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Transcript of Stanley McClellan, Ph.D.

Date: August 7, 2025

Case: T-Mobile USA, Inc., et al. -v- Headwater Partners II LLC (PTAB)

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

IPR2024-01468
Headwater Partners II LLC, Ex. 2014

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

T-MOBILE USA, INC., AT&T)
SERVICES, INC., CELLCO)
PARTNERSHIP D/B/A VERIZON)
WIRELESS, ERICSSON INC.,)
AND NOKIA OF AMERICA)
CORPORATION,)
)
Petitioners,) Patent No. 9,094,868
)
-vs-) Case No. IPR2024-01468
)
HEADWATER PARTNERS II LLC,)
)
Patent Owner.)

DEPOSITION OF STANLEY MCCLELLAN, PHD
VIA VIDEOCONFERENCE
Thursday, August 7, 2025
9:03 a.m. Eastern Time
Job No.: 595363
Pages: 1 - 36
Stenographically reported by:
Lindsay DeWaide, RMR, CRR, CSR

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AND NOKIA OF AMERICA	)	
CORPORATION,	)	
	)	
Petitioners,	)	Patent No. 9,094,868
	)	
-vs-	)	Case No. IPR2024-01468
	)	
HEADWATER PARTNERS II LLC,	)	
	)	
Patent Owner.	)	

Deposition of STANLEY MCCLELLAN,
PHD, taken at the instance of the Patent
Owner, pursuant to the Code of Federal
Regulations, pursuant to Notice, before
Lindsay DeWaide, Registered Merit
Reporter, Certified Realtime Reporter,
and California Certified Shorthand
Reporter No. 14777, via remote
videoconference, on the 7th day of
August, 2025, commencing at 9:03 a.m.
Eastern Time and concluding at 9:59 a.m.
Eastern Time.

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E X A M I N A T I O N

PAGE

BY MR. MILKEY

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E X H I B I T S

(No exhibits were marked.)

1 VIA VIDEOCONFERENCE; THURSDAY, AUGUST 7, 2025

2 9:03 A.M. EASTERN TIME

3 * * *

4 STANLEY MCCLELLAN, PHD, called as a
5 witness herein, having been first duly
6 sworn on oath, was examined and testified
7 as follows:

8 E X A M I N A T I O N

9 BY MR. MILKEY:

10 Q. Good morning, Dr. McClellan. Could you
11 please state your full name for the record.

12 A. Good morning. My name is Stanley Archer
13 McClellan.

14 Q. And do you understand that you're testifying
15 here today on behalf of a petitioner challenging U.S.
16 Patent No. 9,094,868?

17 A. Yes.

18 Q. And is it your understanding -- or strike
19 that.

20 You submitted a declaration in this
21 proceeding; correct?

22 A. Yes.

23 Q. What did you do to prepare that declaration?

24 A. Well, to prepare the declaration, I edited
25 the document, did some research, edited the document,

1 provided content, structured the content, collaborated
2 with the legal team in finalizing the document.

3 Q. Okay. Approximately how long did you spend
4 preparing the declaration that you submitted in this
5 proceeding?

6 A. I don't know. I don't know how many -- you
7 mean how many hours were spent? How many hours were
8 spent -- how many hours of my time were spent doing
9 that? I'd have to estimate that. Probably maybe 20.
10 I don't know.

11 Q. Okay. And did you do anything to prepare for
12 today's deposition?

13 A. Yes. Had a meeting yesterday with counsel
14 and read through several of the documents that are
15 associated with the proceeding.

16 Q. Okay. And approximately how long did you
17 spend preparing for today's deposition?

18 A. Maybe two hours meeting with counsel and
19 another two or three hours reading the documents.

20 Q. And do you have a copy of any of the
21 materials in this proceeding?

22 A. I have -- over here, I have hard copies of
23 some patents, of the declaration, of the patent owner's
24 response, and the PTAB document, and the declaration,
25 and so on.

