

In the Matter Of:

*Motorola Mobility LLC and Google LLC vs
Multifold International Inc. Pte. Ltd.*

RAJEEV SURATI, PH.D.

November 05, 2025



1 UNITED STATES PATENT AND TRADEMARK OFFICE

2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

3 Case No. IPR2025-00040

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6 MOTOROLA MOBILITY LLC and GOOGLE LLC,

7 Petitioners,

8 -v-

9 MULTIFOLD INTERNATIONAL INCORPORATED PTE. LTD.,

10 Patent Owner.
11 -----

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15 REMOTE TESTIMONY OF RAJEEV SURATI, PhD

16 VOLUME II

17 NOVEMBER 5, 2025 - 10:00 A.M. ET

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22 JOB NO. 2025-1002571

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DEPOSITION of RAJEEV SURATI, PhD, before S.
Arielle Santos, Certified Court Reporter,
Certified LiveNote Reporter and Notary Public.

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EXHIBITS REFERENCED - PREVIOUSLY MARKED

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1 RAJEEV SURATI, Testifies under penalty of
2 perjury as follows:

3 THE WITNESS: I do.

4
5 EXAMINATION

6 BY GEOFFREY MOSS:

7 Q Good morning, Dr. Surati.

8 Can you state and spell your
9 name for the record.

10 A Sure. My first name is Rajeev,
11 R-A-J-E-E-V as in Victor. My last name
12 is Surati, capital S-U-R-A-T as in Tom, I
13 as in Indigo.

14 Q You're here to testify in a
15 deposition for IPR2025-00040, correct?

16 A That's correct.

17 Q And that relates to US Patent
18 Number 9,134,756; is that correct?

19 A I believe that's correct.

20 Q If I call that "the '756 patent"
21 during this deposition, will you
22 understand what I am referring to?

1 A I will.

2 Q Okay.

3 Dr. Surati, where are you
4 located for today's deposition?

5 A I am in my home in Cambridge,
6 Massachusetts, and there's no one here.

7 Q So you beat me to the next
8 question, which is, is there anybody in
9 the room with you; and the answer is no
10 to that.

11 Will you let me know if someone
12 enters the room while we're taking this
13 deposition?

14 A Sure.

15 Q Other than your computer, do you
16 have any other communications devices
17 such as a cell phone or tablet in view of
18 you?

19 A I do have a phone. I will put
20 it to the side and turn the ringer off.

21 Q Okay.

22 Other than Zoom and the

1 operating system on your computer, are
2 there other applications running and open
3 on your computer?

4 Things like e-mail, Finder,
5 communication software, things of that
6 nature.

7 A Right now I have one more thing
8 to close.

9 Okay. So I just have the Finder
10 and Zoom open right now.

11 Q Okay.

12 And no PDFs of any kind?

13 A Not at this time.

14 Q Okay.

15 And can you confirm that while
16 we are taking this deposition, you won't
17 transmit or receive communication with --
18 through other means other than this Zoom
19 while you're testifying?

20 A You mean with counsel? Or you
21 mean just in general?

22 Q While you're testifying today,

1 with anybody else, you won't communicate
2 with anybody else.

3 A Yeah, I don't plan to.

4 Q Okay.

5 And if you receive some sort of
6 communication, either through your cell
7 phone or Zoom or some other means during
8 the time when you're testifying, will you
9 let me know?

10 A Sure.

11 Q Thanks.

12 Dr. Surati, have you been
13 deposed before?

14 A I have, sir.

15 Q How many times?

16 A Probably about 40 times.

17 Q Were all these as an expert
18 witness?

19 A As far as I can recall, that's
20 correct.

21 Q Okay.

22 So you are a professional. You

1 have done this before, but I will quickly
2 remind you some ground rules just so we
3 are on the same page.

4 You understand you are giving
5 today's testimony under oath, correct?

6 A That's correct.

7 Q And you understand that this is
8 being taken over Zoom, correct?

9 A I understand that.

10 Q And I am sure you have
11 experienced that sometimes during
12 depositions, the taking attorney and the
13 witness have a tendency to inadvertently
14 talk over one another and we are going to
15 do our best to try to avoid that for the
16 benefit of the court reporter.

17 Does that sound fair?

18 A I agree.

19 Q Okay.

20 And can you do your best to give
21 me verbal answers today, as opposed to
22 gestures, nodding, and other non-verbal

1 answers?

2 A Yes, sir.

3 Q Okay.

4 If you don't understand a
5 question, I am going to assume that you
6 understood it.

7 Does that make sense to you?

8 MITCH YANG: Object to form.

9 THE WITNESS: Sure.

10 BY GEOFFREY MOSS:

11 Q Okay.

12 Is there any reason you can't
13 give complete and truthful testimony
14 today?

15 A Not that I am aware of.

16 GEOFFREY MOSS: Okay. So
17 let's pull up what's been
18 previously marked as Exhibit 2002
19 in this IPR. I think the
20 videographer is going to handle
21 the exhibits?

22 THE MONITOR: Yes. Just one

1 moment, please.

2 BY GEOFFREY MOSS:

3 Q And Dr. Surati, just looking at
4 the cover sheet of this document -- first
5 of all, can you see this document?

6 A I can.

7 Q Okay.

8 Do you recognize this document?

9 A It appears to be Exhibit 2002
10 and it's the first page of my declaration
11 that I proffered for this proceeding.

12 GEOFFREY MOSS: And if we go
13 to the last page of this
14 document -- scroll down a little
15 bit more.

16 There we go.

17 BY GEOFFREY MOSS:

18 Q Is this your signature on last
19 page of Exhibit 2002?

20 A Sure looks like it.

21 Q Okay.

22 And you signed this on

1 August 25, 2025?

2 A That's correct.

3 Q Do you have a copy of this
4 exhibit with you in the room?

5 A I can get it, if I need to. I
6 don't have a printed out version. I just
7 happen to have one that I downloaded from
8 the docket.

9 Q Is that electronic version free
10 of any notes or markup?

11 A I haven't done anything with it
12 other than download it.

13 Q If it is more convenient for
14 you, I am happy to allow you to use
15 electronic version when I refer to it
16 Exhibit 2002.

17 THE MONITOR: I shared it in
18 the chat, also, if it's helpful
19 also.

20 THE WITNESS: Okay. I will
21 just grab that so we all have the
22 same document.

1 BY GEOFFREY MOSS:

2 Q Perfect.

3 All right. If I refer to this
4 as Exhibit 2002 during this deposition,
5 you will know what document I am
6 referring to, correct?

7 A That's correct.

8 Q Does this declaration,
9 Exhibit 2002, accurately state your
10 opinions in this case with respect to the
11 issues that it addresses?

12 A It does.

13 Q Does the declaration state all
14 of the bases for the opinions you state
15 in the declaration?

16 A I believe it does.

17 Q Did you have anyone assist you
18 in your analysis in preparing
19 Exhibit 2002?

20 A I worked with the attorneys and
21 that's about it.

22 Q And what about the writing of

1 the declaration, did you have any
2 assistance in writing the declaration?

