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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COX COMMUNICATIONS, INC.

Petitioner

vs.

AT&T INTELLECTUAL PROPERTY I, L.P.

Patent Owner

Case: IPR2015-01227

Patent 7,907,714

Title: PROFILE MANAGEMENT SYSTEM INCLUDING USER
INTERFACE FOR ACCESSING AND MAINTAINING PROFILE
DATA OF USER SUBSCRIBED TELEPHONY SERVICES

VIDEOTAPED DEPOSITION OF DR. ROBERT AKL, D.Sc.

Dallas, Texas

June 2, 2016

Reported by: Susan S. Klinger, RMR-CRR, CSR

Job No. 108290

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June 2, 2016

8:58 a.m.

Deposition of DR. ROBERT AKL, held at the
offices of Haynes & Boone, 2323 Victory
Avenue, Dallas, Texas, before Susan S. Klinger,
a Registered Merit Reporter and Certified
Realtime Reporter of the State of Texas.

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Also Present:

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I N D E X

WITNESS

PAGE

DR. ROBERT AKL

EXAMINATION BY MR. KITCHURA

5

(Exhibits not attached.)

E X H I B I T S

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Exhibit ATT-2043	Akl declaration	9
Exhibit 1001	U.S. Patent 7,907,714	23
Exhibit 1005	Patent Number 6,031,904	60

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2 VIDEOGRAPHER: This is the start of
3 tape labeled Number 1 of the videotaped
4 deposition of Dr. Robert Akl. Today's date
5 is June 2nd, 2016. This is the case in the
6 matter of Cox Communications, Incorporated
7 versus AT&T Intellectual Property.

8 This deposition is being held at
9 2323 Victory Avenue, Suite 700, Dallas
10 Texas, on June 2nd, 2016, at approximately
11 8:58 a.m.

12 My name is Nathaniel Mollick. I'm a
13 legal video specialist for TSG Reporting
14 Incorporated headquartered at 747 Third
15 Avenue New York, New York. The court
16 reporter is Susan Klinger in association
17 with TSG Reporting.

18 Will counsel please introduce
19 yourselves.

20 MR. EMERSON: Russ Emerson, Haynes
21 and Boone, for AT&T.

22 MR. BAJAJ: Raghav Bajaj, Haynes and
23 Boone, for AT&T.

24 MR. AURENTZ: Phillip Aurentz,
25 McKool Smith.

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2 MR. KITCHURA: John Kitchura,
3 Proskauer, representing petitioner, Cox
4 Communications, and with me is Scott
5 Bertulli.

6 DR. ROBERT AKL,
7 having been first duly sworn testified as
8 follows:

9 EXAMINATION

10 BY MR. KITCHURA:

11 Q. Good morning, Dr. Akl.

12 A. Good morning.

13 Q. We've met a couple of times before,
14 but -- I introduced myself before. I'm John
15 Kitchura, and I represent Cox Communications.
16 I think you know the role today.

17 Can you please state your full name
18 for the record?

19 A. Robert Akl.

20 Q. And can you please state your last
21 name? Sorry. Can you please spell your last
22 name for the record?

23 A. A-K-L.

24 Q. And, Dr. Akl, you live in Denton,
25 Texas; is that right?

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A. Yes.

Q. And can you please state for the record your home address?

A. 707 North Shady Shores Drive, Lake Dallas, Texas, 75065.

Q. Thank you. And where are you currently employed?

A. I am a professor at the University of North Texas in the department of computer science and engineering.

Q. And how long have you worked at the University of North Texas?

A. 15 years.

Q. Now, you just took an oath; correct?

A. Yes.

Q. And you understand that it's important for you to answer my questions truthfully and accurately here today?

A. Yes.

Q. Is there any reason you might not be able to testify truthfully and accurately today?

A. No.

Q. No illness?

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A. No.

Q. No medications?

A. No.

Q. Not under the influence of drugs or alcohol?

A. No.

Q. Okay.

A. Can you speak a little louder please?

Q. Sure. When were you first contacted by AT&T regarding the -- the present IPR?

A. January of 2016. And I should say I was not contacted by AT&T. I was contacted by counsel for AT&T.

Q. Counsel at Haynes Boone or McKool Smith?

A. Haynes Boone.

Q. And were you contacted in regard to a district court litigation or an IPR?

A. An IPR.

Q. Have you ever provided expert opinions for AT&T in the past?

A. I think so, yes.

Q. In what context?

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A. What -- what do you mean, "in what context"? In -- with regard to litigation.

Q. Do you recall the case caption of the litigation you're referencing?

A. It should be in my CV. If you provide me a copy, I can go through it.

Q. So you're going to be handed the Declaration of Dr. Robert Akl in Case IPR2015-01227. It's already been labeled ATT-2043.

Dr. Akl, what is the document you've just been handed marked as Exhibit ATT-2043?

A. It is the declaration that I wrote with regard to the '714 patent.

Q. And when you say "'714 patent," you mean U.S. Patent Number 7,907,714?

A. Yes.

Q. I believe at the end of the declaration marked as ATT-2043, there's Appendix A, which is a copy of your CV; is that right?

A. Yes.

Q. And can you identify for me the prior litigations in which you provided expert

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opinions for AT&T?

A. Looking at page 2, there is an item L5, which is A -- AT&T versus Cox in District of Delaware. I wrote a declaration there.

I -- I'm not sure if you want to count L10 or not. It's Mobile Telecommunications Technologies versus Leap Wireless and Cricket Communications. I believe AT&T owns Leap Wireless and Cricket, or at least they own Cricket Communications, if my recollection is correct.