1 MR. MILKEY: Okay. I am going to upload into
2 the chat a few of the documents that we may be
3 discussing today for the benefit of the reporter.
4 These are all premarked exhibits that are already
5 admitted in the proceeding, so no need to attach them
6 to the transcript.

7 So I'm attaching Exhibit 101, which is the
8 '868 patent; I'm attaching Exhibit 1004, which is the
9 Jarvinen reference; and I'm attaching Exhibit 1012,
10 which is the declaration that you submitted in this
11 proceeding.

12 MS. LUCIER: And do you want him to download
13 those?

14 MR. MILKEY: He can either download them, or
15 if he has clean copies of the materials, he can refer
16 to those. I just want to make sure that everyone has
17 access to them.

18 THE WITNESS: I have hard copies of those
19 here.

20 BY MR. MILKEY:

21 Q. Okay. So feel free to refer to either the
22 hard or the electronic copies.

23 So I want to ask you about Claim 7 of the
24 '868 patent. And your analysis of Claim 7 begins on
25 page 67 of your declaration, Exhibit 1012, on paragraph

1 92.

2 And I just want to give you some time to
3 orient yourself to Claim 7, so if you could let me know
4 when you're ready.

5 A. Okay.

6 Q. Okay. And do you see that Claim 7 refers to
7 a link quality positioning information?

8 A. Yes.

9 Q. What is your understanding of what that
10 recited "link quality positioning information" means in
11 Claim 7?

12 A. Well, from the -- from the declaration,
13 paragraph 92, it says that Jarvinen discloses link
14 quality positioning information, which includes at
15 least one of the determined plurality of link qualities
16 (transmission properties), the stored information, the
17 estimated future positioning, or the estimated future
18 link quality.

19 Q. Okay. So is it your opinion that, for
20 example, one of the determined plurality of link
21 qualities would itself qualify as "a link quality
22 positioning information" of Claim 7?

23 MS. LUCIER: Object to the form.

24 THE WITNESS: Well, the link quality
25 positioning information, which Jarvinen says is stored

1 in the database, includes at least one of plurality of
2 link qualities, stored information, estimated future
3 positioning, estimated future link quality.

4 BY MR. MILKEY:

5 Q. Okay. So what is the link quality
6 positioning information that you're pointing to
7 specifically for this limitation?

8 MS. LUCIER: Object to the form.

9 THE WITNESS: I'm not exactly sure -- it
10 seems to me like I've already answered that. I'm not
11 exactly sure what you're asking.

12 The link quality positioning information is
13 stored in the database, according to Jarvinen, and
14 includes at least one of those several things that I
15 described previously.

16 BY MR. MILKEY:

17 Q. Okay. So you said that a link quality
18 positioning information is stored in the database.

19 I understand that you're saying that -- what
20 is required by the claims stored in the database, but
21 what exactly in Jarvinen is stored in the database that
22 you are contending satisfies "a link quality
23 positioning information"?

24 A. At least one of the plurality of link
25 qualities or transmission properties, the estimated

1 future positioning, or the estimated future link
2 quality, and so on, which is -- those are some of the
3 elements that are stored in the database.

4 Q. Okay. Are you pointing to anything else
5 beyond the determined plurality of link qualities, the
6 stored information, the estimated future positioning,
7 or the estimated future link quality as constituting "a
8 link quality positioning information" corresponding to
9 Claim 7?

10 A. Well, Claim 7 also contains Claim 1, so does
11 Claim 1 talk about that? Or Claim 1 and -- Claim 7
12 depends on Claim 1, so let's look at that.

13 I'm trying to find the discussion of Claim 1
14 in the declaration so we can refer back to that because
15 it seems like -- that Claim 7 says "The method of
16 Claim 1, wherein a link quality positioning
17 information." So link quality positioning information
18 has got to be defined somehow in Claim 1, so let's look
19 at Claim 1 to see what's described there.

