UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMCAST CABLE COMMUNICATIONS, LLC,	)	
PETITIONER,	)	
vs.	)	Case No.
	)	IPR2024-00432
ENTROPIC COMMUNICATIONS, LLC,	)	IPR2024-00435
	)	IPR2024-00438
Patent owner.	)	

VOLUME II (Pages 192 - 245)

DEPOSITION OF DAVID LETT

VIA VIDEOCONFERENCE

TUESDAY, DECEMBER 16, 2025

9:00 A.M.

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REPORTED BY LEESA DURRANT, CSR NO. 11899, RPR

DEPOSITION OF DAVID LETT taken on behalf of Petitioner, at 9:00 a.m., Tuesday, December 16, 2025, via videoconference before Leesa Durrant, Certified Shorthand Reporter No. 11899 of the State of California, pursuant to Notice.

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TUESDAY, DECEMBER 16, 2025

9:00 A.M.

* * *

DAVID LETT,

having been first duly sworn,

testified as follows:

THE REPORTER: Good morning. My name is Leesa Durrant, Certified Shorthand Reporter, License No. 11899.

EXAMINATION

BY MR. HENDIFAR:

Q Mr. Lett, are you ready?

A Yes.

Q Good morning, Mr. Lett.

A Good morning.

Q Thank you for your time.

You understand that you're testifying under oath today; correct?

A Hang on just a second. Let me get my volume. Talk for just a minute, please.

Q Me?

A Yes.

Q Sure.

Do you understand that you're testifying under oath today?

A Yes.

Q Is there any reason why you may not be able to provide your best testimony today?

A Not that I'm aware of.

Q Throughout the deposition, if there are any issues, whether it's technical, with the microphone or whether it's you not quite understanding a question or needing clarification, please let me know and I will be happy to take a break, rephrase the question or take other measures as may be necessary.

Is that fair?

A Yes.

Q But if you do understand -- I'm sorry.

But if you do respond to a question, I will assume that you have understood my question.

Is that fair?

A Yes.

Q Your counsel may raise objections throughout the deposition when I ask questions, but unless they specifically instruct you not to answer, you're required to answer my question.

Do you understand?

A Yes.

Q What did you do to prepare for today's deposition?

A I reviewed some documents that have been used in the case, for example, my last reply declaration, as well as my first declaration and a few other documents and the -- all of them in the materials-considered list.

Q Did you review any documents that were not cited in either your opening or our reply declarations?

A I don't think so. Certainly I didn't review any that were not in the material considered.

Q Did you conduct any online searches in connection with your preparation for the deposition today?

A No.

Q Do you have any documents available to you as -- let me rephrase that.

Where are you located right now?

A I'm in Washington, DC.

Q Are you in the office of petitioner's counsel?

A I'm in the office of Banner Witcoff.

Q Is there any other person with you in the room?

A Yeah, Craig Kronenthal is next to me. And the reason we're doing that is because I'm using one

microphone for both of us.

Q Any other person?

A No.

Q Do you have any documents available to you where you're located right now?

A I have the -- I guess you would call it the record on a USB drive with all the electronic versions of the documents. I also have a few printouts of some of those same documents. I can go through those if you'd like.

Q If you would, I would appreciate that.

A Okay. So I have a printout of Zhang -- excuse me. I should give you exhibit numbers. I have a printout of Exhibit 1013. I have a printout of Exhibit 1001. I have a printout of Exhibit 1085. I have a printout of Exhibit 1002. And I have a printout separately of the claims-listing appendix from Exhibit 1002.

Q Thank you.

Are there any markings in those documents or are they clean copies?

A They're clean copies with no markings.

Q Throughout the deposition, I don't mind if you need to consult any of your documents, whether hard copies or electronically, to respond to the questions.

But I do request that you let me know if you are reviewing a document and what you're reviewing.

Is that fair?

A Sure.

Q Thank you.

Going back to my earlier question, did you meet anyone in connection with preparing for today's deposition?

A Yes. In addition to independent study, I had some preparation sessions with some of the attorneys.

Q Who did you meet?

A Craig Kronenthal, who's next to me, and Fred Meeker sat in for portions of those preparation sessions.

Q And how many hours would you estimate you met with counsel in preparation for today's deposition?

A I'm guessing around maybe 12 hours.

Q And how many hours total did you spend in preparing for today's deposition?

A I'm guessing about the same, maybe 12 hours. You're talking about independently?

Q Sure. So a total of about 24 hours?

A I think that sounds close.

Q Okay. You also saw a reply declaration in this matter, Exhibit 1085, that I believe you mentioned

you have a printed copy; is that correct?

A Yes.

Q Who drafted your reply declaration?

A Well, it was a collaborative effort between myself and the attorneys.

Q Did you make the first draft of that declaration?

A I don't think so. I edited it and -- and, you know, agreed with things and it's my opinion. It's -- I support it as my opinion.

Q Okay. And did you determine -- I'm going to strike that.

Did you review Dr. Ross's declaration in support of patent owner's response?

A Yes.

Q Did you determine which portions of Dr. Ross's declaration you would respond to in your reply declaration?

A Well, we talked about some of the -- some of the things that were in Dr. Ross's declaration, and so maybe I participated in helping decide which ones we reply to -- at least some.

Q Okay. Did you -- in connection with preparing your reply declaration, did you review the prosecution history of the '275 patent?

A Yes. I definitely reviewed the prosecution history, you know, even from my first declaration, and I went back and looked at some things for the second declaration.

Q Thank you.

If I missed it, please point me to it, but am I correct that you do not address anything about the '275's prosecution history in your reply declaration?

A Can you tell me the exhibit number of the prosecution history?

