

IN THE UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

AUTOALERT, INC., )  
Plaintiff, )  
vs. ) Case No.  
DEALERSOCKET, INC., ) 8:13-cv-00657-SJO  
Defendant. ) (JPRx)

Videotaped Deposition of JAIME G. CARBONELL,  
taken at 707 Grant Street, Suite 1101 Gulf  
Tower, Pittsburgh, Pennsylvania, commencing  
at 9:42 a.m., Friday, October 25, 2013,  
before Barbara Metz Leo, Notary Public.

JOB No. 1749071

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1	Q But all the calculations that are	05:40PM
2	identified in claim 1 could be performed by a human	05:40PM
3	being without a computer, right?	05:40PM

4	A	No, not at scale.	05:40PM
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5	Q	What do you mean "not at scale"?	05:40PM
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6	A	You could not perform the -- the patent	05:40PM
7		addresses a proactive sales tool in which you seek	05:40PM
8		out which one of many, many customers could	05:40PM
9		potentially be benefitted.	05:40PM

10	The specific language "may find favorable	05:40PM
11	deals." And so the value of the patent is the	05:40PM
12	sequence of operations that is being done here to	05:40PM
13	determine whether something is favorable to them,	05:40PM
14	and the fact that it can be scaled and applied to	05:40PM
15	many people who may not actively be looking for	05:40PM
16	cars at the moment. You catch them before they go	05:41PM
17	out and seek the new car with a potentially	05:41PM
18	favorable deal, so therefore, the dealer gets to	05:41PM
19	make a transaction or sale to that person before	05:41PM
20	they go off possibly to other dealers or possibly,	05:41PM
21	you know, go many more years without renewing their	05:41PM
22	car, never knowing that they could have renewed it	05:41PM
23	at favorable payment terms.	05:41PM

24	Q	Maybe I'm a bit confused. I thought you	05:41PM
25		told me earlier that the patent didn't require any	05:41PM

1	Q	Potential transactions, right?	05:42PM
2	A	That's correct.	05:42PM
3	Q	But you also acknowledge, I take it, that	05:42PM
4		there's a number of transactions by which the same	05:42PM
5		result could obtain by just human beings performing	05:42PM
6		this calculation, right?	05:43PM
7		MS. BURGESS: Objection to form.	05:43PM
8	A	We discussed it before that it would be	05:43PM
9		laborious even to do it in the onesies and twosies	05:43PM
10		case and open to error and so forth.	05:43PM
11		But in principal to do this calculation	05:43PM
12		for one car, one replacement car, one customer, two	05:43PM
13		or three financial institutions, maybe three or	05:43PM
14		four terms of payoff terms, that that calculation	05:43PM
15		could be done by a person with access to	05:43PM
16		amortization tables, maybe with calculator and so	05:43PM
17		forth.	05:43PM
18		I also said that it could be a laborious	05:43PM
19		process and certainly not done quickly. You might	05:43PM
20		spend the whole day doing it.	05:43PM
21	Q	Claim 1 recites a computer system	05:43PM
22		comprising computer hardware, right?	05:43PM
23	A	Yes.	05:43PM
24	Q	In your opinion, could the computer	05:43PM
25		hardware recited by claim 1 include hardware for	05:43PM