20 According to -- according to discussion of
21 Claim 1, for example, paragraph 55 of the declaration,
22 it talks about the positioning, which would be link
23 quality positioning information, can be met by either a
24 location or orientation of the UE orientation, bearing,
25 and transmission -- radio transmission parameters,

1 frequency, base station, bearing of the terminal, and
2 so on. So link quality positioning information
3 includes all of those things.

4 And then Claim 1 also says "storing
5 information associated with the plurality of link
6 qualities for the plurality of positionings." So
7 there's a -- there's a very tight relationship between
8 link quality and positioning.

9 So link quality positioning information would
10 be some combination of those things as described in
11 paragraph 92, where it's plurality of link qualities,
12 which means transmission properties; the other stored
13 information in the database; the estimated future
14 positioning or geographical location; or estimated
15 future link qualities.

16 Have I answered your question?

17 Q. Yeah. I'm still looking at the claim
18 language.

19 Okay. So Claim 1 recites, in part,
20 "determining a plurality of link qualities"; right?

21 A. Yeah. That's in Clause A, "determining a
22 plurality of link qualities of a user equipment for a
23 plurality of positionings."

24 Q. Okay. So in Jarvinen -- or strike that.
25 Just generally, if someone determines a

1 plurality of link qualities of a user equipment for a
2 plurality of positionings of a UE, have they determined
3 a link quality positioning information?

4 MS. LUCIER: Object to the form.

5 THE WITNESS: Well, Claim 7 says that link
6 quality positioning information includes at least one
7 of the determined plurality of link qualities, the
8 stored information, and the estimated future
9 positioning or estimated future link quality.

10 So if they've satisfied that description in
11 Claim 7, then they've determined a link quality
12 positioning information.

13 BY MR. MILKEY:

14 Q. Okay. And if one were to determine a
15 plurality of link qualities, that would be a determined
16 plurality of link qualities; correct?

17 MS. LUCIER: Object to the form.

18 THE WITNESS: Can you say that again?

19 BY MR. MILKEY:

20 Q. Yeah.

21 I'm trying to understand the correlation
22 between limitation 1A in Claim 1 and Claim 7. And
23 Claim 1 recites "determining a plurality of link
24 qualities," and then Claim 7 refers to "at least one of
25 the determined plurality of link qualities."

1 Do you see that?

2 A. Um-hum.

3 Q. Okay. And so is it your understanding that
4 "at least one of the determined plurality of link
5 qualities" in Claim 7 is referring to the plurality of
6 link qualities that are determined in limitation 1A?

7 A. Well, Claim 7 says "the method of Claim 1,"
8 so the stuff that's in Claim 7 refers back to the stuff
9 that's in Claim 1.

10 So my understanding is that when Claim 7 says
11 "includes at least one of the determined plurality of
12 link qualities," it's talking about the plurality of
13 link qualities that are described in Claim 1.

14 Q. Okay. And if someone practices the method of
15 determining -- strike that.

16 If someone practices the method that includes
17 determining a plurality of link qualities, they've
18 necessarily obtained positioning information, which
19 includes at least one of those determined plurality of
20 link qualities; correct?

21 MS. LUCIER: Object to the form.

22 THE WITNESS: I'm having trouble parsing the
23 question.

24 Can you restate it?

25

1 BY MR. MILKEY:

2 Q. Yeah.

3 Is it your opinion that by determining a
4 plurality of link qualities, that the "link quality
5 positioning information" of Claim 7 has been obtained?

6 MS. LUCIER: Object to the form.

7 THE WITNESS: Well, Claim 7 says -- Claim 7
8 is refining Claim 1, and it's saying "a link quality
9 positioning information includes at least one of the
10 determined plurality of link qualities, the stored
11 information, the estimated future positioning, or the
12 estimated future link quality."

13 So it has to include at least one of those
14 things.

15 BY MR. MILKEY:

16 Q. Yeah. And so my question is, would the link
17 quality positioning information include at least one of
18 those things if it included the determined plurality of
19 link qualities referenced in Claim 1?