3 A Yeah. I would say that there's
4 a lot of legalese in here that represents
5 certain things, like qualification --
6 well, not qualifications -- I wrote the
7 qualifications section.

8 The legal section is something
9 that I understood and they helped write,
10 and then I worked with them to outline
11 the arguments that were made based on
12 what they wanted me to opine on.

13 Q Okay.

14 And putting aside the legal
15 standards -- I know you are not a
16 lawyer -- you say that you outlined the
17 other parts of the declaration; is that
18 correct?

19 A That's correct. So I -- that's
20 correct.

21 Q And did you write the other
22 sections that you outlined?

1 A I would say that I worked on an
2 outline of the key arguments and I had
3 some help in drafting the text based on
4 my -- what I discussed, and then I looked
5 at the second draft. And ultimately, all
6 the opinions in this document are mine,
7 but there was some help in drafting the
8 various arguments based on what I had
9 outlined.

10 Q Okay.

11 Did you review every word of
12 this declaration before signing it?

13 A I did.

14 Q Other than the attorneys you
15 mentioned, did anybody else contribute to
16 the declaration?

17 A Not at all.

18 Q Let's turn to page 9 of the
19 declaration.

20 Now, when I say page 9 --

21 (Simultaneous Crosstalk.)

22 A -- standards page or something

1 else?

2 Q I mean --

3 A PDF then?

4 Q I am trying to see which one I
5 meant, I apologize.

6 You know, I meant paragraph 9,
7 not page 9. So that should be
8 unambiguous.

9 A That's very unambiguous, yes.
10 The materials considered.

11 Q Correct. Let me know when
12 you're there.

13 A I am here.

14 Q So paragraph 9 lists your
15 materials considered, correct?

16 A That's correct.

17 Q And is this a complete list of
18 the materials you considered in reaching
19 the opinions in this declaration?

20 A It is.

21 Q And did you read each of the
22 listed materials -- materials considered

1 in their entirety?

2 A Yes, let me just check one
3 thing.

4 Yeah. This is essentially what
5 I looked at to render the opinions that I
6 provided.

7 Q When you say "essentially," does
8 that mean there are things that you
9 reviewed that you did not rely upon --
10 I'm sorry -- that you did not consider
11 when forming your opinion?

12 A Other than my experience, no.

13 Q Okay.

14 Did you review any materials not
15 listed here in paragraph 9, that you
16 found inconsistent with the opinions you
17 have rendered in the rest of the
18 declaration?

19 A I don't recall any.

20 Q Okay.

21 Let's -- let's look at what's
22 been previously marked as Exhibit 1001.

1 A Okay.

2 Q I am not sure if that went in
3 the chat as well.

4 A I do have a copy of it.

5 Q Okay.

6 Again -- t.

7 Is this is a copy you have free
8 of any markup or notes?

9 A Yeah, it was just downloaded.

10 Q Okay.

11 A 1001. Sorry.

12 GEOFFREY MOSS: Thanks, Wes.

13 BY GEOFFREY MOSS:

14 Q You are offering opinions in
15 this declaration about Claim 5 of the
16 '756 patent; is that correct?

17 A That's what I was asked to do.

18 Q Okay.

19 Let's go to column 35 -- I'm
20 sorry.

21 Do you recognize Exhibit 1001?

22 A Yes. Although it's really hard

1 to read, but don't worry about that.

2 Q Are you looking at a local copy
3 or the one on the screen?

4 A I am looking at the one on your
5 screen, but the local one I can read,
6 absolutely. Sorry.

7 Q You understand that to be the
8 '756 patent?

9 A I do.

10 Q Okay.

11 And if we go to column 35 --

12 A Right.

13 Q -- which is on -- where -- where
14 the claims of the '756 begin.

15 Do you see that?

16 A Yep.

17 Q And Claim 5 depends from Claim 4
18 of the '756 patent, correct?

19 A That's correct.

20 Q And Claim 4 depends from Claim
21 1, correct?

22 A Correct.

1 Q Okay.

2 Let's go back to -- actually,
3 you can keep that open.

4 You said you're opining on
5 Claim 5, correct?

6 A That's correct.

7 Q And in this declaration, you are
8 not disputing whether any of the
9 references in the IPR petition teach
10 limitations of Claim 1 of the '756; is
11 that correct?

12 A Just one second.

13 Yeah. As I state in paragraph
14 46, I have not been asked to opine on the
15 validity of Claims 1 through 4 or 6
16 through 9, nor do I have an opinion as to
17 validity of these claims. So I am not
18 disputing the validity and I think
19 incorporated in that is the answer to
20 your question.

21 Q Okay. Okay.

22 And just to be clear, I want to

1 make sure there's no daylight between
2 what I asked and what you answered.

3 You are not disputing whether
4 any of the references in the IPR petition
5 teach the limitations of Claim 1 of the
6 '756 patent; is that correct?

7 MITCH YANG: Object to form.

8 THE WITNESS: Yeah. I would
9 say that in not opining, I am not
10 disputing.

11 BY GEOFFREY MOSS:

12 Q Okay.

13 And you mention -- let's go back
14 to Exhibit 2002.

15 A Okay.

16 Q Go to the paragraph you just
17 referenced, paragraph 46.

18 A Yes, sir.

19 Q That's some red text right
20 there.

21 Why did you make the text of
22 this paragraph red?

1 A Just to highlight --

2 (Simultaneous Crosstalk.)

3 MITCH YANG: Objection to
4 form.

5 THE WITNESS: I'm sorry.

6 Just to highlight that I am
7 not opining on those claims so
8 that it's clear.

9 BY GEOFFREY MOSS:

10 Q Okay.

11 Is it your practice to clearly
12 identify the balance of what your
13 opinions are in such a manner?

14 A I think in a lot of cases, I
15 have -- I mean, I guess for me, this
16 declaration is shorter than normal, just
17 because I was asked to do less. So
18 that's -- it just seemed a little bit out
19 of the ordinary for me.

20 Q Since you are doing less than
21 the ordinary, you were inclined to make
22 the text identifying the balance of the

1 opinions in the declaration stand out via
2 your red text?

3 A Yes.

4 MITCH YANG: Objection to
5 form.

6 BY GEOFFREY MOSS:

7 Q So your opinion in this
8 declaration is that the cited references,
9 those being -- that being Yook, does not
10 render Claim 5 of the '756 patent
11 unpatentable, correct?

12 A I think that's correct.

13 Q Have you otherwise formed any
14 opinions related to this case that you
15 expect to testify about at a hearing
16 that's not stated in this declaration?

17 A I don't recall having any
18 others.

19 Q I forgot to ask you, did you do
20 anything to prepare for today's
21 deposition?

22 A I did.

1 Q What did you do?

2 A So on Friday, I looked at -- I
3 downloaded all the references that --
4 from the docket and I read through them,
5 and I spoke to counsel for about
6 45 minutes, and then I subsequently had
7 some other depositions, so I studied for
8 those.