L12, Solocron versus AT&T.

Item L17, Cellular Communications Equipment versus AT&T, I wrote a declaration there. There were other defendants. I was retained by multiple defendants, but AT&T was one of them.

I think that's it.

Q. So I'd like to turn to L10, which is the case Mobile Telecommunications Technologies, LLC v. Leap Wireless International and Cricket Communications, Inc.

Are you there?

A. Yes.

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Q. Okay. Now, you provided a non-infringement expert report on behalf of Leap Wireless and Cricket Communications; is that right?

A. Yes.

Q. And did you find that all of the asserted claims by Mobile Telecommunications Technologies, LLC were not infringed?

A. Probably. I mean, it's been a while. I don't have that expert report in front of me, but I believe so.

Q. Okay. Let's turn to L12, which is Solocron Media, LLC v. AT&T, Inc.

Are you there?

A. Yes.

Q. And you provided an invalidity expert report on behalf of AT&T in the Solocron Media, LLC v. AT&T case; is that correct?

A. Yes.

Q. And did you find all of the asserted claims by Solocron Media, LLC invalid?

A. Again, I don't have that expert report in front of me, but I believe so. I don't remember the grounds or the reasons, but,

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yes.

Q. In your prior work as a technology expert with respect to patent litigation -- strike that.

In cases in which you provide expert opinions on behalf of the defendant, have you ever found claims valid?

A. I -- I don't recall.

Q. Well --

A. I don't want to make a generalization, but...

Q. Is it fair to say you've always found asserted claims invalid?

A. I think it's fair to say that I've found the majority invalid.

Q. And you've always found claims not infringed; is that right?

MR. EMERSON: Object to the form.

A. Again, it -- it depends on the case.

Q. But you've always found asserted claims against AT&T invalid; right?

MR. EMERSON: Object to the form.

A. I think there's only one case where I wrote an expert report with regard to

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invalidity. So in that matter -- again, I don't have that expert report in front of me, but I believe at least the majority of the claims were invalid.

Q. Dr. Ak1, your CV lists a number of publications in which you authored; is that right?

A. Yes.

Q. And does that begin on page 12 of your CV?

A. Yes.

Q. Is it fair to say the last technical article that you published was in December of 2009?

A. No. I disagree.

Q. And why is that?

A. In 2009 was the journal paper. In 2013, on the next page, is a conference paper. And actually, I just have another paper accepted. It hasn't appeared yet. So there will be some in 2016.

Q. How many?

A. Right now, there is one that I know has been accepted.

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2 Q. And what's the reason for the gap in
3 publications between 2013 and 2016?

4 A. I don't know if there's a specific
5 reason. When you look at my record, there were
6 papers -- in 2013 there was one, one in 2011,
7 one in 2009.

8 So it depends on your research and
9 your pipeline and the students that you're
10 working with. And so you go through periods
11 when you have a good, very productive student,
12 and you do very good research with the student,
13 and periods where there is a little bit less
14 productivity in terms of publications, but that
15 is normal.

16 Q. So you stated earlier you're a
17 professor at the University of North Texas;
18 right?

19 A. Yes.

20 Q. That's your primary source of
21 income?

22 A. It is my primary job.

23 Q. What is your primary source of
24 income?

25 A. I have multiple sources of income.

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Q. Okay. But I asked you: What is your primary source of income?

A. I have multiple primary sources of income.

Q. Okay. And what are those multiple primary sources?

MR. EMERSON: Objection to form.

Beyond the scope.

A. One income stream is being a professor. Another is doing consulting. I also have multiple rental properties and a stock portfolio.

Q. Okay. Let me ask you a better question.

It seems to me that you have roughly -- strike that.

On one hand, you're a professor at the University of North Texas, and on the other hand, you provide litigation consulting services. Is that fair?

A. I --

MR. EMERSON: Objection, form.

A. I do consulting to the extent it does not interfere with my work at UNT.

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Q. In 2016, did you provide -- strike that.

In 2016, did you spend more time consulting or more time working as a professor at the University of North Texas?

A. It's difficult to make a generalization, because it varies. It varies on a weekly basis. It varies on a monthly basis.

For example, this week, because I have two depositions, so there's a lot of time, like today and probably tomorrow, that's going to be dedicated to consulting.

Last week, the week before that, there was absolutely no consulting work done. So when we have finals, when I have meetings with my students, meetings on campus, those days are entirely at UNT.

So I try to balance my work at UNT, and like I said, I do consulting to the extent it does not interfere.

Q. Do you currently teach any classes?

A. Yes.

Q. How many classes do you teach --

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strike that.

How many classes did you teach last semester?

A. Last semester I provided what's called an -- unstructured classes, which means I meet with students, like, on thesis and dissertation, those sort of courses. In the spring I did not teach an organized class.

Q. Are you being compensated by AT&T for your time spent in this matter?

A. Yes.

Q. And how are you being compensated?

MR. EMERSON: Object to the form.

A. I don't understand what you mean by "how." They write me a check.

Q. Okay. What is your hourly rate?

A. 650.

Q. And about how much time have you spent consulting on the '714 IPR? Strike that.

A. Did you strike that question?

Q. Yes. That was not clear.

So if you go to the front page of your declaration, there is a case number assigned to the present proceeding, 2015-01227.

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So if I refer to the 227 matter, will you understand that to be Case Number IPR2015-01227?

