproduce at least a portion of
21 paragraph 59 of Ross, right?

22 A Yes.

23 Q And this excerpt of Ross is referring to phrases,
24 Print this, and Print it, right?

25 A Yes.

1 Q Okay. And if you recall from Ross, it gives the
2 examples of a calendar application and email application,
3 right?

4 A I do recall that, yes.

5 Q Okay. And what Ross is talking about here is
6 about how both of those applications could completely
7 match, for example, print this. Right?

8 A Bear with me. I want to retrieve Ross.

9 Okay. I have Ross accessible.

10 Q Okay. And so in Ross, the process is describing
11 an email application and a calendar application, right?

12 A Yes.

13 Q Okay. And both of those applications are able to
14 completely match the phrase, for example, print it, right?

15 A Yes.

16 Q Okay. And Ross also gives an example that -- of
17 the phrase open the first message for the email
18 application, right? It's paragraph 42 of Ross if you want
19 to go to it.

20 A Yeah, let me get there.

21 Yes, that's correct.

22 Q So if a user said, Open the first message, Ross's
23 email application could completely match that phrase,
24 right?

25 A Yes. That's one component of the grammar.

1 Q All right.

2 A For that application.

3 Q Right.

4 And then for the calendar application, it would
5 only match the -- open the first part of that phrase,
6 right?

7 MR. HELGE: Object to form.

8 THE WITNESS: My interpretation of Ross is that it
9 would not recognize the -- if it was in the application of
10 email, it would not recognize, open the first appointment.
11 It would only recognize open the first message.

12 BY MR. MACE:

13 Q Right.

14 So there's a recognition step, right, first in
15 Ross where if a user said, Open the first message, that
16 message would -- that user's input would get transcribed
17 as open the first message, right?

18 A So open the first message or open the first
19 appointment are the results of the transcription.

20 Q Right.

21 And then Ross teaches that the results of that
22 transcription are compared against the context entries,
23 right?

24 A Ross teaches that the results of that
25 transcription are submitted to the grammar entries in the

1 ordered list. And the first one to recognize the phrase
2 is the grammar that Ross selects to proceed.

3 Q And so if the calendar application is first in
4 that list, it won't be selected because it would only
5 partially match the user's transcription, right, it would
6 only match, open the first. It won't match open the first
7 appointment. And so the search down the context list will
8 continue and completely match open the first message of
9 the email application, right?

10 MR. HELGE: Object to form.

11 THE WITNESS: Yeah, Ross selects the top priority
12 context that can process the phrase that has recognized
13 the phrase.

14 BY MR. MACE:

15 Q And that recognition is a result of completely
16 matching the phrase, right?

17 A So on paragraph 53 Ross states that searching the
18 ordered list in priority order, the command will be passed
19 to the first application that has a grammar that will
20 accept the phrase. There's no mention of matching or
21 complete matching.

22 Q Okay. So in your view, this -- accepting that's
23 discussed in paragraph 53 is something other than
24 matching?

25 A I can't say other than. It's -- it's just that

1 you use -- in your question, you used the term a complete
2 match. And I'm saying there's sufficient -- I'll say
3 ambiguity or maybe flexibility is a different way to look
4 at it. If the grammar will accept the phrase, whether
5 it's a complete match or not, then that would be the
6 grammar that Ross would select.

7 Q Oh, okay. I think I understand.

8 Okay. Last couple of questions and then we can
9 take a break, and then we can move on to the other
10 proceeding. Let's go to page 47 of your Exhibit 2013,
11 paragraph 105.

12 (Indiscernible utterance.)

13 MR. HELGE: I'm sorry, Andrew, I think we missed what
14 you just said there a moment ago.

15 BY MR. MACE:

16 Q Oh, let me know when you're there, please.

17 A Sure. I'm just referring to paragraph 53 which
18 is referenced in the paragraph, and I may also take a look
19 at petition, page 40.

20 I think I've reviewed the supporting materials
21 for that paragraph.

22 Q Great. So at the top of page 47, you say, The
23 context list maintained in Ross is just an ordered list of
24 grammars for speech-enabled applications. Do you see
25 that?