20 A. Well, Claim 7 says -- Claim 7 qualifies what
21 "a link quality positioning information" means, and it
22 says it has to include at least one of the
23 determining -- determined plurality of link qualities,
24 the stored information, the estimated future
25 positioning, or the estimated future link quality.

1 So it's one of those things.

2 Q. Right. And Claim 1 recites "determining a
3 plurality of link qualities"; right?

4 A. Right.

5 Q. So if one were to practice that portion of
6 Claim 1 that recites "determining a plurality of link
7 qualities," isn't it correct that that person would
8 necessarily have practiced Claim 7, which recites
9 "wherein a link quality positioning information
10 includes at least one of," and then it lists several
11 things, including "one of the determined plurality of
12 link qualities"?

13 MS. LUCIER: Object to the form.

14 THE WITNESS: So you're saying that if I
15 practice Claim 1, I automatically practice Claim 7?

16 BY MR. MILKEY:

17 Q. I'm asking --

18 A. Is that what you're --

19 Q. I'm asking if that's your opinion.

20 A. Well, "a link quality positioning
21 information" includes at least one of those things. It
22 doesn't have to include certain ones of those things.
23 It includes at least one of those things.

24 The way I read that is that even if you
25 practice Claim 1 and you have a plurality of link

1 qualities, the link quality positioning information
2 could -- could satisfy that but doesn't necessarily
3 have to because it could include one of those other
4 things instead.

5 Q. Okay. Can you think of any scenario where
6 someone could determine a plurality of link qualities
7 but not satisfy the requirement of a link quality
8 positioning information including one of the determined
9 plurality of link qualities?

10 A. So you're asking me if -- let me make sure I
11 understand what you're asking.

12 Actually, first, let me go back to Claim 7.
13 "The method of Claim 1, wherein" -- so we've got all
14 the Claim 1 stuff, but we're saying that "a link
15 quality positioning information" includes at least one
16 of all of these several things that are listed there.

17 So "a link quality positioning information"
18 could include the estimated future link quality.
19 According to direct -- my direct read of Claim 7, "a
20 link quality positioning information" has to include
21 one of those things that are stated in Claim 7. And
22 one of those things that's stated in Claim 7 is the
23 estimated future link quality.

24 So if I had the estimated future link
25 quality, that seems to satisfy Claim 7.

1 Q. Understood.

2 So Claim 7 recites four different things that
3 the link quality positioning information can include;
4 right? It says it can include at least one of the
5 determined plurality of link qualities, the stored
6 information, the estimated future positioning, or the
7 estimated future link quality.

8 And is it your understanding that as long as
9 the link quality positioning information includes at
10 least one of those four things, that the additional
11 requirement of Claim 7 has been satisfied?

12 A. Well, I'm not a lawyer, so I don't know what
13 specific meanings or certain meanings or restricted
14 meanings are ascribed to a lot of these words or
15 structures of these claim terms. So I'm just giving
16 you my understanding from a technical perspective, and
17 I'm doing the best I can to parse this language, which
18 is a little bit weird.

19 But it talks about -- Claim 7 talks about a
20 link quality positioning information that has to
21 include at least one of, and it lists all those things.

22 So it seems to me -- unless there's some
23 different interpretation of how this is structured
24 legally, it seems to me that if you have one of those
25 things that are listed, then you have "a link quality

1 positioning information."

2 Did I address your question?

3 Q. Yeah. I think so.

4 A. Okay. So my -- just to go back on this a
5 little bit, my confusion with the wording of Claim 7
6 is -- right now is whether the "at least one of"
7 applies only to the determined plurality of link
8 qualities or to all of those things; right?

9 So one way to interpret that would be to say
10 the link quality positioning information includes at
11 least one of, and one of those things is to determine
12 plurality.

13 Another way to interpret that -- you know,
14 one of those things is the determined plurality,
15 another is the information and the future positioning,
16 and then the estimated -- there's four things there.