A. That's fine.

Q. And about how much time have you spent consulting on the 227 matter?

A. Around 20 hours.

Q. Now, you've reviewed and analyzed the '714 patent in connection with your work on the 227 matter; is that right?

A. Yes.

Q. And generally, in your own words, what is the invention of the '714 patent?

A. Since we're going into the '714 patent, can I get a copy of the patent, please?

Q. Do you need a copy of the patent to answer my question?

A. Yes.

Q. You do. You've spent 20 hours on this case, and you can't tell me what the invention of the '714 patent is?

A. I would like a copy of the '714 patent if we're going to be talking about it.

Q. Can you answer my question without a

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2 copy of the '714 patent?

3 MR. EMERSON: I think he would
4 prefer not to.

5 MR. KITCHURA: I'm confirming --

6 MR. EMERSON: Are you refusing --

7 MR. KITCHURA: I'm confirming --

8 MR. EMERSON: Are you refusing to
9 give him a copy?

10 Q. Can you answer my question, Dr. Ak1?

11 A. I would like a copy of the '714
12 patent if we are going to be discussing it.

13 Q. I understand that. And I just want
14 to know if you can answer my question without a
15 copy of the '714 patent.

16 MR. EMERSON: Object to the form.

17 Q. Do you want me to ask you the
18 question again?

19 A. Yes, please.

20 Q. In your own words, what is the
21 invention of the '714 patent?

22 A. The claims define the invention, but
23 at a high level, the '714 describes a profile
24 management system and a method for managing
25 subscriber profile data that's associated with

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a communications service.

Q. What's a profile management system?

A. I would like a copy of the '714 patent if you're going to have any follow-up questions.

Q. Okay. Can you tell me what a profile management system is without referring to the patent?

A. I would like the patent in front of me at this time.

Q. So that is "no"?

A. My answer does not change.

Q. Is the term "profile management system" a term of art, or is that a term defined by the '714 patent?

A. In order for me to answer that question, I would like the '714 patent in front of me.

Q. And why do you need the '714 patent to answer that question?

A. Because you're asking me how does the '714 patent define profile management system, and then compare it to whether it's a term of art or not.

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Q. No, that is not what I'm asking.

I'm asking, in your opinion, your expert opinion, if the term "profile management system" is a term of art or if it is a term defined in the '714 patent.

A. Because part of your question is asking if the profile management system is defined in the '714 patent -- there were two parts to that question -- I would like the patent in front of me at this time.

Q. You can't answer my questions without a copy of the '714 patent; is that right?

MR. EMERSON: Objection to form, asked and answered.

A. I don't have anything further to add to my previous answer.

Q. Okay. Did you review the entirety of the '714 patent in preparing your declaration marked as Exhibit Number ATT-2043?

A. Yes.

Q. Did you write your declaration marked as Exhibit Number ATT-2043?

A. Yes.

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Q. Is there any text throughout your declaration that you did not write?

A. I'm not sure what you mean by "text."

Q. So there is a -- there's a lot of numbered paragraphs in your declaration; right?

A. Yes.

Q. 100 numbered paragraphs?

A. Yes.

Q. Did you write the text in all 100 paragraphs of your declaration?

A. No, I did not type every word. It was a collaborative effort, but it is my declaration and my opinion and my analysis.

Q. Who did you collaborate with in preparing your declaration marked as Exhibit ATT-2043?

A. Counsel.

Q. And who are you referring to specifically as "counsel"?

A. Counsel at Haynes Boone.

Q. Did you collaborate with anybody at McKool Smith in preparing your declaration marked as Exhibit ATT-2043?

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A. No.

Q. You're being handed Exhibit 1001.

Dr. Akl, what is Exhibit 1001?

A. It is U.S. Patent 7,907,714.

Q. And Exhibit 1001 is what we agreed to earlier is the '714 patent; correct?

A. Yes.

Q. And Exhibit 1001 is the patent you reviewed and analyzed in preparing your declaration marked as Exhibit ATT-2043; right?

A. Yes.

Q. Is the term "profile management system" a term of art, or is it defined by the '714 patent?

A. I think one of ordinary skill in the art would understand that the term "profile management system" would have their plain and ordinary meaning.

Q. And what is the plain and ordinary meaning as would be understood by a person of ordinary skill in the art of -- of the term "profile management system"?

A. Each word would have basically the -- the plain and ordinary meaning. I'm not

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sure if you're asking me to provide claim construction on the fly, which is something I'm not comfortable doing. But the terms will -- will have their plain and ordinary meaning. That's as best as I can answer that question.

Q. So in preparing your declaration in the 227 matter, you reviewed and analyzed Claim 1; right?

A. Yes.

Q. Okay. Claim 1 includes the term "profile management system." Is that correct?

A. Yes.

Q. And what definition -- what plain and ordinary meaning for the term "profile management system" did you use in performing your analysis?

A. A system for managing profiles. It's the plain and ordinary meaning. I didn't necessarily have to formulate a construction in order for me to do the analysis, other than my understanding of what -- the plain and ordinary meaning as viewed by one of ordinary skill in the art.

Q. And that understanding is a system

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for managing profiles; is that right?

A. I'm giving you an example right now because you're pushing for a plain and ordinary meaning.

Q. Dr. Akl, I just need to know what definition of profile management system you used in performing your analysis. So I'll ask you the question again just so I can get a clear answer and understand what it is you used.

What plain and ordinary meaning for the term "profile management system" did you use in performing your analysis in the 227 matter?

MR. EMERSON: Objection to form, asked and answered.

A. The terms have their plain and ordinary meaning, so that is the definition. If you're asking me to provide a construction, that is not something I'm comfortable doing on the fly, because claim construction, you don't want the terms to be too narrow or too broad. So the plain and ordinary meaning is how -- is what I used, as viewed by one of ordinary skill

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in the art, when analyzing the claim.