1 A Yes.

2 Q Okay. Can you turn with me to paragraph 60 of
3 Ross? Let me know when you're ready.

4 A Okay. I've reviewed 60.

5 Q Okay. And so Ross at paragraph 60 says, In other
6 embodiments context 70 may include another type of
7 grammar, list of key words or phrases, past list of words,
8 or other suitable approaches to allow identification of a
9 phrase as acceptable to a speech-enabled application 26.
10 Do you see that?

11 A Yes.

12 Q Okay. So in Ross, a context can include, for
13 example, lists of key words or phrases, right?

14 A Yeah, I've read the sentence literally, and
15 that's what the sentence says. The context may include
16 going to that second list of key words.

17 Q Okay. Great. Let's see, we've been going about
18 an hour. So we can take a break.

19 Go off the record.

20 (Recess taken.)

21 BY MR. MACE:

22 Q Welcome back, Mr. Occhiogrosso.

23 A Thank you.

24 Q Let's turn to the '652 IPR now. And if you have
25 your Exhibit 2013 handy.

1 A Which is my declaration.

2 Okay. I have it.

3 Q All right. Let's go again, to paragraph 29 of
4 your declaration which is discussing a person of ordinary
5 skill in the art.

6 A Sorry, you said paragraph 29, not page 29?

7 Q Paragraph 29, page 15.

8 A Thank you.

9 Okay. I've reviewed it.

10 Q Okay. Paragraph 29 is discussing Mr. Schmandt's
11 formulation of a person of ordinary skill in the art,
12 right?

13 A Correct.

14 Q Okay. And I just want to confirm that you agree
15 with Mr. Schmandt's formulation, right?

16 A Yes, I do.

17 Q Great. Let's go to paragraph 63, page 31.

18 A All right. I've reviewed it.

19 Q Okay. And again, just want to confirm that it's
20 your opinion that in the '652 patent, synchronization of
21 two context stacks requires not only identical context
22 entries but also identical orders of those context entries
23 in the context stack; is that correct?

24 A That's my opinion, yes.

25 Q Let's go to the next page, paragraph 66.

1 THE STENOGRAPHIC REPORTER: Sorry, I just want to make
2 sure Ben's camera didn't freeze or something.

3 MR. MACE: He's just looking down I think. I can see
4 him looking.

5 THE WITNESS: Oh.

6 (Indiscernible utterance) I'm just going to pull
7 Coffman.

8 THE STENOGRAPHIC REPORTER: I'm sorry, I didn't hear
9 that, Ben. Could you repeat that?

10 THE WITNESS: Yes. I said I'm just going to pull
11 Coffman.

12 MR. HELGE: Christa, just for reference, Coffman is
13 C-o-f-f-m-a-n.

14 THE STENOGRAPHIC REPORTER: Thank you.

15 BY MR. MACE:

16 Q Please let me know whenever you're ready.

17 A Will do.

18 All right, I think I've sufficiently reviewed
19 that passage and the supporting Coffman information.

20 Q Okay. Great. So at the bottom of page 32 of
21 your declaration, you say that, Coffman's use of the term
22 proposed rather than required illustrates that Coffman
23 does not even require any synchronization of individual
24 context items, much less synchronization of the context
25 stack.

1 Do you see that?

2 A Yes.

3 Q Okay. And now, my question's going to be on
4 Claim 1 of the '652 patent, so you can pull that up if you
5 want. It's Exhibit 1001. And just let me know when
6 you're ready, please.

7 A Okay. I've got Claim 1 of the '652 available.

8 Q And so Claim 1 of the '652 patent does not
9 specify what triggers synchronization?

10 A Could you repeat your question?

11 Q Sure.

12 Claim 1 of the '652 patent does not specify what
13 triggers synchronization, correct?

14 A The physical process or element states that the
15 processes are programmed with one or more computer program
16 instructions which when execute -- executed, excuse me,
17 caused one or more physical processes to synchronize as
18 the second step of that element.