17 Another way to interpret the "at least one
18 of" is at least one of the plurality.

19 Q. I see.

20 A. So you understand what I'm saying? The
21 parsing of the language there may have -- you know, in
22 legal terms, the parsing of that language may have a
23 certain structure, and as a nonlegal person looking at
24 that, I find it a little bit confusing.

25 Q. I see. As a lawyer, I have a view on this.

1 I don't think it's helpful to go into that and sort of
2 try to influence your testimony, but I do understand
3 the confusion in that regard. So thank you for that
4 clarification.

5 Okay. If we could turn to your analysis for
6 Claim 11. And this is on page 71 of your declaration,
7 paragraph 96.

8 A. Okay.

9 Q. Okay. And then Claim 11 recites, in part,
10 "The method of Claim 7, further comprising determining
11 a UE environment information"; correct?

12 A. Yes.

13 Q. And what in your analysis in paragraph 96 of
14 your declaration are you identifying as the claimed UE
15 environment information?

16 A. Well, it says -- paragraph 96 says,
17 determining UE environment information, wherein a
18 portion of the link quality positioning information is
19 based on the UE environment information.

20 And then it describes, for example, things
21 that are part of the UE environment information which
22 are taken from the database, which is changes in the
23 radio environments based on location, changes in the
24 radio environment based on obstructions, changes in the
25 transmission properties based on transmission

1 conditions, such as season of the year, weather,
2 traffic, et cetera.

3 So a portion of the link quality positioning
4 information is based on the UE environment, and the UE
5 environment includes, for example, those things.

6 Q. Okay. In the context of the method of
7 Claim 11, would UE environment information be processed
8 as data?

9 MS. LUCIER: Object to the form.

10 THE WITNESS: I'm not sure I understand the
11 question.

12 Claim 11 sets up the subsequent Claims 12,
13 13, 14, and so on to define what UE environment
14 information is. So the UE environment information
15 that's talked about in Claim 11 is kind of described or
16 examples are given -- given of it in subsequent claims.

17 So we can read Claim 12, where UE environment
18 information is associated with this thing, and
19 Claim 13, where UE environment information -- UE
20 environment information is information associated with.
21 Right?

22 BY MR. MILKEY:

23 Q. Okay. So season of the year, for example, is
24 knowable by looking at the calendar; correct?

25 A. You're talking about the quote from Jarvinen

1 in paragraph 96, where it talks about several
2 factors --

3 Q. Correct.

4 A. -- and such factors include season of the
5 year?

6 Q. Correct.

7 A. Well, season of the year is based on -- no,
8 you can't -- you can partially determine season of the
9 year by looking at the calendar, but the seasons -- the
10 actual seasons may not be the same from year to year
11 based on what the calendar date is.

12 Q. Okay. Where does Jarvinen state that it
13 actually considers season of the year in processing any
14 link quality information?

15 A. Where? It must be paragraph 58 or 59. I'd
16 have to look specifically in Jarvinen to find which
17 paragraph talks about that.

18 But the paragraph that's referenced here in
19 my paragraph 96 is -- well, there's 39, 62, 58-59. So
20 those are probably the paragraphs in Jarvinen that
21 are -- that you're asking about.

22 Q. Okay. So you have a quote from paragraph 62
23 of Jarvinen; correct?

24 A. Yes.

25 Q. Okay. And this quote that you have from

1 paragraph 62 of Jarvinen states that season of the year
2 "may affect the actual transmission properties with
3 given transmission conditions"; right?

4 A. Yeah. Season of the year is one of the
5 factors that may affect the transmission properties.

6 Q. Okay. Does this quote from paragraph 62 of
7 Jarvinen state that Jarvinen's system actually
8 considers season of the year in doing its processing,
9 or does it just state that season of the year may
10 influence the measured properties?

11 A. Well, Jarvinen says several factors may
12 affect the transmission properties, such as season of
13 the year.

14 Q. Okay. Do you have any opinion that that
15 quoted material of paragraph 62 states that Jarvinen
16 actually considers what the season of the year is in
17 doing any calculations?