Q The prosecution history, let's see --

A Or I can maybe find it.

Q So petitioner has filed Exhibit 1004 in three parts.

A Okay.

Q My understanding is that that's the entirety of the prosecution history, but I'd leave that to counsel if that representation is not correct.

A Yeah, I don't see where I referred to Exhibit 1004 in the reply declaration.

Q Okay. Are you aware that the -- do you have any patents issued to your name?

A Yes.

Q Are you familiar with the process of applying for a patent and obtaining a patent in the US?

A Yeah, generally from an inventor's point of view.

Q Are you familiar with what an information disclosure statement is?

A I don't know exactly what it is. I mean, it sounds like -- I mean, I don't know. It sounds like it's some kind of disclosure. I know that -- that there's something about that in the prosecution history.

Q Are you aware that during the prosecution of the '275 patent the applicant identified Zhang as a prior art reference for the examiner's consideration?

A I remember that this IDS disclosed the patent -- the Zhang patent, not our Zhang Exhibit 1013 US publication, as part of the prosecution history -- excuse me -- as part of the consideration.

Q Patent owner has filed the Zhang patent that you referred to; that is Patent Number 6704372 as Exhibit 2023.

Do you have that in your USB file?

A I do.

Q Have you reviewed the Zhang patent which is a 372 patent, Exhibit 2023?

A I don't think I have.

Q Do you dispute that the disclosure of the Zhang patent is identical to the disclosure of Exhibit

1013?

A I am not sure. I don't know the answer because I don't remember looking at Exhibit 2023.

Q Okay. Are you aware that the applicant identified the Zhang patent during prosecution of the '275 patent?

Let me -- let me withdraw that and rephrase the question more properly.

Are you aware that during the prosecution of the '275 patent, the applicant identified the Zhang patent as a prior art to be considered by the examiner?

MR. KRONENTHAL: Objection. Form.

THE WITNESS: I'm not aware that Zhang, Exhibit 1013, was considered by the examiner. And the examiner never really specifically discussed the Zhang patent in the second notice of allowance. And it was cited in the NDS. The Zhang patent was -- excuse me -- the IDS.

BY MR. HENDIFAR:

Q Sir, I saw you're reading from somewhere. What are you reading?

A I'm looking at my first declaration, Exhibit 1002.

Q Which paragraph?

A I'm sorry. I didn't understand what you said.

Q Which paragraph?

A I'm sorry. I still don't understand what you're saying.

Q Which paragraph of Exhibit 1002 were you reading from?

A Okay. Paragraph 46.

Q Okay. So going back to my question, which I don't believe you answered, are you aware that during the prosecution of the '275 patent the applicant identified the Zhang patent as a prior art to be considered by the examiner?

A So it's more -- I don't understand the legal part of this, but I am aware that the Zhang patent was issued or included in the IDS.

Is that part of the prosecution history, I don't know. Maybe it is.

Q Got it. Okay.

Now, may I please -- do you have access to Exhibit 2024 in your electronic documents?

A Okay. I do, yes.

Q Great. Okay.

Could you please open Exhibit 2024?

A Okay. I have it.

Q And then do you see on the left-hand side the title of the document says, "Information disclosure

statement by applicant"?

A Yes.

Q On that same first page under "U.S. Patents," do you see that first reference identified is U.S. Patent 6704372, name issued to Zhang?

A Yes.

Q And then do you see at the bottom of the page, page one, there's a stamp that says, "All references considered except where lined through"?

A I'm sorry. Maybe you can point me to exactly what you're referring to.

Q Sure.

On the first page of Exhibit 2024 --

A Okay.

Q -- at the very, very end of the page in the margins, do you see a stamped entry that says, "All references considered except where lined through"?

A I see that, yes. Thank you.

Q Okay. Then going to the second page of Exhibit 2024, under "Examiner's signature," do you see that there is a signature by Blaine Jackson and the date considered August 22nd, 2023?

A Yes, I see that.

Q Okay. So let me ask the question again.

Are you aware that during the prosecution of

the '275 patent the examiner considered the Zhang patent in issuing the '275 patent?

MR. KRONENTHAL: Objection. Foundation.

THE WITNESS: Well, there's another statement that says the disclosure was from -- was from the applicant's other patents. So in other words, it seemed like he dismissed the Zhang patent.

BY MR. HENDIFAR:

Q Sir, where are you reading from?

A Again, my -- my first declaration, Exhibit 1002, paragraph 46.

Q What is your answer to my question?

A The examiner seemed to dismiss the prior art that was cited in the IDS, the Zhang patent, because the examiner indicated the prior art comprising information disclosure statements filed 16 August '23 and 18 August '23 was from the applicant's other patents, and it states 8223775.

Q So is it your contention that the examiner did not review the Zhang patent and did not consider the Zhang patent in issuing the '275 patent?

MR. KRONENTHAL: Objection. Form. Foundation. Scope.

THE WITNESS: All I can do is I can see what it says, and he said that it was from the applicant's

other patent. And when he's talking about the reasons for allowance, he talks about some other patent, Claxton, and he's saying, I think, Claxton doesn't have -- doesn't teach some of the elements of claim one.

But I guess it's beside the point, because Zhang clearly -- clearly discloses claim one.

BY MR. HENDIFAR:

Q Do you have any opinion as to why the examiner did not believe that Zhang discloses claim one of the '275 patent?

MR. KRONENTHAL: Objection. Form. Foundation. Scope.

THE WITNESS: I can't really speculate. All I can do is notice that it said -- that he said -- which is I think the only reason given in the record -- it's from the -- from the applicant's other patents. And in the allowance statement he does not mention Zhang, he mentions Claxton.