9 And then yesterday night, I
10 re-read through these -- through these
11 documents, and again, this morning, I did
12 and I spoke to counsel again about 8:30
13 a.m. this morning.

14 Q Okay.

15 Other than the attorneys you met
16 with, did you speak with anyone in
17 preparation for today's deposition?

18 A I did not, sir.

19 Q Okay.

20 Let's pull up exhibit -- what's
21 been previously marked as Exhibit 1004.

22 A Sure.

1 Q You're welcome to open up a
2 local of that copy, if it's not marked up
3 or have notes.

4 A Yes, sir.

5 Q Do you recognize this document?

6 A Yes. This appears to be the
7 United States Patent Application
8 Publication attributed to Yook.

9 Q If I call this reference --
10 (Reporter Clarification.)

11 GEOFFREY MOSS: I asked
12 him -- I will re-ask the question.

13 BY GEOFFREY MOSS:

14 Q If I call this reference "Yook,"
15 will you know what I mean?

16 A I will.

17 Q Okay.

18 (Whereupon a Discussion is
19 Held Off the Record.)

20 BY GEOFFREY MOSS:

21 Q And did you review Yook as part
22 of preparing your declaration?

1 A I did.

2 Q Do you personally know any of
3 the inventors of the Yook reference?

4 A No.

5 Q Okay.

6 Let's go back to your
7 declaration --

8 A Hm-hm.

9 Q -- Exhibit 2002, and turn to
10 paragraph 62.

11 A Okay.

12 Q Paragraph --

13 A So we're on Claim 5 --
14 (Simultaneous Crosstalk.)

15 Q Yes, which I -- yeah.
16 Claim 5 being the only claim
17 you're opining on, correct?

18 A That's correct.

19 Q Okay.

20 So paragraph 62 reads, "The
21 petition provides the following examples
22 of 'icons' in Yook 'that are used to

1 receive user gesture inputs.'" "

2 And then it provides a number of
3 what appear to be icons. Do you see
4 that?

5 A Yep.

6 Q Okay.

7 Do you agree that these are
8 icons from the Yook reference?

9 A (Reviewing.)

10 Q Did you answer?

11 A No, I haven't. I am just --

12 Q Okay. Just making sure.

13 A (Reviewing.) Just one second
14 here. (Reviewing.)

15 Yeah, I believe so.

16 Q Do you have an opinion on
17 whether these icons, these are icons that
18 are used to receive user gesture inputs
19 according to Yook?

20 MITCH YANG: Object to form.

21 THE WITNESS: (Reviewing.) I
22 mean, as far as a user being able

1 to interact with them with some
2 sort of gesture tap, I think
3 that's correct.

4 BY GEOFFREY MOSS:

5 Q And a tap is a kind of gesture.

6 Is that your understanding?

7 A It could be.

8 Q Okay.

9 Is it your opinion that none of
10 the icons in paragraph 62 have a wave
11 shape?

12 A Not that I can see.

13 Q What is a wave shape?

14 A So an example of this -- sorry,
15 I need to bring up --

16 Q Can you define a wave shape
17 without reference -- without looking at
18 Exhibit 1001?

19 So I want to understand you
20 describe what a wave shape is. If I need
21 you to look at Exhibit 1001, I will ask
22 you to look at it.

1 A Yeah. I just am trying to
2 pull -- there's a picture of it where
3 there's a wave shape, I think, in
4 examples 10A through 10D -- 10C, which is
5 sort of a curvy thing that looks like a
6 wave, I guess, like a sinusoidal a little
7 bit.

8 Q Okay.

9 A But I don't want to be
10 restrictive about that. I think there's
11 this curvy -- I think at least that
12 there's some curvature in it, maybe up
13 and down. But beyond that, I don't want
14 to say, oh, that's my opinion and it's
15 restrictive.

16 Q Okay --

17 (Simultaneous Crosstalk.)

18 A -- to stretch, at least as they
19 describe it, with the width of the bounds
20 of the window that it's around.

21 Q Okay.

22 So if I understand your

1 response, it's curvy and somewhat

2 sinusoidal; is that correct?

3 A Yes.

4 MITCH YANG: Object to form.

5 BY GEOFFREY MOSS:

6 Q Is there anything else that
7 defines a wave shape, in your opinion?

8 A So, you know -- you know, beyond
9 saying what I said in my declaration and
10 looking at it, you know, I don't want
11 that to be a restrictive opinion, but at
12 least I think those are properties that I
13 think it should have.

14 Q Okay.

15 Does your declaration define
16 wave shape?

17 A Well, I think in -- in that it
18 says that the ones -- the icons that are
19 shown have an inverse definition. So
20 that would be paragraph 63, and I think
21 at least what I said would apply. But
22 beyond that, I don't -- you know, I

1 think -- yeah.

2 Q Okay.

3 So if I understand -- make sure
4 I understand your response. Your
5 response is with reference to paragraph
6 33 [sic], that a wave shape is not the
7 icons in paragraph 62?

8 A Yeah, at least.

9 Q Okay.

10 And you said it also is curvy
11 and/or sinusoidal; is that correct?

12 MITCH YANG: Object to form.

13 THE WITNESS: Yeah. I just
14 say it's curvy and sinusoidal-like
15 would be maybe a better way to say
16 it.

17 BY GEOFFREY MOSS:

18 Q Sinusoidal-like. Okay.

19 What is your basis for a
20 definition of wave shape that includes
21 curvy or sinusoidal like?

22 MITCH YANG: Object to form.

1 THE WITNESS: I think the
2 claim and the specification have
3 examples.

4 BY GEOFFREY MOSS:

5 Q Okay.

6 So let's -- let's look at
7 Exhibit 1001.

8 A Okay.

9 Q First, does the '756 patent
10 define wave shape?

11 A Explicitly, I would have to
12 look.

13 So it appears -- I think -- so
14 it shows up in a claim, Claim 5. It
15 shows up once in paragraph -- well, I
16 guess it's column 31, line 26, and at --
17 the indicator, 1002, is shown as having a
18 wave shape that extends across the upper
19 portion of the screen.

20 And that, at least -- that, at
21 least, provides an example of what it
22 thinks a wave shape could encompass.

1 Q And that is with reference to
2 Figure 10A; is that correct?

3 A That's right.

4 Q Okay.

5 So if we -- let's look at Figure
6 10A for a second. Let me know when you
7 get there.

8 A Sure. I am on Figure 6, 7 and
9 hold on -- okay. Yeah.

10 10A, 10B, and 10C. Okay. I am
11 there.

12 Q Is it your opinion that Figures
13 10A, 10B, and 10C contain a wave shape?

14 A I think that's fair.

15 Q And which element of these
16 figures is a wave shape?

17 A Well, so I think what's pointed
18 out is 1002.

19 Q And so 1002 in Figures 10A, B,
20 and C points at what appears to be a line
21 that goes up and then down and then back
22 up again; is that correct?

