

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4
5 APPLE INC.

6 Petitioner

7 v.

8 VIRNETX INC. AND APPLICATION

9 INTERNATIONAL CORPORATION

Patent Owner

10 Case No. IPR2015-00866

11 Case No. IPR2015-00867

Case No. IPR2015-00868

12 Case No. IPR2015-00869

Case No. IPR2015-00870

13 Case No. IPR2015-00871

14 Patent No. 8,458,341

Patent No. 8,516,131

15 Patent No. 8,560,705

16
17 DEPOSITION OF ROBERTO TAMASSIA

18 Washington, D.C.

19 Thursday, January 14, 2016

20 Reported by: John L. Harmonson, RPR

21
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23
24 Job No. 99553

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January 14, 2016

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9:09 a.m.

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Deposition of ROBERTO TAMASSIA, held at the offices of Sidley Austin, LLP, 1501 K Street, N.W., Washington, D.C., before John L. Harmonson, a Registered Professional Reporter and Notary Public of the District of Columbia, who officiated in administering the oath to the witness.

A P P E A R A N C E S

On Behalf of Petitioner, Apple Inc.:

SIDLEY AUSTIN

1501 K Street, N.W.

Washington, D.C. 20005

BY: THOMAS BROUGHAN III, ESQ.

SCOTT BORDER, ESQ.

On Behalf of Patent Owner, VirnetX Inc.:

PAUL HASTINGS

875 15th Street, N.W.

Washington, D.C. 20005

BY: JOSEPH PALYS, ESQ.

DANIEL ZEILBERGER, ESQ.

CHETAN BANSAL, ESQ.

1 -----

2 P R O C E E D I N G S

3 9:09 a.m.

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5 Whereupon,

6 ROBERTO TAMASSIA,

7 after having been first duly sworn or affirmed,

8 was examined and did testify under oath as

9 follows:

10 EXAMINATION

11 BY MR. ZEILBERGER: 09:09:30

12 Q. Good morning. 09:09:31

13 A. Hello. Good morning. 09:09:33

14 Q. Can you please state your name and 09:09:35
15 spell it for the record. 09:09:37

16 A. Yes. Roberto Tamassia, R-o-b-e-r-t-o, 09:09:38
17 T-a-m-a-s-s-i-a. 09:09:44

18 Q. And you've been deposed before, 09:09:47
19 correct? 09:09:49

20 A. That's right. 09:09:52

21 Q. When were you deposed? 09:09:53

22 A. So I was deposed back in mid-November 09:09:54
23 on the Apple v. VirnetX case by Joe, who is here. 09:09:58

24 Q. Is that the only time you've been 09:10:05
25 deposed? 09:10:08

1 A. I was deposed also a second time on a 09:10:09
2 different matter on Dunstan v. ComScore. That 09:10:12
3 was in December -- 09:10:24

4 MR. ZEILBERGER: Can we take a quick 09:10:26
5 break, please. 09:10:28

6 (Off the record.)

7 BY MR. ZEILBERGER: 09:12:19

8 Q. You understand you're here today for 09:12:33
9 the deposition in IPR2013-00866, IPR2015-00868, 09:12:35
10 IPR2015-00870, and IPR2015-00871, correct? 09:12:42

11 A. I guess so. I don't remember exactly 09:12:52
12 the numbers, but if you show me my declaration, I 09:12:54
13 can confirm. 09:12:58

14 Q. So without your declaration, you won't 09:13:02
15 know which proceedings your declaration is 09:13:04
16 relative to? 09:13:08

17 A. I remember which patents they are 09:13:09
18 about. I don't remember the exact string of the 09:13:12
19 proceedings. 09:13:15

20 Q. So I'm handing you what's already been 09:13:34
21 labeled as Exhibit 1005. 09:13:38

22 So with having the declaration in 09:14:03
23 front of you now, I'll ask you the question 09:14:05
24 again. Do you understand you're here today for 09:14:08
25 the deposition in IPR2015-00866, IPR2015-00868, 09:14:09

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