He doesn't mention our Zhang reference at all. He -- just to be clear. When he mentions the Zhang patent, that was issued later as the result of the US publication that we're calling "Zhang."

And furthermore, you know, as I stated in paragraph 47, if the examiner had seriously considered Zhang, he would have seen it clearly described -- Zhang

clearly describes claim one.

BY MR. HENDIFAR:

Q Are you aware that the Zhang patent was -- let me strike that.

Do you know what -- I'm sorry.

Do you know what an ex parte reexamination is?

A I've heard the term. I'm not -- I'm not sure that I remember what that means exactly.

Q It is a process where the patent office reviews a patent again after it has been issued. It's one of the ways the patent office reviews the patent after it has been issued.

Are you --

A Okay.

Q Sure.

So you were Entropic's expert in three other patents that issued from the same specification as the '275 patent; correct?

A No, I was not Entropic's expert.

Q I apologize. You were Comcast's expert in connection with the IPRs of three other patents that had issued from the same specification as the '275 patent; correct?

A I can't -- I don't -- I can't remember if they were issued from this -- I -- I think you're correct

that they were -- they had the same specification, I think. But I don't -- I haven't checked that in a long time, so I don't remember if that's true without a shadow of a doubt.

Q And one of those patents was U.S. Patent Number 9210362 which I will refer to as the '362 patent.

Do you recall that patent?

A Yes.

Q Are you aware that recently the '362 patent was the subject of an ex parte reexamination by the U.S. Patent Office?

A I'm not aware of that.

Q Are you aware that during an ex parte reexamination of the '362 patent, the applicant again identified --

A Hang on. Hang on. I'm sorry. I misspoke. I hate to interrupt you.

I think -- I think maybe the ex parte reexamination, the same reasons were cited for allowance that had been previously cited, meaning that -- it's been a while since I've looked at this.

So Claxton was cited, and it said that it was -- that Claxton did not disclose the claim one elements. And I think he repeated that same reason for allowance.

Q Where are you reading?

A I wasn't really reading anywhere. I was just doing that from memory.

Q Can you tell me on your computer screen what applications exactly are open currently?

A I have Adobe and I have Zoom and I have the file explorer, I guess it's called, that just shows the director of the USB drive.

Q So my question is, so are you or are you not aware that the '362 patent was recently the subject of an ex parte reexamination?

A I'm not aware. I'm sorry. I was talking about the second notice of allowance when I was talking about he recited the same reasons as before.

I'm sorry. So I got confused a little bit.

Q Sure.

Are you aware that during the recent ex parte reexamination of the '362 patent the applicant again cited the Zhang patent for the examiner's consideration?

MR. KRONENTHAL: Objection. Scope.

THE WITNESS: I'm not aware of anything about the '362 ex parte -- what's it called? Ex parte something.

BY MR. HENDIFAR:

Q Reexamination.

A Okay. Thank you.

Q So you don't have any opinion as to why the examiner in the ex parte reexamination of the '362 patent rejected the Zhang patent as a prior art that discloses the claims of the '362 patent?

MR. KRONENTHAL: Objection. Scope.

THE WITNESS: Could you read that back, please?

BY MR. HENDIFAR:

Q Sure.

So you don't have any opinion as to why the examiner in the ex parte reexamination of the '362 patent rejected Zhang as disclosing the claims of the '362 patent?

MR. KRONENTHAL: Objection. Scope.

THE WITNESS: I'm not aware. I don't have any opinion. I have not looked at it.

BY MR. HENDIFAR:

Q What is a channelizer?

A I don't know.

I have not looked at Claxton. I just see the statement about Claxton where it uses the word "channelizer." I mean, it's besides the point because Zhang clearly discloses claim one of '275.

Q Is Zhang's demultiplexer 230 a channelizer?

A Again, I'm not sure what's meant by a channelizer. I have not looked at Claxton.

Q What is a set-top box?

A Well, I guess you could say it in the most general terms a television receiver.

Q Okay. Now, are there -- let me strike that.

I am going to present to you a hypothetical and then a question about it. If you need additional information for the hypothetical, you can ask me and I'll be happy to provide that.

Fair enough?

A I'll give it a try.

Q Let us assume a set-top box that receives an input signal with 20 RF channels, and let us further assume that there is parental control capabilities on that set-top box where the parent can limit the available channels for children to ten of those 20 channels.

When a child is selecting one of those ten channels, is the child selecting from the input 20 channels or is the child selecting from the reduced set of ten channels?

MR. KRONENTHAL: Objection. Scope.

THE WITNESS: There's a selection made from the 20 channels by the set-top box.

BY MR. HENDIFAR:

Q In your view, even with parental control, the child is still selecting from the input 20 channels in the set-top box?

A The child doesn't do the selecting. The box does the selecting. The -- the set-top box is selecting one of the 20 channels or ten of the 20 channels or whatever.

Q I'm not sure I understand. Would you be kind enough to elaborate on your response?

MR. KRONENTHAL: Objection. Form.

THE WITNESS: Would you mind saying what part of it you don't understand?

BY MR. HENDIFAR:

Q Sure.

You said the child is not selecting, and it's a bit confusing to me because if I have a remote or if the child has a remote, the child will select one of the ten or 20, whatever the number of channels, no?

MR. KRONENTHAL: Objection. Form.

THE WITNESS: The box is doing the selecting because the box is selecting one of the allowed channels.

BY MR. HENDIFAR:

Q When you say "the allowed channels," those are

the ten channels after parental control?

A It's a hypothetical situation. You know, what I did is I mapped Zhang to the patent claims, and Zhang does selecting of channels just like the '275 patent.

Q But I didn't ask -- did my question mention Zhang? I really asked a different question, didn't I?