Q. And what is the plain and ordinary meaning you used for the term "profile management system"?

MR. EMERSON: Object to the form, asked and answered.

A. I've already answered that question. I don't necessarily need to articulate a definition, but I -- in order for me to analyze the claim, other than using the plain and ordinary meaning of those words as understood by one of ordinary skill in the art.

Q. So let me make sure I get this right. So in -- strike that.

In performing your analysis in connection with the 227 matter, you applied the plain and ordinary meaning to the term "profile management system." Is that correct?

A. Yes.

Q. And in your own words, what is the plain and ordinary meaning of the term "profile management system"?

MR. EMERSON: Object to the form, asked and answered.

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2 A. We seem to be going in circles, so I
3 really don't have anything else to add to my
4 previous answer.

5 Q. Okay. You can't give me a -- strike
6 that.

7 You can't tell me what -- the plain
8 and ordinary meaning you used for the term
9 "profile management system," sitting here
10 today?

11 MR. EMERSON: Is that -- I'm sorry.
12 Is that a question?

13 MR. KITCHURA: Sure is.

14 MR. EMERSON: I object to the form
15 of the question, and I object that it has
16 been asked repeatedly and answered
17 repeatedly.

18 A. I don't have anything else to add to
19 my previous answer.

20 Q. Okay. Does a profile management
21 system include a user interface?

22 A. Are we talking in vacuum, or are we
23 referring to the '714 patent? Could you
24 provide me context?

25 Q. In the context of the '714 patent,

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does a profile management system include a user interface?

MR. EMERSON: Object to the form, beyond the scope. Want me to -- would you like me to further articulate?

MR. KITCHURA: I would love to know how it's beyond the scope.

MR. EMERSON: I don't know that he opined on that particular point. If you're talking about something in his declaration, I'd appreciate you pointing that out to us.

A. Could you repeat the question, please.

Q. Sure. In the context of the '71 -- strike that.

In the context of the '714 patent, does a profile management system include a user interface?

MR. EMERSON: Same objection.

A. Looking at Claim 1 and looking at the first limitation, there is a client which hosts a user interface in Claim 1. That is as -- so in the context of the '714, in Claim 1 there is a limitation that requires a client

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2 which shows a user interface.

3 Q. In the context of the '714 patent,
4 does a profile management system include a
5 client and a server?

6 MR. EMERSON: Same objection.

7 A. My quick reading of the claims, I
8 don't see the word "server" explicitly there.
9 But, again, it's hard because I don't have a
10 word search mechanism, looking at a paper copy.
11 But it does require a subscriber profile data
12 to be associated with a communication service.
13 And normally, when something is stored on a
14 communication network, it's stored in a server.
15 But I don't see the word "server" explicitly in
16 Claim 1.

17 Q. Now, the term "profile management
18 system" appears in Claim 1 of the '714 patent;
19 right?

20 A. Yes. It appears in the preamble.

21 Q. And you applied a plain and ordinary
22 meaning to the term "profile management system"
23 in performing your analysis in the 227 matter;
24 right?

25 A. Yes.

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Q. You agreed earlier that a profile management system can include a user interface; correct?

A. I -- I think you're mischaracterizing my testimony.

Q. Okay. Let's -- can you turn to column 4 of the '714 patent, and let's look at lines 7 and 8. Okay.

So at column 4, beginning on line 7, it reads: "A general object of the present invention is to provide a profile management system having a user interface that provides the ability for a customer to freely access and maintain their service profile data."

Did I read that correctly?

A. Yes, I think so.

Q. Okay. Now, you would agree with me that a profile management system can include a user interface; correct?

A. Those words appear on the line that you asked to look at.

Q. So is your answer "yes"?

MR. EMERSON: Object to the form.

Q. I didn't get an answer to my

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question, Dr. Ak1, so that's why I'm asking the follow-up.

I will ask you the question again, maybe you can just tell me yes or no.

You agree with me that a profile management system can include a user interface; correct?

A. Sure.

Q. Okay. Now, I'd like to draw your attention to line 36 in column 4. The sentence begins: "The profile management system includes a client and a server."

Do you see that sentence?

A. Yes, I see those words.

Q. And you would agree with me that a profile management system can include a client and a server; correct?

A. Sure.

Q. Now I would like to draw your attention to the paragraph beginning on line 64 in column 4. It begins: "According to another preferred embodiment, the profile management system also includes an access control system."

Do you see that?

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A. Yes, I see those words.

Q. Okay. And you'd agree with me that a profile management system can include an access control system; correct?

A. In another preferred embodiment, that is correct.

Q. Now I'd like to turn to column 5. Beginning on line 7, there is a sentence that begins: "The profile management system includes a server, a client and a telecommunications network."

Do you see that?

A. Yes, I see those words.

Q. Okay. And you'd agree with me that a profile management system can include a server, a client, and a telecommunications network?

A. Yes, they can in an embodiment. That is correct.

Q. Now I'd like to, in column 5, go down to line 37. The end of line 37 starts with: "The profile management system includes a server, client and an AIN network."

Do you see that, Dr. Ak1?

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A. Yes, I see those words.

Q. Okay. And you'd agree with me that a profile management system can include a server, a client, and an AIN network; is that right?

A. An embodiment can, that is correct.

Q. So if we can turn to column 7, the last line, which is line 67, and it carries over the top of column 8, it reads: "The profile management system of the present invention may include a PID PC client 102 that serves as a PC interface for the PID user or subscriber."

Did I read that right?