18 A. I'm going to have to look in Jarvinen at
19 those paragraphs to see if it -- to answer your
20 question. I don't know. Let me look.

21 Q. Okay.

22 A. So you're asking me if Jarvinen does any
23 computations on season of the year?

24 Q. Correct.

25 A. Well, in paragraph 39, it talks about -- in

1 paragraph 39 of Jarvinen, it says the database is
2 updated with new data to adapt to changes in the radio
3 environment; right? And one of those factors that
4 could affect it is season of the year.

5 Further down in paragraph 39, it says it may
6 update the database with new values or new conditions,
7 and those property values may be averaged.

8 So averaging is a computation that uses those
9 property values that are stored in the database. So if
10 you're asking me if Jarvinen discloses computing using
11 season of the year, that seems to be included there.

12 And then it goes on to -- paragraph 39 also
13 goes on to describe the averaging window and how that
14 affects that calculation. It's clear here that
15 Jarvinen is talking about a moving average, and a
16 moving average keeps older values from having a
17 significant effect on the newer values.

18 Q. Okay. So it's talking about a moving
19 average, you said. It's a moving average of what?

20 A. Of any of those properties. Right?
21 Paragraph 39 talks about given transmission property
22 values may be averaged. So any of those transmission
23 property values may be averaged because they change
24 with time.

25 Q. Okay. And what transmission property values

1 are you referring to?

2 A. Well, Jarvinen 39 says given transmission
3 property values. So it's referring to the values that
4 are written into the database. Right?

5 In paragraph 39, it talks about the database
6 being updated constantly with new data to adapt to
7 changes in the radio environment related to different
8 geographical locations and so on. It gives an example
9 of received signal strength and other communication
10 quality metrics of signals being written into the
11 database, as well as other values being written into
12 the database.

13 So those are the given transmission property
14 values that can be averaged.

15 Q. Okay. Is season of the year a received
16 signal strength value?

17 A. No.

18 Q. Okay. Does Jarvinen need to know anything
19 about the season of the year in order to measure
20 received signal strength?

21 A. No. Received signal strength is a -- is a
22 measurement that's -- the -- the measurement may in
23 some sense be dependent on the season of the year, but
24 generally, you don't consider the season of the year
25 when you're measuring that.

1 Q. Okay. And would the received signal
2 strength -- or strike that.

3 Does Jarvinen need to know anything about the
4 weather in order to measure received signal strength?

5 A. Jarvinen leaves that door open, right, when
6 it says, can constantly monitor received signal
7 strength and/or other communication quality metrics.

8 So weather can be considered in there for
9 communication quality metrics because it's widely known
10 that different types of signals propagate differently
11 based on different weather conditions.

12 Q. Okay. How does Jarvinen's system determine
13 what the weather is?

14 A. Jarvinen's system doesn't determine what the
15 weather is. It just says that the database may contain
16 all of these different types of communication quality
17 metrics. And then arbitrary calculations, such as
18 averaging, can be used with those communication quality
19 metrics. There may be other things in different
20 programs.

21 Q. Okay.

22 A. For example, if we look in 62, it says
23 communication quality indicator, getting back to
24 paragraph 39, can be a power level. It can weight
25 those power levels as another type of calculation.

1 Several factors may affect the transmission, such as
2 season of the year, weather, traffic, et cetera.

3 Q. Okay. And so Jarvinen doesn't need to know
4 what the season of the year is in order to measure a
5 received power level; correct?

6 A. Jarvinen can measure received power without
7 knowing what the season of the year is. Jarvinen can
8 also use information related to the season of the year
9 in conjunction with received power to make different
10 conclusions about the channel characteristics.

11 Q. Okay. And does Jarvinen disclose making use
12 of season of the year in conjunction with received
13 power level to make conclusions about the channel
14 characteristics?