A Well, you asked a hypothetical, and I was trying to bring it home to more down to earth.

Q Right. But I would appreciate if you would actually answer my hypothetical.

A I think I did.

Q Okay. So, in your opinion, if a set-top box receives an input signal with 20 channels and if parental control limits the options for a child to ten of those 20 channels, if a child selects one of those ten channels, the child has selected from the input 20 channels; is that your opinion?

A I think that this is a new opinion. I haven't rendered an -- an opinion on the hypothetical scenario that you're describing. I would need more time to think about it and understand the implications of all of the considerations to answer your question.

I attempted to answer it and you didn't seem to understand it, so I'm -- I'm not really -- feel like I'm prepared to -- to answer any more questions about a

hypothetical situation.

Q Do you have Exhibit 2026 in your digital files?

A I do.

Q Could you please open Exhibit 2026?

A Okay.

Q Do you know what the document in Exhibit 2026 is?

A A petitioner's reply to patent owner's response.

Q And it's in the IPR challenging the '362 patent; correct?

A Yes.

Q May I please refer you to page 24 of Exhibit 2026?

A You said page 24?

Q No. I'm actually double-checking that. One second.

A Or paragraph 24? No. Hang on. I see page numbers now. Okay.

Q Let me clarify that.

So do you see that Exhibit 2026 has stamped page numbers on the right-hand side at the bottom of the page?

A Yes.

Q So I stand corrected. Could you go to the page stamp number 32? That's the exhibit page number 32 of Exhibit 2026.

A Okay.

Q The last paragraph on that page reads -- that starts with, "The board should instead apply the plain and ordinary meaning of select set plurality of desired television channels."

Do you see that sentence?

A I do.

Q Do you see that it follows by saying, "Selection is simply extracting a channel from the plurality of frequencies in the digitized RF signal."

Do you see that sentence as well?

A Yes.

Q Do you see at the end of that paragraph it cites Exhibit 1078, which was your reply declaration in that matter?

A I see that. I see 1078.

Q And you can check on page eight of this exhibit, that Exhibit 1078, is titled "Second expert declaration of David E. Lett." And you're more than welcome to verify that.

A I don't -- I don't think I have a copy of that. So I -- I don't know if I can verify that.

Q Okay. Now, the question is going back to page 32, you agree that under its plain and ordinary meaning of select set plurality of desired television channels, selection is simply extracting a channel from the plurality of frequencies in the digitized RF signal.

Do you agree with that statement?

MR. KRONENTHAL: Objection. Form. Scope.

THE WITNESS: I need to -- I need to be able to see Exhibit 1078.

BY MR. HENDIFAR:

Q I can put it in the chat box. Give me one minute.

MR. KRONENTHAL: Objection. Form and scope. Exhibit 1078 is not currently of record in this case; correct?

THE WITNESS: Exhibit 1078, Dong.

MR. HENDIFAR: Actually, you're right. It's not of record.

MR. KRONENTHAL: There's another opportunity to admit it.

MR. HENDIFAR: That's fine. That's fine.

Let me -- Mr. Lett, I'll ask you the question again. If you do not have an opinion, you can say you do not have an opinion.

///

BY MR. HENDIFAR:

Q Do you agree with Comcast's statement as stated on page 32 of Exhibit 2026 that under the plain and ordinary meaning of, "Select set plurality of desired television channels," selection is simply extracting a channel from the plurality of frequencies in the digitized RF signal?

Do you agree with that statement by Comcast?

A I don't have any way to verify this is the statement from Comcast that I'm aware of. I don't have Exhibit 1078.

Q That was also not the question. I'll ask the question again.

I represent to you that Exhibit 2026 is verified declaration filed by Comcast.

Do you agree -- the question is, do you agree with the statement on page 32 of Exhibit 2026 by Comcast that the plain and ordinary meaning of "Select set plurality of desired television channels" is simply extracting a channel from the plurality of frequencies in the digitized RF signal?

Do you agree with that statement?

MR. KRONENTHAL: Objection. Form.

THE WITNESS: I don't have an opinion because I do not have the '362 documents in front of me to

verify and understand what the context of this.

What I did was I mapped Zhang to the claim elements of '275. And Zhang selects -- coupled to the ADC, the plurality of desired channels from the digitized signals.

Please don't interrupt me.

BY MR. HENDIFAR:

Q Well, if you answer my question, I will not interrupt you. Because you played that game last time. I understand you have a set of sentences memorized about Zhang that you provide in response to any question, even if the question has nothing to do with Zhang.

A I would appreciate, just like when you talk, I do not interrupt you.

Q But you are --

A Let me finish my answer.

Q But you are obligated to provide an answer to my question, not to repeat a memorized, unrelated response. Okay. That is your obligation.

So if I ask you a question that does not even mention Zhang, it is a breach of your obligation to just repeat a memorized sentence about Zhang that has nothing to do with my question.

MR. KRONENTHAL: Okay. Why don't you reask your question, Counsel?

MR. HENDIFAR: Counsel, you're not allowed to interrupt like that. If you have an objection, you can say your two-word objection, nonspeaking.

BY MR. HENDIFAR:

Q So, Mr. Lett, I'll ask the question again.

I lost my train of thought. I'm sorry. One moment.

So do you have access to Exhibit 2026 in its entirety?

A I don't know. Let me look.

Q Sure.

A I have Exhibit 2026, yes.

Q Okay. What is the title of that exhibit?

A "Petitioner's reply to patent owner's response under 37 CFR at 4223."

Q And the case number is IPR 2024-00432; correct?

A That's right.

Q Okay. And petitioner is Comcast Cable Communications; correct?

A Yes.