A. I think so.

Q. Okay. And you would agree with me that a profile management system can include a PID PC client; is that correct?

A. It may include as an example of an embodiment.

Q. All right. And if we can turn column 8, beginning at line 58, where, at the beginning of the paragraph, it reads: "As further shown in the embodiment of Figure 2,

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the profile management system of the invention may also include a PID status server and PID database 110." Do you see that?

A. Yes, I see those words.

Q. Okay. And you would agree with me that a profile management system can include a PID status server 106 and a PID database 110; correct?

A. Yes, it may as an example of an embodiment.

Q. There is two more examples I'd like to draw your attention to, and I will have some follow-up questions. So if we could turn to column 9, beginning at about line 24, it reads: "It is also possible that several of the main components of the profile management system, including the PID PC server, the PID status server and the PID database, are implemented on a single mainframe or computer system such as a UNIX-based mainframe." Do you see that?

A. Yes, I see those words.

Q. And you'd agree with me the profile management system can include a PID PC server, a PID status server, and a PID database;

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correct?

A. Yes, in an embodiment or an example of an embodiment, it may.

Q. Now, if I could turn your attention to column 11, beginning around line 21, it begins: "A detailed description of exemplary interactions between the various main components of profile management system, i.e., the PID PC client, the PID PC server, the PID status server and the PID database, is now provided." Do you see that?

A. Yes, I see those words.

Q. Okay. And you'd agree with me that a profile management system can include a PID PC client, a PID PC server, a PID status server, and a PID database; correct?

A. In an example embodiment, it may.

Q. Now, I believe we just went through nine example embodiments of a profile management system. Does that sound right?

A. I was not counting, but I'll take your word for it.

Q. Earlier today you told me that you used the plain and ordinary meaning of the term

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2 "profile management system" in preparing your
3 opinions in the 227 matter; is that right?

4 A. Yes.

5 Q. And I would like to know which
6 embodiment of the profile management system
7 defined in the '714 patent you used in
8 analyzing Claim 1.

9 MR. EMERSON: Objection to form,
10 beyond the scope.

11 A. When I'm looking at a claim, it is
12 my understanding -- and, again, I'm not a
13 lawyer -- that a claim should read on at least
14 one embodiment. It does not need to read on
15 all embodiments. The specification provides
16 different embodiments, and that is fairly
17 common.

18 When I'm analyzing the claim, I can
19 look at the claim, read the claim, see how one
20 of ordinary skill in the art would understand
21 the words in the claim, specifically the term
22 "profile management system," give them their
23 plain and ordinary meaning, and the claim is
24 read in light of the specification, without
25 necessarily have to focus on one embodiment in

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2 my mind as I do my analysis.

3 Q. So I still don't know which
4 embodiment or embodiments -- strike that.

5 In preparing your opinions expressed
6 in your declaration marked as ATT-2043, did you
7 need to understand which embodiment or
8 embodiments are covered by the term "profile
9 management system" in independent Claim 1 of
10 the '714 patent?

11 MR. EMERSON: Objection to form,
12 beyond the scope.

13 A. Could you repeat the question again,
14 please?

15 Q. Sure. I'll give you a little
16 background first.

17 So you performed an analysis in your
18 declaration and -- you know, with respect to
19 Claim 1. And if you -- if you needed to
20 understand what profile management system was
21 and what embodiments Claim 1 read on, in
22 forming your analysis, I'd like to know which
23 embodiments. And if you didn't, then we'll
24 just -- I'll skip my -- the rest of my
25 questions on the subject. So I'll ask you the

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2 question again. Hopefully, it will make sense.

3 In preparing your opinions expressed
4 in your declaration marked as Exhibit ATT-2043,
5 did you need to understand which embodiment or
6 embodiments described in the '714 patent for
7 the term "profile management system" -- I
8 already messed up. Sorry. Strike that. I'll
9 try again.

10 In preparing your opinions expressed
11 in your declaration marked as Exhibit ATT-2043,
12 did you need to understand which embodiment or
13 embodiments are covered by the term "profile
14 management system" in independent Claim 1 of
15 the '714 patent?

16 MR. EMERSON: Same objections.

17 A. I'm sorry, one more time. Thank
18 you. Just -- just the question.

19 Q. In preparing your opinions expressed
20 in your declaration marked as Exhibit ATT-2043,
21 did you need to understand which embodiment or
22 embodiments of the term "profile management
23 system" are covered by independent Claim 1 of
24 the '714 patent?

25 MR. EMERSON: Same objections.

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1
2 A. In preparing and writing my
3 declaration, I did not have to go through and
4 focus on a specific embodiment and look at the
5 different embodiments and see which embodiment
6 or embodiments are covered by profile
7 management system as recited in Claim 1.

8 It's my understanding that the
9 specification can include multiple embodiments.
10 A claim should read on at least one, but it may
11 read on more than one. You have dependent
12 claims that can narrow an independent claim and
13 then focus on different embodiments. That's my
14 understanding of how the specification and the
15 claims relate to each other.

16 The claim is read in light of the
17 specification, but when I'm doing my analysis
18 and I'm looking on Claim 1, I can apply the
19 plain and ordinary meaning for the profile
20 management system as understood by one of
21 ordinary skill in the art and be able to carry
22 my analysis.

23 Q. Okay. And -- and again, what was
24 the plain and ordinary meaning of the term
25 "profile management system" you used in your

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analysis of Claim 1?

MR. EMERSON: Object to form, asked
and answered.

A. I've already answered that question.

Q. Can you tell me again, Dr. Akl?

MR. EMERSON: Same objection.

A. We can try to have the court
reporter go back to my previous testimony, if
that's possible.

Q. No. Just tell me what your answer
is.

MR. EMERSON: Same objection.