19 Q Right.

20 And so Claim 1 doesn't specify any particular
21 event or trigger that causes synchronization, right?

22 A I don't see any particular event or trigger.

23 Q Okay. All right. Let's move on.

24 Let's go to paragraph -- back to your
25 declaration, Exhibit 2013, paragraph 85. Which is

1 page 40.

2 A Okay.

3 Q Okay. So in paragraph 85 of your declaration, in
4 the middle of that paragraph, you say, Coffman's CVM and
5 backend operations are hidden from the conversationally
6 aware applications and do not select another application
7 to carry out the operation requested by the user's speech.
8 Do you see that?

9 A Yes.

10 Q Okay. So I just want to get your understanding
11 of what you mean by hidden there.

12 So you're not saying that the conversationally
13 aware applications are totally unaware of the existence of
14 the CVM and backend operations, right?

15 MR. HELGE: Object to form.

16 THE WITNESS: The interaction between the
17 conversationally aware applications and the system are
18 governed by a protocol, the conversational APIs. What's
19 on the other end of that protocol, the whole intent of
20 Coffman is to make that completely oblivious to the user.
21 The user simply knows by issuing this portion of the API
22 protocol, it might anticipate any number of responses.

23 But the whole intent of Coffman is to, in effect,
24 mask all the underlying infrastructure, the CVM, the
25 kernel, the backend applications. It's a typical proxy

1 arrangement.

2 BY MR. MACE:

3 Q Okay. Perfect. Okay. So let's move on to
4 page 47 of your declaration, paragraph 97.

5 A Okay. I think I've reviewed the supporting
6 materials for paragraph 97.

7 Q So for the last seconds of paragraph 97, you
8 write, This opinion is also supported by Coffman's
9 disclosure regarding Figure 4. Which states that quote,
10 Instructions/Commands that are initiated by the user are
11 explicitly sent to the background of the system, end
12 quote.

13 And you emphasize sent to the background. Do you
14 see that?

15 A Yes.

16 Q Okay. I just want to get your understanding of
17 what the term background means in that sentence?

18 A The background, in my opinion, is the CVM kernel,
19 and all of its supporting engines.

20 Q Okay. And so sort of putting aside Coffman, I
21 assume you've, for example, used command line interface of
22 a computing system before?

23 A Surely.

24 Q Okay. And how do you describe a command line
25 interface? Just generally.

1 A Primitive set of commands, elemental commands.

2 THE STENOGRAPHIC REPORTER: I'm sorry, you said
3 command light interface? I didn't hear that.

4 THE WITNESS: I'll qualify it for you, but this
5 portion is not on the record. Is command line, l-i-n-e,
6 interface.

7 THE STENOGRAPHIC REPORTER: Okay. Thank you. And I
8 believe I interrupted your answer. Please go ahead with
9 your answer again.

10 THE WITNESS: Well, I don't know if I'm going to
11 repeat myself. Maybe if Mr. Mace wants to reiterate the
12 question or have my previous answer read back, I can
13 amplify it if counsel feels that's necessary.

14 MR. MACE: I'll just ask another question. It's fine.
15 BY MR. MACE:

16 Q So command line interface, generally speaking, is
17 a text-based interface for a user to interact with a
18 computer system, right?

19 A I would say that's a fair summarization of it,
20 yes.

21 Q Okay. And so through the command line interface,
22 a user can enter a command to invoke an application,
23 right?

24 MR. HELGE: Object to form.

25 THE WITNESS: Typically, utilities.

1 BY MR. MACE:

2 Q Okay. And once that utility application, for
3 example, is invoked, the user typically would not be able
4 to enter another command until that application completed
5 processing and returned control to the interface, right?

6 MR. HELGE: Object to form.

7 THE WITNESS: Yeah, I would say that's a typical
8 implementation.

9 BY MR. MACE:

10 Q Okay. And are you familiar, for example, with
11 the ability to, when a user enters a command through the
12 command line interface, to specify that they want that
13 command to be run in the background, have you ever done
14 anything like that?