Q Okay. And you are more than welcome to read any portion or all of Exhibit 2026, which is the entirety of the document, for any context, but I want to make sure I have an answer to my question.

So are you testifying that you do not have an opinion on the statement that the plain and ordinary meaning of "Select set plurality of desired television channels" is simply extracting a channel from the plurality of frequencies in the digitized RF signal?

Are you testifying that sitting here now you do not have an opinion as to whether that statement is correct?

MR. KRONENTHAL: Objection. Form.

THE WITNESS: This case is about patent '275. I do not have an opinion about the statements with regard to '362 that you read out because that's different than the case with '275.

BY MR. HENDIFAR:

Q Are you testifying that the claim term "selecting" has a different meaning in the '275 patent than the '362 patent?

A I'm not sure of the answer to that question, but one thing is for sure. The '362 case is different than the '275 case. They're two different cases.

Q You applied the plain and ordinary meaning of the word "selecting" in the '275 patent; correct?

A I'm going to my reply declaration, Exhibit 1085.

Q Thank you for letting me know.

A I'm reading the selector 240 of Zhang, of course, does selecting under the plain and normal meaning of the term by picking out channels.

Q Okay. So the question is did you apply the plain and ordinary meaning of selecting in your analysis of the '275 patent?

A I don't remember.

Q Okay. Do you know what it means for a phrase to be a term of art?

A Maybe.

Q Okay. What is your understanding?

A I mean, I think it might be something like words that are commonly used by engineers to describe something.

Q Is that your understanding of "term of art," words that are commonly used by engineers to describe something?

A I mean, I'm not really here to define terms. Perhaps maybe you can give an example of something and ask me if it's a -- if it's a term of art.

Q But for you to answer that I need to know what you mean by "term of art"; correct?

A Well, it can mean a lot of things, right. So I think it's -- kind of depends on the specific term we're talking about. Right.

So, you know, like a computer would be understood, you know, but I don't know about the term you're thinking about, whether it is or not.

Q So in order for you to provide an opinion as to whether something is a term of art, you first need to know what it means for a term to be a term of art; isn't that correct?

A I think you need to think about how common that term is as to whether it's really a term of art or not. So sometimes it's clear. Sometimes it's not. So it kind of depends whether it's in the box of a term of art or not in the box of a term of art. Right.

And also what art are we talking about and what specialty are we talking about? I mean, I don't -- it's hard to -- it's hard to answer the question without a little more specific information about what term we're talking about.

Maybe there's a term in the patent you want to refer to and let me comment on it. I'd be happy to do that.

Q Is "set-top box" a term of art?

A Yes, I think so.

Q Okay. So when you opine that a set-top box is a term of art, what does it mean to be a term of art?

A Someone -- I mean, people in the industry

would understand what is meant by a set-top box.

Q May I now please refer you to paragraph 17 of your reply declaration, and that's Exhibit 1085.

Please let me know when you have it.

A Okay. I'm there.

Q In the latter part of paragraph 17, do you see the sentence that says, "Such flexibility is needed when building a television receiver to work in different environments. Example, in different geographical areas with different television programming and, therefore, different RF channels."

Do you see that sentence?

A Yes.

Q Could you elaborate on why you think there is a flexibility required for different geographic areas?

A All this is talking about is the NCO that's part of the multiplier, low-pass filter NCO chain, one of the C elements, let's call it, of Zhang needs to be able to tune to different frequencies. And so you may have different television programming frequencies -- different desired, you know, television channels in one geographic area versus another.

Q Are the television channels different in different geographic areas?

A So in general, yes. So if we're talking about

cable, for example, a -- you know, a multisystem operator like Comcast, like Time Warner, whatever, have lots of head-ins that broadcast signals.

Some of the head-ins, you know, at this time had larger -- larger bandwidth, larger -- like they may go to one gigahertz is the highest frequency of broadcast. Whereas some head-ins, you know, may be at 860 or 750 megahertz.

So the geographic area -- with this example, the geographic area for, you know, one head-in that's, let's say, 750 megahertz would have different frequencies than a one gigahertz head-in.

Q Did I understand it correctly that basically providers in different geographic areas may modulate their channels on different frequency bandwidths?

A Yes, but some geographic areas do not have, like in my example, the frequencies at all from 750 to one gigahertz.

Q So what do they do?

A Who?

Q I'm sorry. But they would have some frequency; right? You need some RF frequency to transmit the channels?

MR. KRONENTHAL: Objection. Form.

THE WITNESS: I don't understand the question.

BY MR. HENDIFAR:

Q Okay.

When did digital cable television become commercially popular in the United States, roughly?

A I don't remember. Perhaps it's in one of my background sections. I don't remember off the top of my head.

Q I -- I remember -- I moved to the United States in 2000. I remember we didn't have digital cable TV where I come from. I remember when I moved here there were channels that were scrambled. There were channels that were not scrambled.

Why would a provider scramble a channel in a digital TV network?

MR. KRONENTHAL: Objection. Form.

THE WITNESS: Well, digital channels were -- I think scrambling is more of an analog video term. I think -- I think, you know, digital channels were encrypted many times so that the subscriber that's not authorized to receive that channel can't just tune to it. He has to be authorized to decrypt that channel so that he can view it.

So as I referred to in my dec, like somebody that's not subscribed to HBO, for example, you know, may -- may not have decryption enabled to -- to view

that channel, nor would the box even select that channel because it wouldn't be -- there would be no need to do so.

BY MR. HENDIFAR:

Q So if a channel like HBO would not be selected by the box because of subscription issues, why would the channel also be encrypted?

A Well, encryption was generally used to protect a channel to keep -- let's call it pirates for -- from receiving channels for free. Whether it's -- you know, was some homemade box that they made to -- to tune that frequency and so on, or -- or not. It's just an extra layer of protection because the content is valuable and it requires a subscription generally, a fee paid by a subscriber.