1 A I think --

2 (Simultaneous Crosstalk.)

3 MITCH YANG: Object to form.

4 BY GEOFFREY MOSS:

5 Q I'm sorry, Dr. Surati. I didn't
6 hear your answer over the objection.

7 A I think that's correct.

8 Q Okay.

9 Those appear to be line segments
10 that are going up and down and up again.

11 Do you see that?

12 MITCH YANG: Object to form.

13 BY GEOFFREY MOSS:

14 Q Again, I apologize, Dr. Surati.
15 I didn't hear your answer over the
16 objection.

17 A I didn't answer yet.

18 Q I'm sorry. I thought you did.

19 A Thanks. So there was no -- I
20 didn't say anything over Mitch.

21 Yeah, that's correct.

22 Q Okay.

1 If we look at 10 -- 10C.

2 A Yep.

3 Q You see that element 1002
4 resembles two triangles?

5 MITCH YANG: Object to form.

6 THE WITNESS: Yeah. I mean,
7 I guess you could say that. You
8 could say they are parabolic.
9 Like, it's hard to see exactly
10 what happens at the very top. But
11 you could also potentially say
12 that they are two -- two
13 triangles. Sure.

14 BY GEOFFREY MOSS:

15 Q You testified that these --
16 these lines that comprise element 1002
17 are line segments, correct?

18 MITCH YANG: Object to form.

19 THE WITNESS: Yeah. I don't
20 mean them to mean they are
21 straight lines necessarily. They
22 could be slightly curved.

1 BY GEOFFREY MOSS:

2 Q Okay. Okay.

3 And what I refer to as two
4 triangles in Figure 10C for element 1002,
5 those triangles are not the same size.

6 Would you agree with that?

7 MITCH YANG: Object to form.

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

10 BY GEOFFREY MOSS:

11 Q Okay.

12 If -- if an embodiment of Claim
13 5 of the '756 patent used an icon for an
14 ocean wave as the visual indicator, would
15 that be wave-like, as called for by Claim
16 5?

17 A I need to see it.

18 Q If I used an icon showing
19 somebody waving their hand, could that
20 satisfy the wave shape requirement of
21 Claim 5 of the '756 patent?

22 MITCH YANG: Object to scope.

1 THE WITNESS: Yeah. I would
2 have to see it to give you any
3 kind of opinion. I mean, it could
4 or couldn't. It really depends on
5 what it looks like.

6 BY GEOFFREY MOSS:

7 Q Okay.

8 A I'm sorry.

9 Q Okay.

10 Let's look at what's been
11 previously identified as Paper 1 on the
12 docket on this IPR.

13 A Petition, sir?

14 Q The petition, correct.

15 A Okay. I have a copy of that and
16 it doesn't have any marks on it.

17 Q Perfect.

18 THE MONITOR: It's in the
19 chat as well.

20 GEOFFREY MOSS: Thanks, Wes.

21 BY GEOFFREY MOSS:

22 Q So you have identified this as

1 the petition.

2 You reviewed this as part of
3 preparing your declaration, correct?

4 A I did, sir.

5 Q Look at Page 43 -- and I will
6 tell you in a second if I meant the PDF
7 page or the numbered page.

8 A All right. 43.

9 Okay. That appears to have --
10 (Reviewing.)

11 Q Yeah. I meant numbered Page 43,
12 correct.

13 So starting at the bottom of the
14 page, it reads, "A POSITA would
15 understand that the shape taken by a
16 visual indicator, or icon, is merely a
17 matter of common and routine design
18 choice."

19 Do you see that?

20 A I do.

21 Q And after that, it cites to a
22 case; Tesla, Inc. versus Charge Fusion

1 Technologies, LLC, IPR2022-01217.

2 Do you see that?

3 A I do.

4 Q Do you disagree that the shape
5 taken by a visual indicator, or icon, is
6 merely a matter of common and routine
7 design choice?

8 MITCH YANG: Object to form.

9 THE WITNESS: Just one
10 second. (Reviewing.)

11 So I think my related opinion
12 is the assertion that the shape of
13 the visual indicator has no
14 bearing on the functionality of
15 the indicator, is inconsistent
16 with what is disclosed by the '756
17 patent as well the knowledge of a
18 person of skill in the art.

19 So as much as that opinion
20 contradicts what you just said,
21 then that's kind of my opinion.

22 BY GEOFFREY MOSS:

1 Q Now, in making that or having
2 that opinion, you are not offering any
3 legal opinion about the applicability of
4 the cited Tesla case, correct?

5 A I am not aware.

6 Q Let's look at paragraph 65 of
7 your declaration, Exhibit 2002.

8 A Sure.

9 Q So you write that, "A person of
10 ordinary skill in human-computer
11 interaction would understand that icons
12 (including those in Yook) provide a
13 visual indication of a specific
14 functionality associated with that icon."

15 Do you see that?

16 A I do.

17 Q And I believe -- the example you
18 give is the icon that is two
19 rightward-pointing triangles side by
20 side, followed by a vertical line --

21 Do you see that?

22 A Sure.

1 Q And you say that's associated
2 with music playback, correct?

3 A Right.

4 Q In your opinion, is this icon
5 necessarily related to music playback
6 functionality?

7 MITCH YANG: Object to form.

8 THE WITNESS: I think it is
9 related to -- just one second
10 here.

11 It depends on the context
12 it's in. But generally, I see
13 that as something where you are
14 trying to skip ahead in time or
15 play back in time or move the
16 music in a much faster way or a
17 movie -- or something else in a
18 set of linear things. But it has
19 the notion that you're moving
20 ahead somehow.

21 BY GEOFFREY MOSS:

22 Q Is it possible to use this icon

1 to represent other functionality?

2 MITCH YANG: Object to scope.

3 THE WITNESS: I think it

4 really depends on the situation

5 and -- so it could be used in that

6 way. I don't think -- just one

7 second here.

8 In Yook it appears to be

9 related to music. So that's kind

10 of why I said that.

11 But, sure. I mean, if it

12 were in a different context, like

13 a movie context, it might have a

14 different meaning because the

15 content being played back or

16 shuffled back and forth is a movie

17 instead of sound.

18 BY GEOFFREY MOSS:

19 Q Can one use this icon unrelated

20 to media playback?

21 MITCH YANG: Object to scope.

22 THE WITNESS: I mean, I said

1 what I said about it. I don't
2 know that I have anymore opinions
3 that I want to give about it.

4 BY GEOFFREY MOSS:

5 Q I am just asking whether it is
6 possible for someone to choose to use
7 this icon in a context other than media
8 playback?

9 MITCH YANG: Object to scope.

10 THE WITNESS: I could think
11 of one, sure.

12 BY GEOFFREY MOSS:

13 Q Okay.
14 What is an example that you can
15 think of?

16 MITCH YANG: Object to scope.

17 THE WITNESS: Yeah. I think
18 the only one -- the one that I
19 would give would be that you are
20 skipping ahead in a linear set of
21 objects that you are trying to see
22 PDF representation of, say, like,

1 in a patent -- you know, a list of
2 hundreds of patents and you want
3 to skip ahead to, like, another
4 set of patents. And so you press
5 a button like that to move forward
6 in looking at them. That is not a
7 media playback system.