A. It's the same answer that I gave
before.

Q. I don't know what that answer is,
Dr. Akl.

A. You will have a copy of the
transcript. You can look back at it.

Q. You can't answer my question?

MR. EMERSON: Object to the form.

Q. I'll ask you one more time. You can
try to answer it, or you don't have to.

And again, what was the plain and
ordinary meaning of the term "profile

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management system" that you used in your analysis of Claim 1 of the '714 patent?

A. I used the definition that would have been used by one of ordinary skill in the art at the time the '714 patent was written.

Q. And what is that definition in words --

MR. EMERSON: Object to the form.

Q. -- that you used?

A. I don't have an articulation that I can provide you on the fly right now of that definition. I'm not doing claim construction on the fly. Doing claim construction is -- requires a lot of analysis. You want to make sure that the term is not too narrow or too broad. And as such, I am not comfortable providing a claim construction on the fly.

I believe saying that the term has the plain and ordinary meaning as understood by one of ordinary skill is sufficient for me to be able to know and be able to carry out the analysis and understand how one of ordinary skill would have used those words in the claim.

Q. Okay. And sitting here today, can

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you articulate the definition of the plain and ordinary meaning of profile management system that you use in your analysis?

MR. EMERSON: Object to the form, asked and answered, beyond the scope.

A. Previously I gave you an example. An example would be a system for managing profiles. That is an example of what a profile management system is.

Q. And is that the example you used in performing your analysis in the 227 matter?

A. That's an example that I'm coming up with on the fly right now because you're asking me to articulate and define a term that --

Q. So I'm not asking you to define it. I'm asking you to articulate what meaning -- what plain and ordinary meaning you gave to the term "profile management system" in performing your analysis in this matter. Do you understand that?

A. I understand you've asked me that question multiple times, and I've answered it, and I have nothing else to add to my previous answer.

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Q. Perfect.

MR. EMERSON: Would this be a good time for a break?

MR. KITCHURA: One second. Take a break.

VIDEOGRAPHER: We're off record at 10:03 a.m.

(Recess, 10:03 to 10:16 a.m.)

VIDEOGRAPHER: We are back on record at 10:16 a.m.

Q. Welcome back, Dr. Akl.

A. Thank you.

Q. So I would like to switch topics for a couple of minutes, and I would like to turn back to your declaration, Exhibit ATT-2043. And if we could turn to paragraph 32, it's on page 12.

Now, in paragraph 32 of your declaration, you provide a definition of what a person of ordinary skill in the art would be for the '714 patent; right?

A. Yes.

Q. Okay. In your opinion, what is a person of ordinary skill in the art for the

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'714 patent?

A. A person of ordinary skill in the art for the '714 patent would have a bachelor's degree in electrical engineering or computer science and two to three years of work experience in the relevant field or the equivalent.

Q. And what is the basis for that opinion?

A. As an expert, I can put myself back in 1997 and look at the '714 patent, look at what's disclosed in the specification and the claims and what -- articulate what one of ordinary skill in the art would need to have as far as qualifications to be one of ordinary skill in the art with regard to this patent, based on the -- what was happening in '97, the type of problems that were being solved, how fast the problems were being solved.

So there is a lot of parameters that, as an expert, I take into account. I read the patent, and then I look at when the priority date of the patent is, and be able to articulate qualifications for one of ordinary

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skill in the art.

Q. Did you meet your definition of a person of ordinary skill in the art for the '714 patent in April of 1997?

A. Yes.

Q. You did. What were you doing in April of 1997?

A. In April of 1997, I had two bachelor degrees, a master's degree, a bachelor's degree in computer science, a bachelor's degree in electrical engineering, a master's degree in electrical engineering, and I was working on my doctorate. I was also working in industry as I was going to school in '97.

Q. So tell me how you met the requirement of having two or three years of work experience in the relevant field in April of 1997.

A. So the definition that I provided here was a bachelor's degree and two to three years of work experience. Like I just answered your question, in '97 I had two bachelor's degrees, one in computer science, and one in electrical engineering. I got those in '94.

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So counting my years of experience after one bachelor's would have been three, but I had two bachelor's. And I had a master's that I got in '96. So I satisfied -- and I would be one of ordinary skill in the art as stated here.

Q. Now, I'm asking specifically about the requirement of having two or three years of work experience in the relevant field. Do you see that in your definition?

A. Yes.

Q. Okay. And I would like to know how you met that requirement of having two or three years of work experience in the relevant field in 1997.

A. I just answered that. My bachelor's was in '94, so if you can count, between '94 and '97 is three years. So in '97 I had two degrees, two bachelor's, a master's. And from '97 there have been three years from '94, when I got both bachelor degrees.

Q. So tell me what part of your work experience between 1994 and 1997 is relevant to your definition of a person of ordinary skill in the art for the '714 patent.

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1
2 A. Again, the definition says you need
3 to have a bachelor's degree in electrical
4 engineering or computer science and two to
5 three years of work experience in the relevant
6 field. With me having two degrees and a
7 master's degree, that qualifies, because
8 working on a master's degree counts as a work
9 experience. You are working in the -- the
10 relevant field. I was working on my master's,
11 and I already had two bachelor's.

12 And after -- and also during that
13 time, in addition of working on my doctorate,
14 which would also qualify as work experience, I
15 was also working in industry for a company
16 called MinMax.

17 Q. So let me make sure I get this
18 right. Your relevant work experience, as it
19 relates to your definition of a person of
20 ordinary skill in the art, between 1994 and
21 1997 includes your work on your master's, your
22 work on your doctorate, and your industry
23 experience at MinMax; is that right?