Q Do you know what a video guard is?

A Maybe. Do you want to try to explain to me what you mean by that?

Q Sure.

Is Video Guard an encryption system card used by DirecTV?

A It sounds familiar, and I'm not -- you may be right, but I -- I can't say for sure, so, therefore, I probably should say I'm not sure.

Q Okay. Now, you worked at Scientific Atlanta

at some point. Do I recall that correctly?

A That's right.

Q Are you familiar with a system called PowerVu?

A I remember that. I don't remember exactly what it is. I remember the term for sure.

Q If I tell you that PowerVu -- and for the Madam Court Reporter, that's one word Power and then V-U.

If I represent to you, Mr. Lett, that PowerVu was a popular digital encryption technology for digital cable developed by Scientific Atlanta, do you have any reason to dispute that?

A PowerVu is not developed by Scientific Atlanta.

Q PowerVu is not?

A No.

Q So I can tell you Wikipedia has it all wrong. You might want to have it corrected.

A Definitely it's wrong.

Q Who developed PowerVu?

MR. KRONENTHAL: Objection. Scope.

THE WITNESS: I don't remember. I've heard that but I'm not sure what that is.

Just to be clear, Scientific Atlanta developed PowerKey.

BY MR. HENDIFAR:

Q Okay. What is PowerKey?

A It was an encryption system; it's a conditional access system.

Q Would you be kind enough to explain how the encryption access system worked, the one that was developed by Scientific Atlanta, PowerKey?

MR. KRONENTHAL: Objection. Scope.

THE WITNESS: How many days do you have?

BY MR. HENDIFAR:

Q I have a lot of days but I will settle for a brief, two-minute layman explanation.

A You know, at the highest level any conditional access system is -- is kind of what I described earlier. It's a way to allow the people -- the subscribers, the -- whoever paid for the service to be able to view that service. And, I mean, that's in, you know, any conditional access system in general in this -- in this industry.

Q And how does -- how does encryption come into play for the conditional access aspect of the system?

MR. KRONENTHAL: Objection. Scope.

THE WITNESS: Well, I think I answered that before.

///

BY MR. HENDIFAR:

Q So did I understand it correctly that a system like PowerKey developed by Scientific Atlanta where you would control user access to channels based on subscription by using encryption methods?

MR. KRONENTHAL: Objection. Scope.

THE WITNESS: So the control of who was authorized was generally done by the -- the multiple system operator, using the conditional access system to implement that to -- to accomplish that functionality.

BY MR. HENDIFAR:

Q And the way the system would accomplish access control was through encryption; correct?

A At least one of the ways, yes.

MR. KRONENTHAL: Counsel, we've been going for a little over an hour. Do you think now is a good time for a break?

MR. HENDIFAR: Sure. How long of a break would you like?

MR. KRONENTHAL: Five minutes.

MR. HENDIFAR: Sure.

THE WITNESS: Yeah. That's good. Thank you.

MR. HENDIFAR: Ten minutes past the hour?

MR. KRONENTHAL: Do you want a ten-minute break?

MR. HENDIFAR: Yeah, ten minutes past the hour gives you the six minutes.

MR. KRONENTHAL: Yeah, yeah, that works.

(Brief recess taken.)

MR. HENDIFAR: Let's go back on the record.

THE WITNESS: If you don't mind, I would like to have a chance to restate something or -- or correct something that I said, because I was thinking about it, if that's okay.

BY MR. HENDIFAR:

Q Sure.

A So you were asking me about PowerVu and --

Q PowerVu?

A Yeah, you were asking me about PowerVu.

Q Vu, V-U.

A Well, I just say it differently, but that's what I'm talking about.

Q I'm sorry. I apologize. I was not trying to be rude.

A It's my -- it's my southern accent. Right.

Q Better than a Middle Eastern accent, but okay.

A Well anyway, PowerVu, V-U. Anyway, it's possible that Scientific Atlanta did invent PowerVu, that I just may not be aware of it or remember it. Because -- because I worked on the set-top box group and

we had PowerKey.

It's possible that perhaps another division or group within Scientific Atlanta had PowerVu. I definitely heard that, but I can't remember where I heard PowerVu from.

That's my -- that's my statement.

Q Thank you for that correction.

Since we started the deposition today, have you spoken or corresponded with anyone regarding the substance of your deposition?

A No.

Q In digital TV, multiple television channels are modulated on a single RF channel; correct?

A Can you restate that?

Q It's not intended to be a trick question, so let me know if I need to revise it in any way.

In digital TV systems, multiple television channels such as HBO are modulated on a single RF channel; correct?

A Generally, if you're talking about like, say, for example, 16 megahertz RF channel, you have more than one program or content. And -- and so -- yeah. But it -- what you do is you build a digital stream that multiplexes, you know, many different channels or one or whatever, and then you modulate that on the carrier.

Q So a single RF channel may, for instance, contain channels HBO, National Geographic and Disney; correct?

A Sure.

Q And if a user can -- or chooses to watch only one of those channels, let's say HBO, that entire RF channel would still have to be extracted from the input signal; correct?

A So you have to demodulate that RF channel that contains those three programs.

Q In order to be able to separate the three channels?

A Well, that, plus be able to watch or record any or all of those three channels -- three -- well, I should say -- those three content channels, just to be clear.

Q Do you see a distinction between the term content channel and television channel?

A Well, I'm just trying to make it clear that the six megahertz portion is the RF channel. And we were talking about one of the three programs in your example, so I was just trying to make it clear that I was talking about one or more of the three programs instead of the six megahertz RF channel.