8 BY GEOFFREY MOSS:

9 Q Let me give you a hypothetical.

10 I really like this icon we have
11 been discussing. I think it is just very
12 visually appealing and I want to
13 incorporate it into a device or a
14 program. But this has no sort of
15 conventional attachment to how this icon
16 is typically used, but I still want to
17 use it. I want to use it to as an icon
18 that when clicked, it closes the
19 application.

20 Could I do that?

21 MITCH YANG: Object to scope
22 and foundation.

1 THE WITNESS: So I think
2 that -- yeah, I would just say
3 that in my experience, looking at
4 this, I would not.

5 BY GEOFFREY MOSS:

6 Q So, sir, I am not asking if you
7 would. I'm asking if in my hypothetical,
8 I could.

9 I could use this for a non --
10 choose to use it in a non-conventional
11 way?

12 A Yeah. You could use --
13 (Simultaneous Crosstalk.)

14 MITCH YANG: Objection.
15 Scope and foundation.

16 THE WITNESS: Yeah. You
17 could use anything to do anything,
18 I guess, just like a -- any image
19 to do anything. But it really
20 depends on what function a user
21 would associate with that and
22 whether they would understand what

1 it meant, and that could be having
2 to do with shape, it could have to
3 do with how it -- how it interacts
4 over -- how it looks over time
5 when you do various things to it.

6 There are a lot of
7 considerations in UI that you have
8 to make.

9 Could you use something?
10 Sure. But it would be, in my
11 opinion, probably not a good
12 choice which would make it so that
13 a positive would not necessarily
14 do it.

15 And as a hypothetical, I'd
16 really need to understand all of
17 the scope of where you're thinking
18 about using it, why you're
19 thinking about using it, and
20 whether it would be effective to
21 inform the user what the function
22 of pressing that might be.

1 BY GEOFFREY MOSS:

2 Q How does whether it would be
3 effective inform whether it's possible to
4 do it, in my hypothetical?

5 MITCH YANG: Object to scope.

6 THE WITNESS: Yeah. I mean,
7 I think that -- so again, I have
8 an opinion: A person of ordinary
9 skill in human-computer action
10 would understand that icons
11 provide a visual indication of a
12 specific functionality associated
13 with that icon.

14 And based on that, I am not
15 sure that your example would fit
16 within what a person of ordinary
17 skill in the art would consider a
18 reasonable way to use that.

19 So again, it goes back to
20 would or could. It's certainly
21 possible that someone could
22 physically construct what you

1 said, but I don't think it would
2 be effective to a user. And from
3 a human-computer interaction
4 POSITA standpoint, it wouldn't
5 provide the desired effect of
6 having an intuitive visual
7 appearance that allows the user to
8 intuit, oh, this must have
9 something to do with maximizing or
10 minimizing the window.

11 BY GEOFFREY MOSS:

12 Q Got it.

13 Other than the '756 patent, does
14 your declaration identify any examples
15 where a wave shape is associated with
16 maximizing and minimizing application
17 size?

18 A I don't think so.

19 You heard that, right?

20 Q I did. I'm sorry. Yes, I
21 looked like I froze, I am sure. But I
22 did not.

1 Let's jump back to Exhibit 1001,
2 the '756 patent for a second.

3 A Hm-hm.

4 Q Make sure we both have the
5 language of Claim 5 in our minds. So if
6 you could go down to Claim --

7 A 5? Yeah.

8 Q -- 5, yeah.

9 I'm sorry. We are looking at
10 Exhibit 1001.

11 A That is the patent, right.

12 Q Yeah. Yeah.

13 A I am on page --

14 THE MONITOR: My apologies.

15 GEOFFREY MOSS: That's 1004,
16 Wes. So one more.

17 THE MONITOR: Sorry about
18 that.

19 THE WITNESS: I am looking at
20 it on my screen -- on my PDF.

21 BY GEOFFREY MOSS:

22 Q Okay.

1 So Claim 5 reads, "The method of
2 claim 4, wherein the visual indicator has
3 a wave shape." Correct?

4 A That's right.

5 Q What do you understand "visual
6 indicator" to mean?

7 A (Reviewing.) So visual
8 indicator, I would say is something
9 visual that indicates something which
10 might be that it's signifying something
11 to someone looking at it.

12 Q Okay.

13 So the visual indicator
14 referenced in Claim 5, what does that
15 indicate?

16 A So that goes back to Claim 4,
17 where it talks about the "visual
18 indicator displayed thereon and
19 signifying that a desktop or application
20 appearing on that display could be
21 maximized by a user gesture."

22 Q Okay.

1 Let's go back to Figures 10A
2 through C.

3 A Sure.

4 Q So let's start with 10A.

5 In 10A, we have an application
6 A1, correct?

7 A I believe that's correct.

8 Q And that is being displayed on a
9 first display or a one display; is that
10 correct?

11 A I think that's correct.

12 Q It's -- as we're reviewing
13 Figure 10A, it's on the left portion, the
14 left display, correct?

15 A Right.

16 Q And in that state, application
17 A1 is not on display D2, correct?

18 A That appears to be correct and
19 --

20 (Simultaneous Crosstalk.)

21 Q Okay.

22 Remind me what element

1 represents the visual indicator in Figure
2 10A, if any?

3 A I believe 1002.

4 Q Okay.

5 And in Figure 10A, the visual
6 indicator 1002 is contained within
7 element 1003.

8 Do you see that?

9 A In 10B?

10 Q In 10A.

11 A Oh, yeah. Okay. Sure.

12 Q Okay.

13 What is element 1003?

14 A I think that is the annunciator
15 window.

16 Q What is an annunciator window?

17 MITCH YANG: Object to scope.

18 THE WITNESS: Sorry. If we
19 go to paragraph 31, we talk about
20 line 30, [As Read:] The visual
21 indicator 1002 to be presented
22 within an annunciator window 1003,

1 or can be presented without a
2 separate window and directly on
3 the running application/desktop,
4 preferably --

5 (Reporter Clarification.)

6 THE WITNESS: -- and directly
7 on the running
8 application/desktop, preferably in
9 the manner shown at the top of the
10 screens so as not to interfere
11 substantially with the
12 application/desktop. The
13 annunciator window 1003 can also
14 display other features of the
15 device to include notifications
16 (such as incoming calls, e-mails,
17 or text messages). The
18 annunciator window 1003 could also
19 display status information such as
20 whether the device has a 3, 4, or
21 4G connection, the date, time,
22 battery charge level, wireless

1 signal strength, and other status
2 information (not shown).