15 A. Well, paragraph 39 -- paragraph 39 talks
16 about data that's being written into the database and
17 then calculations that are being made using data that's
18 in the database or calculations that are being made
19 before putting data in the database.

20 And paragraph 62 talks about external factors
21 that can affect transmission properties, and those
22 factors include season of the year, weather, traffic.
23 So Jarvinen is talking generally about factors that --
24 that affect or that influence transmission properties.

25 Q. Okay. Where does Jarvinen talk about

1 measuring or evaluating the factors that may affect the
2 actual transmission properties separate from measuring
3 the transmission properties themselves?

4 A. I'm not sure I understand your question.
5 Factors that affect the measurements are not measured.
6 The measurement is the thing that's measured. The
7 factors that affect the measurement are things that
8 change how the measurement can be interpreted.

9 Q. Okay. Where does Jarvinen disclose using any
10 of season of the year, weather, or traffic to interpret
11 any of its measurements?

12 A. Well, the end of paragraph 62 talks about
13 reception and a fading notch, and such a contradiction
14 may be caused by the difference in the weather or
15 season between the time instant at which the database
16 section was updated and the current time instant.

17 And so right there, Jarvinen is talking about
18 external factors, such as weather, influencing data at
19 different times that has been observed and making some
20 interpretation about the data that's been observed
21 based on things like the weather or the season that may
22 have caused the contradiction.

23 Q. So it's your opinion that the last sentence
24 of paragraph 62 of Jarvinen discloses that Jarvinen
25 would actually look at the weather or season associated

1 with a given measurement and make interpretations based
2 on the given weather or season?

3 A. Well, in paragraph 62, Jarvinen says,
4 information related to the power reception levels can
5 be weighted by the UE, and several factors may affect
6 those properties, and it includes those factors, such
7 as season of the year, weather, traffic, et cetera.

8 62 also goes on to say that those
9 transmission properties may be affected in ways that
10 become problematic. Right? Such a contradiction.
11 Right? The mobile terminal indicate good transmission
12 quality, but the reception power level indicates a
13 fading notch. Such a contradiction may be caused by
14 differences in weather or season versus the time that
15 the data was updated.

16 Q. Okay. So is it your opinion that Jarvinen's
17 system is aware of any difference in weather or season
18 between those two time instants?

19 A. Well, it says that transmission properties
20 selected for the current location indicate good
21 quality, but the actual power level indicates a fading
22 notch. Such a contradiction may be caused by things
23 associated with the weather or the season.

24 So the difference -- the difference between
25 the indication of the database versus the actual

1 received signal strength sort of idea may indicate that
2 there's weather or a seasonal difference that changes
3 the way the database information is interpreted.

4 Q. Okay. So is it your opinion that Jarvinen's
5 system would make assumptions about what the weather is
6 based on the power signals that are being received?

7 A. I think Jarvinen indicates that that's a
8 possibility.

9 Q. Okay. Okay. And then I want to go --

10 A. Let me go on for that, because paragraph 63
11 makes that explicit. Right?

12 The mobile terminal may react to the
13 difference between information in the database and
14 measured reception.

15 So Jarvinen is explicit about that. So, yes,
16 Jarvinen says that mobile terminal can react, can make
17 interpretations on that.

18 Q. Okay. So it's your opinion that paragraph 63
19 of Jarvinen is disclosing reacting to the difference
20 between information stored in the database and the
21 measured reception power level by making assumptions
22 about the weather or season?

23 A. Well, it says, accordingly, the mobile
24 terminal may react to the contradiction that's
25 mentioned in paragraph 62, which is related to weather

1 or seasons, by changing some of its future activities,
2 so -- and it continues on into paragraph 64 and so on.

3 But what it's saying is that the mobile
4 terminal isn't a slave to the database. The mobile
5 terminal is also -- has the database, and it has
6 information that it's receiving, and it's making
7 decisions based on looking at information in the
8 database and looking at information that it's measuring
9 in its location, and it's reacting based on that.