Q Got it. Thank you.

Now, in a frequency spectrum, is every part of a frequency spectrum necessarily an RF channel?

A There are certain ranges that are generally called RF in a frequency spectrum. I can go back to my declaration if you like and find a number if you prefer.

Q I can revise my question so that addresses your concern. I appreciate that.

In the RF frequency spectrum, is every part of that frequency spectrum necessarily an RF channel?

A I can't think of anywhere where it's not, so probably it is, although there may be some corner case that I can't recall at the time, just as a caveat.

Q Do you have in your electronic files the reply that was filed in this matter by Comcast?

A I don't know. Can you give me an exhibit number?

Q It's not an exhibit, but I'd be happy to put it in the chat box. It's a -- it's a paper in this matter, so I don't think that should be an issue.

A I mean, I have in my -- in my folder some documents that are labeled one through --

MR. KRONENTHAL: Yeah, it should be 25 if I can help.

MR. HENDIFAR: Yeah, please.

THE WITNESS: Okay. So I have petitioner's

reply to patent owner's response.

BY MR. HENDIFAR:

Q Yes.

A Okay.

Q Thank you.

A Do you want me to open that?

Q Yes, please.

A Okay.

Q If you would please go to the native page number six in that document.

A I'm sorry. What page?

Q Six.

A Six. Okay.

Q Do you see subheading A that says "Zhang's demultiplexer 230, in combination with all or part of selector 240, discloses a digital front end."

Do you see that?

A Yes.

Q Which part of selector 240, in your opinion, is a part of the digital front end?

A So if you look in my reply declaration on page four, I'm at the digital front end to Zhang.

Q I'm sorry. What's the answer? I --

A Page four of Exhibit 1085, I'm at the digital front end of the '275 to Zhang.

Q Can you explain in words which part of the selector 240 Zhang is a part of the digital front end?

A Well, the digital front end, there's no structure given in the patent claims. What it requires is that it's coupled to the ADC. So it gets inputs from the ADC. And it outputs to one -- at least one demodulator as a digital data stream.

So what I've shown here is -- on page four of my reply declaration is the input being the ADC and the output going to one or more demodulators. And below I'm showing the '275 example of a DFE that has ADC as the input and data to a demodulator on the output.

Q I appreciate that explanation, but that doesn't answer my question.

Can you explain in words which parts of Zhang's selector 240 is a part of the digital front end?

A It seems to me it's all of it, just like I showed on page four of my declaration in the red box.

Q So on your declaration that you just pointed me to on page nine --

A No, page four.

Q Yeah. Yeah. But let's go to page nine of that declaration.

A Okay.

Q You have a similar heading that says, "Zhang's

demultiplexer 230 in combination with all or part of selector 240 are the claimed DFE."

I'm puzzled, because if your opinion is that all of selector 240 is a part of the claimed DFE, why do you say all or part of selector 240?

A So there's two different mappings that I did in the -- in my declarations to the '275 claimed elements. In one mapping, 230 is the claimed DFE. In the other mapping, all or part of -- 230 and all or part of 240 are the claimed DFE. So I did both.

Q So in the second mapping, when you say "all or part of 240," that's -- I want clarification on exactly which part of 240 do you mean when you say "part of 240"?

A Well, so the two -- the output is all that's -- the input being the ADC's input and the output being demodulator are required by the claim. The '275 patent shows the input and the output.

So what I'm doing here is -- is I'm showing the -- the mapping of the DFE in Zhang using all or part of 240. The reason I say that is there's some functionality of 240 that -- let's call it is an extra feature of the Zhang. And he -- he describes it; it's for fast channel change. And so the output of the box including 240 with or without -- I mean, the output of

that box in either case goes to demodulators.

So does that answer your question?

Q Sure. What is a time division Demux?

A So what Zhang is referring to as a time division Demux is the block 240. And it's described -- it's shown on figure five of the -- of Zhang. Like, for example, in figure five it shows that there's three selected channels input 240 and three outputs to demodulators. So in this case M is equal to N.

Q In your opinion, in figure five of Zhang, the number of channels C is equal to the number of channels D?

A Yes. Because there's no dot, dot, dots; right. It goes, C1, C2 and and there's no dot, dot, dots up to CM. So this is showing three inputs, three data buses and three outputs.

Q In figure five of Zhang, what does time division Demux do?

A So functionality as described with Zhang, it has -- it has some -- it has quite a bit of flexibility, let's say. So it can take -- if you have time division multiplex data, for example, on data bus one, it can separate those out into D1, D2, DM. Right. And it can output all three of those from that data bus.

There also seems to be some serial parallel --

or excuse me -- serial and parallel interface functionality built into the time division Demux.

It's -- the primary reason for this time division Demux as disclosed by Zhang is to support fast channel change. So what it can do is it can quickly switch between the -- it can quickly switch between -- in this example, C1, C2, C -- let's call it C3. So if someone wanted to quickly get to -- if they were watching C1 and they wanted to switch to C2 and they could do it really quickly without having the NCOs settle and repinning the multiplier filter and NCO elements of the 230 block.

Q So why does the 230 block prevent fast channel changing? I'm sorry. I didn't quite understand.

A The 230 block is not the primary functionality of fast channel change. Fast channel change is accomplished by this -- let's call it a switch of the -- of the 240 block which is shown in figure five. Meaning that you can quickly -- the demod outputs can quickly switch to one of the other C -- the selected C desired television channels without having the NCO and low-pass filter in multiplier having to tune and settle to a new -- to a different desired selected channel.

Q Got it.

So it's a fast channel change functionality in

Zhang because your channel's already extracted, and when you switch channels you do not have to reset the extraction pattern in Zhang's demultiplexer 230 to the desired channel; did I understand that correctly?