24 A. And having two bachelor degrees. So
25 having two degrees instead of one counts for

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something. So when I say here you need one degree and two to three years of experience, having two degrees, in a sense, would be equivalent to also having more work experience, because it takes longer to get two degrees versus one degree. So you have to -- you're not bean-counting. You're looking at this definition in a holistic manner.

So the definition says a bachelor's degree in computer science or electrical engineering and two to three years' work experience. That provides you the proper background. So if you had your degree in computer science versus electrical engineering, there are things one would learn the other wouldn't. But then you may pick it up based on work experience.

So in my case, I had two degrees, one in computer science, one in electrical engineering. I also had my master's degree, and I was working on my doctorate degree. So I would fit this definition.

Q. Okay. So let's talk about your work experience as it relates to your master's

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degree.

Can you explain to me how your work experience, as it relates to your master's degree, fits into your definition of a person of ordinary skill in the art for the '714 patent?

A. So between '94 and '96, as I was working towards my master's degree in electrical engineering, I would be taking courses and working on projects that would fit the relevant field for the '714 patent.

Q. And what courses and projects are relevant?

A. There are a lot of courses that one would take doing -- pursuing a master's in electrical engineering that would be in the relevant field, whether those courses are on communication, networking, etcetera.

Q. Any other courses relevant?

A. Again, I'm providing a holistic answer to your question. So the degree, in itself, you are exposed to a lot of different courses. A lot of those courses would qualify as courses in the relevant field of the '714

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patent.

Q. Did you take courses in communications while obtaining your master's degree?

A. Yes.

Q. Did you take courses in networking while obtaining your master's degree?

A. Yes.

Q. All right. So besides courses, you mentioned projects. What types of projects relate to your work experience while obtaining your master's degree?

A. They would be projects that relate to communications and networking.

Q. Can you give me any more details on those projects?

A. I don't recall at this time.

Q. Can you explain to me how your work experience, as it relates to your doctorate degree, fits into your definition of a person of ordinary skill in the art for the '714 patent?

A. Sure. In '96 I had again, two bachelor's, a master's, and I started working

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on my doctorate. And as part of what you do for a doctorate, you take also additional courses, very advanced, high level, Ph.D. level courses, and you do a lot of research. And the courses that I took that would be relevant, again, are courses in telecommunications. There is courses in databases, courses on SS7. So there are several advanced courses that I recall taking.

In addition, I was also working at the MinMax Corporation. We can get through that.

Q. Can you explain to me how your work at MinMax Corporation relates -- strike that.

Can you explain to me how your work at MinMax Corporation fits into your definition of a person of ordinary skill in the art for the '714 patent?

A. Sure. I was working at MinMax from '96 to 2000, and I worked on different projects at the time. Some related to wireless communication; some related to wired telecommunication, including ATM switching.

Q. What specifically -- strike that.

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2 What projects did you work on
3 specifically during the timeframe of 1996 to
4 1997 while at MinMax?

5 A. I don't recall, but in general, the
6 field that I was working with related to
7 different aspects of telecommunications and
8 communication of different components. So at a
9 high level, that would be in the relevant field
10 of the '714.

11 Q. Okay. Do you recall meeting
12 somebody by the name of Dr. Bell Christian?

13 A. I'm not sure.

14 Q. Now, the claims of the '714 patent
15 describe, in part -- or strike that.

16 The claims of the '714 patent
17 mention a user interface; right?

18 A. Yes.

19 Q. What is a user interface?

20 A. Again, those words would have the
21 plain and ordinary meaning as understood by one
22 of ordinary skill in the art. I can provide
23 you an example, would be an interface that a
24 user uses to interact, usually with a computer.

25 Q. Can a -- can a user interface be

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graphical?

A. Yes.

Q. What's an example of a non-graphical user interface?

A. A text-based user interface.

Q. Could you have an audio-based user interface?

A. Maybe. I'd have to look at the -- the context, but -- in order to be able to answer your question more accurately.

Q. I was referring to more along the lines of kind of like an automated system where it gives you audio prompts, and you can interact through either speech or --

A. Yes. I mean, I know there are people that are visually impaired and have to interact and have a user interface that is audio-based. So that would be an example of a user interface that's more geared towards a subset of the population that would be solely audio, as an example.

Q. So a graphical user interface is a subset of a user interface; right?

A. It would be a type of user

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interface.

Q. What is another type of user interface, besides a graphical user interface?

A. A --

MR. EMERSON: Objection, form, asked and answered.

A. A text-based I think is what I said previously.

Q. I'd like to turn back to your declaration marked as ATT-2043, and I'd like to turn to paragraph 95. It's on page 45 of your declaration. And I'd like to focus on the first sentence in paragraph 95, which reads: I also understand that the inventors actually reduced the invention of the '714 patent to practice prior to the filing date of the An provisional, as supported in part by the document entitled 'Requirements Document PC User Interface' dated July 17, 1996."

Did I read that correctly?

A. Yes.

Q. Now, you used the term "supported in part" in the first sentence of paragraph 95.

Do you see that?

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A. Yes.

Q. Now, in performing your analysis in connection with the 227 matter, did you rely on any testimony or any other documents besides the Requirements Document PC User Interface in coming to your opinion that the inventors actually reduced the invention of the '714 patent to practice prior to the filing date of the An provisional?

A. In Appendix B I have a list of materials that I considered. So what I have relied upon is in Appendix B. If it's not in Appendix B, then I did not rely upon it.

Q. What documents in Appendix B, your list of materials considered, is relevant to your analysis regarding the actual reduction to practice of the '714 patent?

