

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ERICSSON INC. and TELEFONAKTIEBOLAGET LM ERICSSON,
Petitioners

v.

INTELLECTUAL VENTURES II LLC
Patent Owner

Case IPR2014-01185
Patent 7,269,127

**PATENT OWNER'S MOTION FOR OBSERVATION ON CROSS-
EXAMINATION OF DR. ZYGMUNT HAAS**

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EXHIBIT LIST

Exh. No.	Description
IV 2001	Biography of Gordon Stüber (October 14, 2014), http://users.ece.gatech.edu/stuber/
IV 2002	Biography of Dr. Apurva N. Mody (October 14, 2014), http://www.inatel.br/iwt2013/index.php/keynote-speakers-sp-212359168/dr-apurva-n-mody
IV 2003	May 14, 2015 Official Deposition Transcript of Zygmunt J. Haas
IV 2004	Webster Dictionary
IV 2005	Oxford Dictionary
IV 2006	Webster's New World Dictionary
IV 2007	Webster's New Collegiate Dictionary
IV 2008	Webster's II New Riverside University Dictionary
IV 2009	Declaration of Dirk Hartogs, Ph.D.
IV 2010	Curriculum Vitae of Dirk Hartogs, Ph.D.
IV 2011	Deposition Transcript of Dr. Zygmunt Haas (September 4, 2015)

..

Patent Owner hereby submits observations on Patent Owner's September 4, 2015 cross-examination of Petitioners' expert, Dr. Zygmunt Haas, regarding his August 21, 2015 Declaration (Ex. 1036) in support of Petitioners' Reply dated August 21, 2015 (Paper 22). Exhibit 2011 is a transcript of that deposition and is used as the basis for the observations below.

Observation No. 1

In Exhibit 2011, page 6, line 12 through page 7, line 2, Dr. Haas testified:

Q. ... Did you review the entire declaration of Dirk Hartogs?

...

A: If I remember correctly, for the preparation of the supplemental declaration, I reviewed portions of Dr. Hartogs' declaration.

Q: And what portions of his declaration did you review?

...

A: I reviewed those portions that were provided by Ericsson's counsel.

This testimony is relevant to the reliability of ¶¶ 4–22 of Dr. Haas' supplemental declaration because it demonstrates that Dr. Haas' characterization of and response to Dr. Hartogs' opinions are based only on the portions of Dr. Hartogs' declaration specifically selected by Petitioners' counsel and not on Dr. Hartogs' opinions when considered as a whole.

Observation No. 2

In Exhibit 2011, page 8, lines 3 to 13, Dr. Haas testified:

[Q.] Did you review in preparation for your supplemental declaration the entire deposition transcript of Dr. Hartogs?

A: Not in preparation for the supplemental declaration.

Q: Okay. And what excerpts did you review of the deposition transcript in preparation of your supplemental declaration?

A: In preparation of the supplemental declaration, I reviewed those excerpts that were provided by counsel for Ericsson.

This testimony is relevant to the reliability of ¶¶ 4–22 of Dr. Haas’ supplemental declaration because it demonstrates that Dr. Haas’ characterization of and response to Dr. Hartogs’ opinions are based only on portions of Dr. Hartogs’ deposition transcript specifically selected by Petitioners’ counsel and not on Dr. Hartogs’ opinion when considered as a whole.

Observation No. 3

In Exhibit 2011, page 10, lines 12 to 15, Dr. Haas was asked whether he “review[ed] Patent Owner’s response in preparation for [his] supplemental declaration,” and he responded “Not in preparation for my supplemental declaration.”

This testimony is relevant to the reliability of ¶¶ 4–22 of Dr. Haas’ supplemental

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