3 So that's how it's defined
4 within this patent.

5 BY GEOFFREY MOSS:

6 Q Looking back at Figure 10A, and
7 visual indicator 1002, is that visual
8 indicator of a wave shape?

9 A Meaning 1002?

10 Q Correct, 1002.

11 A That's what the patent --
12 (Reporter Clarification.)

13 THE WITNESS: That's what the
14 patent seems to say.

15 BY GEOFFREY MOSS:

16 Q Is that your opinion? You
17 agree --

18 (Simultaneous Crosstalk.)

19 A That is my opinion. That's what
20 the patent says.

21 Q Okay.

22 In Figure 10A, is application A1

1 minimized?

2 A Minimized across the displays,
3 yes.

4 Q Meaning it is only displayed on
5 one display -- only appears on one
6 display?

7 A I think that's correct.

8 Q In Figure 10A, does the
9 application A1 -- sorry, strike that.

10 In Figure 10A, does the visual
11 indicator indicate that application A1
12 can be maximized?

13 A That's what is described in the
14 patent.

15 Q How does the visual indicator
16 indicate the application A1 can be
17 maximized?

18 MITCH YANG: Object to form.

19 THE WITNESS: So when you
20 press it, it maximizes and -- or
21 when you gesture on it, it
22 maximizes, as is shown in Figure

1 10B. As it's going there, it gets
2 to 10C, and the wave shape is
3 extended across the entire width
4 of both displays. And that a user
5 who intuitively or learns those
6 activities, would understand,
7 having seen this before, once
8 before or a couple of times, would
9 know, oh, that is the thing I need
10 to do to maximize it across both
11 displays.

12 BY GEOFFREY MOSS:

13 Q Just looking at 10A, is there
14 anything about the visual indicator that
15 itself indicates that the application can
16 be maximized?

17 MITCH YANG: Object to form.

18 THE WITNESS: I would just
19 say that when you learn about
20 icons, there's often a function
21 that is associated and attributed
22 to it that might be over time or

1 might be learned.

2 And so you can't just say,
3 oh, that -- that particular thing
4 definitely does that. It could
5 slightly indicate that there's
6 something you can do, and if you
7 press it, you will learn what it
8 does.

9 BY GEOFFREY MOSS:

10 Q If a user doesn't have knowledge
11 about what using a gesture on the visual
12 indicator will do, does the visual
13 indicator separately indicate that
14 application A1 can be maximized?

15 MITCH YANG: Object to form.

16 THE WITNESS: I would just
17 say that in that circumstance, you
18 know, users don't necessarily do
19 that over the course of time.
20 Certainly it's the case when they
21 first see something, they don't
22 necessarily know what it is. Part

1 of it is to help you understand,
2 oh, when I see this again, there's
3 some visual cue, oh, this would
4 maximize, I remember that. When I
5 did this, it stretched out -- you
6 know, when I did this gesture,
7 that icon or whatever you want to
8 call it, shape -- shaped out --
9 spread out. So I would know that.

10 But a priori looking at this,
11 I would say that it might be --
12 it's at least the case you'd
13 probably intuit, oh, there's
14 something that I can do with that
15 shape, but you wouldn't
16 necessarily know beyond that.

17 But again, these things don't
18 occur in a vacuum. You can press
19 them and see what they do, and
20 then suddenly that mapping will
21 occur for you, for that device,
22 using that operating system.

1 BY GEOFFREY MOSS:

2 Q So if I understand that, the
3 visual indicator would indicate that the
4 user can do something, but not
5 necessarily what that something is?

6 A Right.

7 MITCH YANG: Object to form.

8 BY GEOFFREY MOSS:

9 Q Let's look at Figure 10B.

10 And does Figure 10B show
11 application A1 in the process of
12 maximizing in response to a user gesture?

13 A I think that's correct.

14 Q Does Claim 5 require any
15 particular type of user gesture?

16 A (Reviewing.) I don't know that
17 there's a particular user gesture that's
18 required.

19 Q Looking at Figure 10C.

20 A Okay.

21 Q Figure 10C shows application A1
22 as maximized, correct?

1 A I am just getting back to it,
2 sorry.

3 Q I'm sorry.

4 A (Reviewing.) That's correct.

5 Q In what sense is application A1
6 maximized?

7 A It seems to be appearing across
8 the entirety of display 1 and 2
9 horizontally.

10 Q So it's maximized because it is
11 occupying all of display 1 and display 2,
12 correct?

13 A Yes.

14 Q Okay.

15 In Figure 10C, does the visual
16 indicator signify that the application A1
17 can be minimized?

18 A I think that's correct.

19 Q How does it do that?

20 A Well, I think a user having gone
21 through these actions, would understand
22 this has to do with stretching out or

1 minimizing -- doing something with the
2 screen and -- sorry -- not doing
3 something, but doing with -- with
4 maximizing or minimizing the application.
5 So touching it should conceivably allow
6 you to go back to one screen.

7 Q Is it possible for application
8 A1 to open in a maximized state?

9 A I don't believe I proffered an
10 opinion on that but I would imagine so.

11 Q All right. Let's think of a
12 scenario where application A1 is open in
13 a maximized state?

14 A Hm-hm.

15 Q What about the visual indicator
16 in such a scenario would signify to the
17 user that application A1 could be
18 minimized?

19 A That the visual indicator 1002
20 was there.

21 Q Just the presence of it?

22 A If they understand what it does,

1 the function, sure.

2 Q And if this is their first time
3 using application A1, they have no
4 experience maximizing or minimizing,
5 what, if anything, about visual indicator
6 1002 would signify that application A1
7 could be minimized?

8 A Just -- so I would say that it
9 would indicate you could do something and
10 the shape doesn't bias me in one
11 direction, like some of the other icons
12 might.

13 Visually, I don't go, oh, it's
14 going to go to the right if I do this, or
15 I'm going to go to the left. It's an
16 icon or a shape that's not biased --
17 biassing my visual look.

18 Q Do you mean that the wave shape
19 in exhibit -- I'm sorry -- in Figure 10C,
20 does not suggest it has a different type
21 of functionality?

22 MITCH YANG: Object to form.

1 THE WITNESS: I would just
2 say that that indication doesn't
3 cause me to go, would it minimize
4 or maximize or is there an arrow
5 there that suggests whatever I do
6 when I do the gesture would cause
7 something to happen to the right
8 or to the left.

9 BY GEOFFREY MOSS:

10 Q Putting aside Claim 5 for a
11 second, you understand the '756 patent
12 does not require that the visual
13 indicator 1002 be of a wave shape?

14 MITCH YANG: Object to form.

15 THE WITNESS: Not sure how to
16 answer that other than to say
17 usually when you have claims, if
18 you specify it, that means that
19 you are further restricting
20 things. So presumably what you
21 said is true.

22 Again, I haven't looked at

1 the whole patent with regard to
2 those different claims to say that
3 does or doesn't.

4 BY GEOFFREY MOSS:

5 Q Let's turn back to Exhibit 2002,
6 to your declaration.

7 A Hm-hm.

8 Q And let's look at paragraph 75.
9 Let me know when you're there.

10 A I am.

11 Q Okay.

12 So as I understand your
13 declaration, it's your opinion that the
14 icons from Yook do not share the same
15 functionality of the wave shape indicator
16 recited by Claim 5; is that correct?

