1

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FANDUEL, INC. and DRAFTKINGS, INC.,

Petitioners,

vs.

Case No. IPR2017-01333 Patent No. 9,306,952

INTERACTIVE GAMES LLC,

Patent Owner.

DEPOSITION OF GARRY KITCHEN
Taken on behalf of the Patent Owner
January 17, 2018

Saundra Tippins, CCR

(The deposition began at 11:05 a.m.)

Henderson Legal Services, Inc.

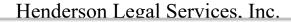
202-220-4158

www.hendersonlegalservices.com



Kitchen, Garry January 17, 2018

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QUESTIONS BY:
                                               PAGE NO.
                                                    5
2
    MR. GOLDBERG
3
                    INDEX OF EXHIBITS
                                          PAGE REFERENCED
    EXHIBIT
6
    NO.
    Exhibit 1001 '356 Patent
                                                   29
    Exhibit 1004 Barton Patent
8
                                                  29
9
    Exhibit 1011 Kitchen Declaration
                                                  7
    Exhibit 1012 Kitchen CV
10
                                                   15
11
    Exhibit 2001 Updated Kitchen CV
                                                   16
     (Whereupon Exhibit 2001 was attached to the
12
13
     original and copies.)
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UNITED STATES PATENT AND TRADEMARK OFFICE
        BEFORE THE PATENT TRIAL AND APPEAL BOARD
3
    FANDUEL, INC. and
    DRAFTKINGS, INC.,
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                         Petitioners,
5
                                  Case No. IPR2017-01333
               VS.
6
                                  Patent No. 9,306,952
    INTERACTIVE GAMES LLC,
7
                         Patent Owner.
9
                  DEPOSITION OF GARRY KITCHEN, produced,
    sworn, and examined on the 17th day of January,
10
    2018, between the hours of nine o'clock in the
11
    forenoon and five o'clock in the afternoon of that
12
    day, at the law offices of Erise IP, 7105 College
13
    Boulevard, Suite 700, Overland Park, Kansas, before
14
    SAUNDRA TIPPINS, a Notary Public, and Certified
    Court Reporter within and for the States of
16
17
    Missouri and Kansas, in a certain cause now pending
18
    before the United States Patent and Trademark
19
    Office, before the Patent Trial and Appeal Board,
    wherein FANDUEL, INC. and DRAFTKINGS, INC. are the
20
    Petitioners and INTERACTIVE GAMES is the Patent
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    Owner.
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25
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2	APPEARANCES
3	For the Petitioners:
4	MS. MEGAN REDMOND MS. CALLIE PENDERGRASS
5	ERISE IP
6	7015 College Boulevard, Suite 700 Overland Park, Kansas 66211 (913)777-5600
7	megan.redmond@eriseIP.com
8	For the Patent Owner:
9	
10	MR. JOSHUA L. GOLDBERG MR. DAVID C. REESE FINNEGAN, HENDERSON, FARABOW,
11	GARRETT & DUNNER 901 New York Avenue NW
12	Washington, DC 20001 (202)408-6092
13	joshua.goldberg@finnegan.com
14	The Court Reporter:
15	
16	Ms. Saundra Tippins
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Henderson Legal Services. Inc.



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1
                  IT IS HEREBY STIPULATED AND AGREED,
2
3
    by and between counsel for Petitioners and counsel
    for Patent Owner that the deposition of GARRY
5
    KITCHEN may be taken in shorthand by Saundra
6
    Tippins, a notary public and shorthand reporter,
    and afterwards transcribed into typewriting; and
    the signature of the witness is expressly reserved.
9
10
                      THE REPORTER: Would you like an
11
     etran?
12
                      MS. REDMOND:
13
                      THE REPORTER: Do you want the
     realtime with rough?
14
15
                      MR. GOLDBERG: Yes.
16
                      THE REPORTER: When would you like
17
     the final transcript?
18
                      (Discussion off the record.)
19
                      MR. GOLDBERG: We need it today.
20
21
                      GARRY KITCHEN,
22
     of lawful age, produced, sworn and examined on
23
     behalf of Patent Owner, deposes and says:
24
                       EXAMINATION
25
     QUESTIONS BY MR. GOLDBERG:
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