15 A Yeah, I have. Okay. So the question was, am I
16 familiar with that? Yes?

17 Q Okay. And so when a command is entered that way,
18 the user will be able to immediately enter another command
19 while that previous command is running in the background,
20 right?

21 A Yes. Within the CLI, my recollection is that's
22 correct.

23 Q Okay. Perfect. And so as another example, I
24 mean, obviously, you've used Windows before, right?

25 A Sure.

1 Q And Windows is an example of a graphical user
2 interface that can simultaneously run multiple graphical
3 applications?

4 A Correct.

5 Q Okay. And the one that -- a user can interact
6 with a specific application, and the application that they
7 are interfacing with can be said to be running in the
8 foreground, right?

9 A The one that the user is interacting with in real
10 time at the present would be characterized as foreground,
11 yes.

12 Q And other applications that the user might have
13 opened could be characterized as running in the background
14 while the user is interacting with that foreground
15 application, right?

16 A Applications and tasks and processes. Could be
17 more primitive than applications. But yes.

18 Q Okay. Let's go to page 48 of your declaration,
19 paragraph 99.

20 A Okay. I've reviewed it.

21 Q Okay. And you start paragraph 99 by saying, As
22 noted above, Coffman's conversationally aware applications
23 are merely gateways to use the system providing an
24 interface UI for a user to provide the speech-based
25 content for a given conversationally aware application to

1 interact with users.

2 Do you see that?

3 A Yes.

4 Q Okay. Just want to get your understanding of
5 what do you mean by the word gateway?

6 A What I mean by the term gateway is a process that
7 will speak multiple protocols on the front end side of the
8 gateway. If I could extrapolate to a human interaction,
9 maybe the gateways is speaking French, and on the back
10 end, perhaps the gateway is speaking English. In computer
11 terminology, it's a set of protocols.

12 So there's one protocol on the front end to the
13 gateway, and there's another protocol operating on the
14 back end of the gateway.

15 Q And so my question about this gateway is sort of
16 getting at Coffman Figure 1 if you want to bring it up.
17 It's page 70 of Exhibit 1003.

18 A Yes, I am there.

19 Q Perfect. Okay. So Figure 1 of Coffman shows
20 both a conversational UI, 10, and conversationally aware
21 applications, 11. Do you see that?

22 A Yes, I see that.

23 Q Okay. And so I just want to get your
24 understanding of what the difference is between
25 conversationally aware applications and the conversational

1 UI interface.

2 A Well, the user interface, which Coffman here
3 indicates could be a voice user interface or a graphical
4 user interface, is the method in which the user invokes
5 the conversationally aware application.

6 Q And once the user invokes the conversationally
7 aware application, via the conversational UI, what -- does
8 the conversational UI have a further role?

9 A Yes. In other words, it would have the modality
10 within which the user is interacting with the application.

11 Q Okay. Different subject now. When you were
12 reviewing Coffman, in the context of Coffman, did you come
13 to an understanding of what a, quote, Stand-Alone
14 conversationally aware application is?

15 A I don't recall at this juncture. Is that in my
16 declaration somewhere or in Coffman? I just don't recall.

17 Q It's in Coffman.

18 I haven't gone through all your cites to Coffman
19 to see if it's cited. I was just curious to see if you
20 had an understanding of it.

21 Okay. Let's go to -- so I guess sitting here
22 right now, you don't. You just -- you can't recall?

23 A Yeah, that's my answer. I just don't recall.

24 Q Okay. Okay. I think we're almost there.

25 Let's go to paragraph 111, page 53 of your

1 declaration.

2 A Okay. I've reviewed 111.

3 Q So at paragraph 111, you say, A POSITA would
4 understand that a user initiates interaction with a
5 conversationally aware application in Coffman, and that a
6 conversationally aware application is neither selected or
7 later invoked based on the determined meaning of an
8 utterance. Moreover, generating a response to the command
9 or request does not occur within Coffman's
10 conversationally aware application.

11 Do you see that?

12 A Yes.

13 Q Okay. So just want to get an understanding. In
14 your view, what processing, if any, does a
15 conversationally aware application in Coffman carry out
16 based on user input?