17 A That's what I said. So yes.

18 Q And as evidence of that, you
19 write that, "expanding any of the 'icons'
20 identified on page 43 of the petition to
21 span across multiple display would
22 stretch the text and visuals and render

1 them difficult to impossible to read."

2 And then it shows an image of --
3 stretched out icons.

4 Do you see that?

5 A (Reviewing.)

6 Q I didn't miss your answer, did
7 I?

8 A Oh. I thought I said, yeah,
9 that it says that.

10 Q I apologize.

11 So each of these icons is wider
12 than they appear in paragraph 62 of your
13 declaration, correct?

14 MITCH YANG: Object to form.

15 BY GEOFFREY MOSS:

16 Q Strike that.

17 Are the icons represented in
18 paragraph 75, the same icons that you
19 include in paragraph 62 of your
20 declaration?

21 A I think so. And --

22 (Simultaneous Crosstalk.)

1 Q And each of the icons -- I
2 apologize.

3 A I meant to say they are
4 stretched, as it says.

5 Q Yes.

6 So each of these icons is wider
7 in paragraph 75, than they are in
8 paragraph 62, correct?

9 A Right.

10 Q And why is that? Why are they
11 wider?

12 A Because what I understood was
13 going on with the wave shape was that the
14 icon was expanded in a way, and so I
15 wanted to indicate what might happen if
16 you expanded those icons that were
17 suggested to just -- by the petition, to
18 be just as useable.

19 Q And to show this expansion, did
20 you drag the width of each icon so they
21 were wider?

22 Is that the process you

1 undertook?

2 A Yeah.

3 Q Okay.

4 Each of these icons is also
5 short -- in paragraph 75, is also shorter
6 than they appear in paragraph 62; is that
7 correct?

8 A Sure.

9 (Reporter Clarification.)

10 GEOFFREY MOSS: 62.

11 BY GEOFFREY MOSS:

12 Q Why is that?

13 A To just show what it would look
14 like if you stretched it out the way that
15 I saw these things being stretched out in
16 the wave-like system.

17 Q And by making them shorter, did
18 you make them less readable?

19 A Sure.

20 Q Okay.

21 Is it your opinion that if an
22 icon is less readable when resized, that

1 it can't be a visual indicator?

2 MITCH YANG: Object to form.

3 THE WITNESS: I think if it's
4 not recognizable, it's not really
5 helpful. It would be hard -- it
6 would be hard to remember.

7 BY GEOFFREY MOSS:

8 Q You would agree these icons in
9 paragraph 75 are less readable, in part
10 because you made them shorter, correct?

11 A I think for illustrative
12 purposes, what you say is true. But I
13 also think the aspect ratio of stretching
14 out text, would make it hard to
15 recognize, I guess.

16 Like, if you were to take the
17 plus sign and stretch it out, it might
18 not look like a plus sign much anymore.
19 It might look like a plus sign that is
20 very stretched and you might not --

21 (Simultaneous Crosstalk.)

22 Q And you --

1 A -- might not even call it a plus
2 sign.

3 Q And for none of the icons in
4 paragraph 62, did you show what
5 stretching the width out, without
6 changing the height, would look like,
7 correct?

8 MITCH YANG: Object to form.

9 THE WITNESS: I did not. But
10 I think a person looking at those
11 icons would see -- would find
12 things kind of less recognizable,
13 I guess.

14 BY GEOFFREY MOSS:

15 Q You resized the icon yourself,
16 correct?

17 A Yes.

18 Q Okay.

19 When you did so, when you
20 resized these icons, were you matching
21 the height of the annunciator window in
22 Figures 10A through C?

1 MITCH YANG: Object to form.

2 THE WITNESS: (Reviewing.) I
3 think there's an element of that.

4 BY GEOFFREY MOSS:

5 Q You would agree that a visual
6 indicator is not required to be located
7 within an annunciator window according to
8 the '756 patent, correct?

9 MITCH YANG: Object to form.

10 THE WITNESS: It does say
11 that.

12 BY GEOFFREY MOSS:

13 Q You said it does say that?

14 A It does say what you said, that
15 it's not required.

16 Q Okay.

17 I believe you testified that you
18 widened these icons, in part, at least,
19 to show what it would look like if they
20 expanded as the application expanded or
21 maximized; is that correct?

22 A I think that's fair.

1 Q Is the visual indicator required
2 to expand as an application maximizes?

3 MITCH YANG: Object to form.

4 THE WITNESS: That seems to
5 be the way it was explained in the
6 patent, in terms of the example
7 they gave.

8 BY GEOFFREY MOSS:

9 Q Does the claim language of the
10 '756 patent require that the visual
11 indicator expand as an application
12 maximizes?

13 MITCH YANG: Object to form.

14 THE WITNESS: (Reviewing.)
15 So a person of ordinary skill
16 would understand from the figures
17 and disclosure, that the
18 functionality of the wave shape
19 indicator is to indicate whether
20 the application be minimized or
21 maximized by expanding with the
22 application.

1 This is further confirmed by
2 the specification of '756 patent.
3 The visual indicator 1002,
4 therefore, also expands across
5 both the primary and secondary
6 screens, indicating that the user
7 can now minimize this application
8 by again executing another gesture
9 -- which is just words saying what
10 I described.

11 I feel that by -- I guess I
12 would just say that my opinion is
13 influenced by what I saw, and that
14 a POSITA would understand
15 something needs to be different
16 between when the indicator's
17 minimized or maximized. And in
18 that case, it was expanded or
19 contracted.

20 I am not sure I know of other
21 examples where that might not be
22 true, but I would have to see an

1 example to see whether that -- not
2 expanding it would work. Maybe
3 there's something different about
4 it -- maybe.

5 But I would just say that,
6 again, you have to look at a
7 particular example to see if it --
8 if it's expanded or not. But what
9 is given in the specifications
10 seems to indicate that something
11 different has to happen to the
12 visual indicator.

13 BY GEOFFREY MOSS:

14 Q You would agree that the claim
15 language of the '756 patent does not
16 require the visual indicator to expand
17 when the application expands.

18 MITCH YANG: Objection to
19 form.

20 THE WITNESS: I am not sure I
21 have gone quite that far. I said
22 that I think it needs --

1 (Simultaneous Crosstalk.)

2 BY GEOFFREY MOSS:

3 Q That's the question I'm asking,
4 sir.

5 You answered what the
6 specification is. I'm asking about the
7 claim language.

8 A Right.

9 Q So --

10 MITCH YANG: Object to form.

11 THE WITNESS: So I would just
12 simply say, like, literally
13 reading the claim language, it
14 doesn't literally say that.

15 Looking at -- looking at
16 the -- looking at the claim, the
17 specification and looking at the
18 reasoning given about the
19 potential for invalidity of the
20 claim, I haven't seen anything
21 that indicates to me that what was
22 provided or discussed or argued,

1 provides a basis for invalidation.