MR. KRONENTHAL: Objection. Form.

THE WITNESS: No, I think you got a few words wrong in that question.

BY MR. HENDIFAR:

Q Correct me.

A Yeah. So the fast channel change does not require the elements like shown in figure three, the NCOs, to have to switch to a different frequency -- a different target frequency for the desired channel. As long as the -- as long as you want to watch one of the already tuned, let's call it, three channels, you can switch quickly on the output to the demod without having to change the -- the target frequency of an NCO.

So if you have, let's say, more than -- I guess it's more than two C elements, meaning multiplier, low-pass filter, NCO, if I have at least two of those, then, you know, I can always -- using Zhang's fast channel feature switch to the other of those two really quickly.

If I wanted to switch to -- if I wanted to watch or select or record or whatever a different

channel than one that's tuned to with -- currently with C1, C2, the NCO has to be reprogrammed to tune to a different frequency to watch that channel, and then you do have to wait for the NCO to settle.

So the fast channel change occurs within the group of selected channels using these multiplier low-pass filter elements.

Q So if -- and when you say "selected," you mean the fast channel happens within the group of channels C that are extracted by Zhang's demultiplexer 230; correct?

A The fast channel switching occurs within the group of C elements that are -- the groups of desired television channels that are already selected with C -- the C elements.

And by "C elements," I just want to make sure you understand what I mean. I mean, instead of saying multiplier low-pass filter NCO every time, I'm calling that -- that chain a C element, if that's okay with you.

Q Sure. I would prefer we refer to them as the output of the demultiplexer 230 so there is no ambiguity about it because it's a bit difficult.

But just to make sure I understand it. The fast channel change is actually by the selector in switching between the channel C that are output from the

demultiplexer 230 basically; correct?

A Can you carefully read that back and let me make sure that's 100 percent correct?

Q Of course.

So the fast channel change is achieved by Zhang when flipping through the channels C that are output from the demultiplexer 230; correct?

A Yes.

Q Now, at any time today did you speak or chat or correspond with anybody regarding the substance of the deposition?

A No.

Q Did you perform any online or search -- online search -- strike that.

At any time since we started the deposition today, did you perform any online search?

A No.

MR. HENDIFAR: We have no further questions.

MR. KRONENTHAL: Okay. Petitioner has no questions.

REPORTER: Counsel, do you need a copy?

MR. KRONENTHAL: Just a standard delivery for petitioner.

(Whereupon, at 10:34 a.m., the

deposition of DAVID LETT was adjourned.)

STATE OF CALIFORNIA)
) SS.
COUNTY OF LOS ANGELES

I, the undersigned, hereby certify under penalty of perjury under the laws of the State of California that the foregoing testimony is true and correct.

Executed this _____ day of _____, 20_____ at _____, California.

_____
DAVID LETT

STATE OF CALIFORNIA)
) SS.
COUNTY OF LOS ANGELES

I, LEESA DURRANT, C.S.R. NO. 11899, RPR, in and for the State of California, do hereby certify:

That prior to being examined, the witness named in the foregoing deposition was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth;

That said deposition was taken down by me in shorthand at the time and place therein named and thereafter transcribed under my direction, and the same is a true, correct, and complete transcript of said proceedings;

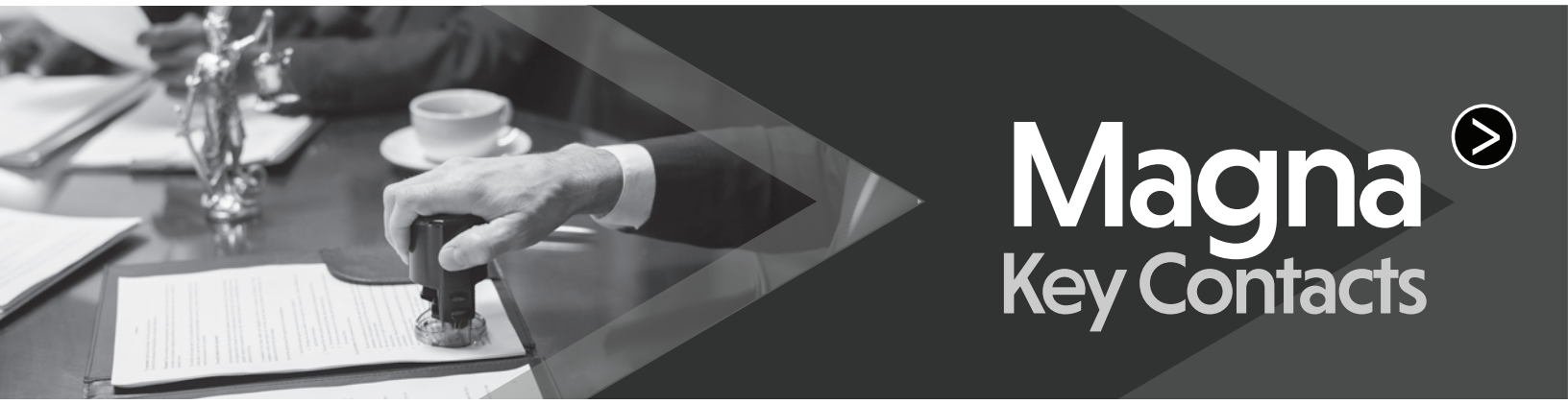
That if the foregoing pertains to the original transcript of a deposition in a Federal Case, before completion of the proceedings, review of the transcript ( ) was ( ) was not required.

I further certify that I am not interested in the event of the action.

Witness my hand this 16th day of December, 2025.

Leesa Durrant

LEESA DURRANT, C.S.R. NO. 11899, RPR



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