17 A The processing that the conversationally aware
18 application carries out is to utilize the conversational
19 API, which communicates to the CVM and then passes that
20 input to the CVM.

21 Q And so a conversationally aware application just
22 acts as a pass-through between the conversational UI and
23 underlying CVM system, is that all it does?

24 A Well, maybe I need to have the original question
25 reread, if you'd be so kind.

1 Q Sure. Yeah.

2 In your review what processing, if any, does a
3 conversationally aware application in Coffman carry out
4 based on user input?

5 A Yeah. So my understanding is that the
6 conversationally aware application would utilize the
7 application programming interface to communicate with the
8 CVM for other processing.

9 Q Would it do anything else?

10 A Well, again, it provides the interface to the --
11 provides the user interface to the user. That's the way
12 the user experiences Coffman through the
13 conversationally -- through the user interface and
14 whatever conversationally aware application the user has
15 invoked or selected.

16 Q Okay. So, for example, let's say I have a
17 conversationally aware email application on my device, and
18 I say, do I have new email messages. What role, if any,
19 would the conversationally aware email application play in
20 processing and responding to that input, do I have new
21 email messages?

22 MR. HELGE: Object to form.

23 THE WITNESS: In my opinion, the conversationally
24 aware application recognizes -- bad choice of words.
25 Determines that the user is speaking and would pass API

1 commands to the CVM to, in effect, enlist the assistance
2 of the speech recognizer engine.

3 BY MR. MACE:

4 Q Gotcha.

5 And in terms of actually responding to the
6 substance of the user's input, do I have new email
7 messages, would the email application play a role in that,
8 checking if I have five new messages providing that
9 information?

10 MR. HELGE: Object to form.

11 THE WITNESS: Through the CVM, one would contact the
12 so-called backend applications to determine let's say
13 within the user's inbox an email if there was in fact a
14 message, and then based on the findings -- this is my
15 interpretation. Based on the findings of that process
16 would be back to the conversationally aware application,
17 the answer to that question.

18 BY MR. MACE:

19 Q So, for example, let's say I have a
20 conversationally aware spreadsheet application and I say
21 what's the value of the cell at Column A, Row 1, what part
22 of Coffman's system would handle actually looking up that
23 value?

24 A So can you repeat the question?

25 Q Sure.

1 Let's say I have a conversationally aware
2 spreadsheet application on my device and I say what's the
3 value of the cell in Column A, Row 1, what part of
4 Coffman's system would handle actually looking up that
5 value?

6 MR. HELGE: Object to form.

7 THE WITNESS: So in that scenario that you posited,
8 the developer would rely on the API and the CVM to access
9 databases, spreadsheets that are maintained on behalf of
10 that user for the application in order to generate a
11 verbal response.

12 BY MR. MACE:

13 Q So just putting aside the verbal response part,
14 though, what part of Coffman's system would actually look
15 up the value of a particular cell in the spreadsheet file,
16 would it be the conversationally aware spreadsheet
17 application or something else?

18 MR. HELGE: Object to form.

19 THE WITNESS: I think once the speech recognition
20 engine that the CVM accesses determines that it is that
21 particular spreadsheet and that particular cell, then the
22 spreadsheet application would access the spreadsheet and
23 the cell and again, using the API and the CVM and its
24 resources, would create the verbal response.

25

1 BY MR. MACE:

2 Q Okay. All right. Last couple of questions here,
3 I think. Unless you need to take a break now. But would
4 just be a couple of minutes if that works for you.

5 So I looked through your CV, and maybe I missed
6 it because at its pretty long CV. I was wondering if
7 you've ever written a graphical user interface based
8 Windows software application, like a Win32 application or
9 NFC application, something like that, if you know what I'm
10 talking about?

11 A No, I have not. I've written applications years
12 ago, but I haven't written applications in the Windows
13 environment.

14 Q Are you familiar with how, for example, a key
15 press would get input to the system and eventually find
16 its way to the appropriate application in a Windows
17 environment?