10 So it's interpreting and making a
11 determination based on those pieces of information as
12 to what it's going to do.

13 Q. Okay. And does Jarvinen disclose storing
14 season of the year or weather information in its
15 database?

16 A. I don't know if it does that explicitly, but
17 it certainly is possible. It's one of the factors that
18 affects transmission condition, so it could certainly
19 be one of the elements in the database.

20 Q. Okay. So I'd like to go to your analysis of
21 Claim 12, which starts on page 71 of your declaration
22 at paragraph 97. If you could let me know when you're
23 there.

24 A. Okay.

25 Q. Okay. And so Claim 12 recites "The method of

1 Claim 11, wherein the UE environment information
2 comprises information associated to one or more of a
3 traffic load, a network load, an interference, time of
4 day, weather information, day of year, season";
5 correct?

6 A. Right.

7 Q. And what UE environment information in
8 Jarvinen do you point to as satisfying this requirement
9 of Claim 12?

10 A. The paragraph -- my paragraph 97 refers to
11 Jarvinen 62, which is what we were just talking about.

12 Q. So is it your opinion that whatever UE
13 environment information that Jarvinen collects is
14 associated to season of the year, weather, or traffic?

15 A. Jarvinen gives examples in his paragraph 62
16 of several factors, factors that include things like
17 season of the year, weather, traffic, et cetera. So it
18 leaves open the door to other things as well.

19 Q. Okay. So understanding that there are other
20 ways to implement Jarvinen, but my question is whether
21 it's your opinion that Jarvinen actually discloses that
22 the UE environment information that it determines is
23 associated to one of season of the year, weather, or
24 traffic.

25 A. Well, Jarvinen doesn't use the terms

1 "associated to." He says several factors may affect
2 the transmission properties, and he gives examples of
3 those factors that include weather, season, and
4 traffic.

5 So I don't know what the "associated to"
6 would be including. There's several factors; right?
7 So the UE environment can include several factors, and
8 some of those factors are season of the year, weather,
9 traffic, et cetera.

10 MS. LUCIER: Okay. I'll pass the witness.

11 MR. MILKEY: We have no questions.

12 MS. LUCIER: All right. Let's go off the
13 record.

14 (Deposition concluded at 9:59 a.m.
15 Eastern Time.)

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C E R T I F I C A T E

I, Lindsay DeWaide, a Registered Merit Reporter, Certified Realtime Reporter, and Certified Shorthand Reporter, do hereby certify that the preceding videotaped deposition was reported by me and reduced to writing under my personal direction.

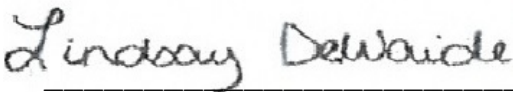
That STANLEY MCCLELLAN, PHD, the witness whose deposition is hereinbefore set forth, was duly sworn by me before the commencement of such deposition and that such deposition was taken virtually and is a true record of the testimony given by such witness.

I further certify that the adverse party, PETITIONERS, was represented by counsel at the deposition.

I further certify that the deposition of STANLEY MCCLELLAN, PHD, occurred virtually, on Thursday, August 7, 2025, from 9:03 a.m. to 9:59 a.m. Eastern Time.

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

7
8 In witness whereof, I have hereunto set my
9 hand this 11th day of August, 2025.

10 
11 _____

12 LINDSAY DEWAIDE, RMR, CRR

13 California CSR No. 14777
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1 I, STANLEY MCCLELLAN, PHD, do hereby
2 certify that I have read the foregoing transcript of
3 proceedings, taken on the 7th day of August, 2025, via
4 remote videoconference, and that the same is true and
5 correct except for the list of corrections, if any,
6 noted on the annexed errata sheet.

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9 Stanley McClellan, PhD
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ERRATA SHEET

If any corrections to your deposition are necessary,
indicate them on this sheet, giving the change, page
number, and reason for change.

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Signature of Deponent

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