2 So I would just simply say
3 that I -- I would go as far to say
4 that it has to be something
5 different, but I would have to see
6 an example of it to decide whether
7 it met the claim limitation or
8 not. And what I saw from the
9 evidence provided, I didn't see an
10 argument that convinced me.

11 BY GEOFFREY MOSS:

12 Q And your understanding that the
13 visual indicator needs to be different
14 between when an application is minimized
15 and maximized, is based on the
16 specification and not the claim language,
17 correct?

18 MITCH YANG: Object to form.

19 THE WITNESS: I mean,
20 that's sort of -- the
21 specification informs what the
22 claim language might mean. But

1 explicitly in the claim language,
2 I don't see the word "expanded"
3 being required.

4 BY GEOFFREY MOSS:

5 Q Do you see the word -- do you
6 see words that in the claim language
7 itself, that the visual indicator needs
8 to be different between when an
9 application is minimized or maximized?

10 A No, I don't.

11 Q And if I understand your
12 opinion, expanding the visual indicator
13 -- excuse me -- like widening it, is a
14 way to show a difference between when an
15 application is minimized and maximized;
16 is that correct?

17 A That's part of it, yeah.

18 Q So if I have -- if I have a
19 visual indicator -- actually, let's look
20 at Figure 10A again, instead of giving
21 you a hypothetical.

22 GEOFFREY MOSS: I'm sorry,

1 that's for Exhibit 1001, Wes.

2 BY GEOFFREY MOSS:

3 Q So in Figure 10A, we see the
4 visual indicator 1002 -- I believe you
5 testified it's of a wave shape, correct?

6 A Right.

7 Q And that that stretches across
8 the same width as the minimized
9 application A1 on display 1, correct?

10 A Right.

11 Q And is it your understanding
12 that when transitioning from a minimized
13 state to a maximized state, that
14 transition can be instantaneous as
15 opposed to gradual?

16 MITCH YANG: Object to scope.

17 THE WITNESS: I did read
18 that.

19 BY GEOFFREY MOSS:

20 Q So you would agree with that?
21 You agree it can be instantaneous,
22 correct?

1 A I recall reading that. But,
2 yeah.

3 Q If we were to imagine such a
4 situation where we go from a minimized
5 application A1, like we see in Figure
6 10A, to a maximized application A1 in
7 Figure 10C, could we simply repeat the
8 shape of the visual indicator from Figure
9 10A across both halves of the application
10 in Figure 10C?

11 MITCH YANG: Object to scope
12 and relevance.

13 THE WITNESS: Yeah. I
14 haven't thought about that
15 particular example enough. It
16 does look like it might work, but
17 I don't -- I would like to
18 spend -- I would have to spend
19 more time trying to think about
20 why it might not qualify.

21 As I understand it, you are
22 saying that if I took A1, what is

1 above A1 in Figure 10A, and I
2 duplicated it across Figure 10C,
3 as opposed to what is done in 10C
4 right now, would that -- would
5 that potentially qualify as a wave
6 shape per Claim 5.

7 BY GEOFFREY MOSS:

8 Q Almost. Let me try this a
9 different way.

10 A Okay.

11 Q So if I understood your
12 testimony, the visual indicator needs to
13 be different between when the application
14 is a minimized state and maximized state,
15 correct?

16 A Right.

17 Q So there needs to be some visual
18 indication via that visual indicator,
19 that the application can be maximized or
20 minimized respectively, correct?

21 A Okay.

22 Q Do you agree with that?

1 A I said yes.

2 Q Okay.

3 So as the figures currently
4 appear, would you agree that the visual
5 indicator -- so above the application A1,
6 as it looks -- as it appears on or is
7 displayed on display 1, is -- strike
8 that.

9 I guess what I'm asking you,
10 Dr. Surati, could I take the visual
11 indicator in 10A and just duplicate it
12 above where application A1 appears on
13 display 2 when maximized?

14 MITCH YANG: Object to form
15 and scope.

16 THE WITNESS: Okay. So what
17 I said -- I think you repeated
18 what I said, which was that above
19 A1, you duplicate what is above A1
20 in Figure 10A and in 10C, right?

21 And then what is above A1 and
22 10A you, again, duplicate above

1 what is in A1 but on display 2.

2 Is that -- is that what --

3 (Simultaneous Crosstalk.)

4 BY GEOFFREY MOSS:

5 Q Yeah. And I guess, baked into
6 that is we don't have to stretch out the
7 visual indicator -- is my question.

8 Do you agree with that?

9 A I think that's fair.

10 GEOFFREY MOSS: Okay. I
11 think I am pretty close to being
12 done. If you can give me a few
13 minutes to look at my notes and
14 then I will hop back on.

15 THE WITNESS: Okay. Five
16 minutes? Ten minutes? What do
17 you want?

18 GEOFFREY MOSS: Five is
19 totally fine.

20 THE REPORTER: Off the
21 record.

22 (Whereupon a Recess Commenced

1 at 11:39 a.m. and Testimony

2 Recommenced at 11:44 a.m. EST.)

3 GEOFFREY MOSS: Nothing else
4 from me. Thank you, Dr. Surati.

5 MITCH YANG: I have no
6 questions either. So I think this
7 deposition is concluded.

8 GEOFFREY MOSS: Perfect.

9 THE REPORTER: Mr. Yang, will
10 you be getting a copy of the
11 transcript?

12 MITCH YANG: No, I don't need
13 a copy.

14 THE REPORTER: Mr. Valente,
15 do you need a copy of the
16 transcript?

17 DAVID VALENTE: I believe we
18 have a standing order. If you
19 don't have that, then, yes, I will
20 take a copy.

21 (Whereupon Testimony Concluded at 11:44

22 p.m. EST.)

ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

I, the undersigned, hereby
certify that I have read the transcript
of my testimony taken under oath in my
deposition; that the transcript is a true
and complete and correct record of my
testimony, and that the answers on the
record as given by me are true and
correct.

RAJEEV SURATI, PhD

Signed and subscribed to before
me this _____ day of _____,
20__.

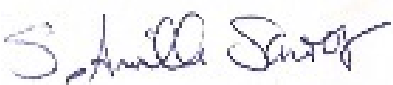
Notary Public

1 I, S. Arielle Santos, CSR, CLR, do hereby
2 certify:

3 That prior to being examined, the witness
4 named in the forgoing deposition, was by me
5 duly affirmed to testify the truth, the
6 whole truth, and nothing but the truth.

7 That said deposition was taken before me at
8 the time and place set forth and was taken
9 down by me in shorthand and thereafter
10 reduced to computerized transcription under
11 my direction and supervision, and I hereby
12 certify the foregoing deposition is a full,
13 true and correct transcript of my shorthand
14 notes so taken.

15 I further certify that I am neither counsel
16 for nor related to any party to said action
17 nor in anywise interested in the outcome
18 thereof.

19 

20 _____
21 S. Arielle Santos, CSR
22

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