18 A I mean, the answer is offhand no. Depending upon
19 which Windows version. But a key press would be stored
20 traditionally in any interactive application in a buffer.
21 And when they -- the actual key press depending upon what
22 state the application is running may result in passing
23 through, or it may be accumulated in the buffer awaiting,
24 in effect, a higher order of command, like enter. Depends
25 really on what state the application is running. Not

1 every key press gets immediately passed through.

2 Q Okay. And do you have any familiarity with
3 keyboard drivers and operating systems and how key press
4 input works its way, you know, from the operating system
5 and to the --

6 A Back -- back in the day, I certainly did.

7 Q Okay. For a Windows application, for a graphical
8 user interface?

9 A I don't know if it was Windows, but certainly we
10 would extract from whether it was a pointer or keyboard or
11 keypad entry, the necessary information that would be
12 passed to the application.

13 Q Gotcha.

14 So I guess my question is a key press doesn't go
15 directly from, you know, the keyboard to an application.
16 It obviously passes through the keyboard, driver and
17 operating system, and then the operating system determines
18 where to send that key press information to, right?

19 A The OS would act as an intermediary, but
20 ultimately, the application determines if the key press
21 results in the execution of a function.

22 Q Sure.

23 Okay. Well, that's all I have. So I don't need
24 to take a break or anything. Thank you so much for your
25 time today.

1 I'll pass the witness.

2 MR. HELGE: Andrew, why don't we take maybe a five --
3 or, Ben, if it's all right, five-minute break.

4 THE WITNESS: Sure.

5 MR. HELGE: And come back on the record.

6 THE WITNESS: That's fine.

7 (Recess taken.)

8 MR. HELGE: So on behalf of Dialect, we have no
9 redirect for the witness.

10 So I think -- Mr. Occhiogrosso, I think your
11 today is done.

12 THE WITNESS: Understood.

13 Thank you, all.

14 MR. MACE: Thank you so much.

15 MR. HELGE: And, Andrew, just like to reserve the
16 right for the witness to review and sign the transcript.

17 MR. MACE: Of course.

18 MR. HELGE: We could talk about that off-line
19 afterwards.

20 (WHEREUPON THE DEPOSITION WAS

21 CONCLUDED AT 11:14 A.M.)

22

23

24

25

1 Please be advised I have read the
2 foregoing deposition, pages 1 through
42, inclusive.

3 I hereby state there are:

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(Check one) _____ no corrections

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Case Title: GOOGLE V. DIALECT
Date of Deposition: APRIL 9, 2025

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CERTIFICATE OF SHORTHAND REPORTER/STENOGRAPHER

I, Christa Yan, Certified Shorthand/Stenographic Reporter within and for the State of California do hereby certify:

That Benedict Occhiogrosso, the Witness whose deposition is hereinbefore set forth, was duly sworn by me before the commencement of such deposition and that such deposition was taken before me and is a true record of the testimony given by such witness.

I further certify that both parties were represented by counsel at the deposition.

I further certify that the deposition of Benedict Occhiogrosso occurred remotely on April 9, 2025, commencing at 9:00 a.m. to 11:14 a.m.

I further certify that I am not related to any of the parties to this action by blood or marriage, I am not employed by or an attorney to any of the parties to this action, and that I am in no way interested, financially or otherwise, in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of April 2025.



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IN AND FOR THE STATE OF CALIFORNIA

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2 foregoing deposition, pages 1 through
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3 I hereby state there are:

4
5
6 (Check one) _____ no corrections
7 ✓ corrections per attached
8

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11 BENEDICT OCCHIOGROSSO
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WITNESS'S CHANGES OR CORRECTIONS

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Deposition of: BENEDICT OCCHIOGROSSO
Case Title: GOOGLE V. DIALECT
Date of Deposition: APRIL 9, 2025

I, Benedict Occhiogrosso have

the following corrections to make to my deposition:

Page Line Change/Add/Delete

13	23	ADD QUOTATION MARKS: such as → "such as" (for clarity)
31	9	CHANGE: gateways → gateway (Singular) - for grammar