A. Exhibit 1001, Exhibit 2044, Exhibit 2039. I think that would be more the focus, but --

Q. Any other exhibits relevant to your analysis regarding the reduction to practice of the '714 patent?

A. I mean, I have a whole section on

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the reduction to practice, so whatever I cited within the declaration if I missed something that would be relevant. I think my declaration speaks for itself, so I've cited different things starting on -- between paragraphs 95 through 99, but I think I've listed them, but if I missed something, it would be there.

Q. If you need time to look at it, you can. I just want to know what exhibits are relevant to your analysis that the inventors actually reduced the '714 patent down to practice.

A. I think I named them.

Q. And that is Exhibit 1001, Exhibit 2039, and Exhibit 2044; is that right?

A. Yes, I think so.

Q. Now, turning back to paragraph 95, what do you mean by "actually reduced the invention of the '714 patent to practice"?

A. I don't understand what you don't understand about those words.

Q. Well, what do you mean by "actually reduced the invention to practice"?

A. Implemented the invention.

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Q. What do you mean by "implemented the invention"?

A. Reduced it practice.

Q. That's a little circular, isn't it?

A. You're asking me to define, and I gave you a definition. Then you're asking me for another definition. I don't -- these words are not confusing, or they shouldn't be.

Q. By "implemented the invention," do you mean built it?

A. Sure. Implemented it, I think, is better, built --

Q. I'll ask you a different question. How does one implement an invention?

A. One example would be you would have a prototype. You have a working model.

Q. Can you think of any other ways one implements an invention?

A. Are we speaking in vacuum? I mean, I think with regard to the '714, the requirements document showed an interface and showed the interaction. So it -- I was able to cite parts of that document that shows reduction to practice. So in this context, it

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satisfied the reduction of the invention. You may have different scenarios and other circumstances. I don't want to make generalizations.

Q. Now, you just stated you reviewed the requirements document; right?

A. Yes.

Q. Did you review or analyze the underlying system described by the requirements document?

A. You mean a physical system? I don't understand the question.

Q. Does the Requirements Document PC User Interface describe a system?

A. Well, if we're going to be going into what that document describes, can I get a copy of it, please?

Q. Sure, in a little bit. I just want you to answer the basic question.

Does the Requirements Document PC User Interface describe an underlying system?

MR. EMERSON: Object to the form.

A. In order for me to answer the question, I need a document.

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Q. At a high level, what does the Requirements Document PC User Interface describe?

A. The invention in the '714 patent.

Q. Could you turn to paragraph 73 of your declaration. Now, you state that Ground E, as instituted by the PTAB, alleges that Claims 1 through 7, 11, and 13 through 17 are anticipated by An, right?

A. Yes.

Q. And it's your opinion that An doesn't qualify as prior art; correct?

A. Yes.

Q. Now, you don't provide an analysis of any claims in the '714 patent as being unpatentable under An; right?

A. It is unnecessary because it's not prior art. So we -- there is no need to do an analysis on a document that is not prior art.

Q. Okay.

MR. KITCHURA: All right. Let's take a quick break.

VIDEOGRAPHER: We're off record at 10:47 a.m.

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(Recess, 10:47 to 11:03 a.m.)

VIDEOGRAPHER: We are back on record
at 11:03 a.m., with the start of Tape 2.

Q. Welcome back.

A. Thank you.

Q. I think we have just maybe, like,
five, ten minutes left, but just a couple of
quick questions.

Have you ever lied under oath?

A. No.

Q. Have you ever recanted any prior
expert testimony?

A. No.

Q. All right. Now, I would like to
turn to paragraph 79 of your declaration, and
you have some analysis regarding a particular
term, "protocol conversion." Is that right?

A. Yes.

Q. And in your own words, what is
protocol conversion?

A. Can I get a copy of the An patent,
please?

Q. Sure. So, Dr. Akl, you have been
handed Exhibit 1005, if you would take a minute

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to look at that.

What is Exhibit 1005?

A. It is Patent Number 6,031,904, which I will refer to as the An patent, A-N.

Q. And Exhibit 1005 is the -- what you also referred to as the An patent in your declaration; right?

A. Yes.

Q. Okay. So let's hear the question again. In your own words, what is protocol conversion as used in the An patent?

A. So the words "protocol conversion" adhere in the independent claims of An. And I think if I were to do claim construction on those words, they would have the plain and ordinary meaning as understood by one of ordinary skill in the art at the time for the An patent. And, again, the -- the -- the plain and ordinary meaning would apply. We are -- you are converting a protocol.

Q. What do you mean by "you are converting a protocol"?

A. I -- again, because the word "conversion" appears in the claim, I'm

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reluctant to give you a definition on the fly, because that's claim construction. But an example would be you're -- you're changing it, you're modifying it. You're converting it from one form to another. That's -- would be consistent with the plain and ordinary meaning, which is how one -- how one of ordinary skill in the art would understand the word "conversion" to mean.

Q. And when you say "you're changing it, you're modifying it," what is it that you're changing or modifying?

A. The protocol, because the -- the term is -- you're performing protocol conversion, so that's what's being modified.

Q. So how was a protocol -- strike that.

Can you give me an example of how a protocol is modified or changed?

A. Yes. In -- in -- outside the An reference, I can.

Q. Can you give it -- I need it in the context of the An patent, because you used the term "protocol conversion." So I'm just trying

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2 to understand what is being converted or
3 modified. Does that make sense?

4 A. So I think you asked me two
5 questions.

6 But in the context of An, I cannot
7 give you an example, because I don't believe An
8 discloses protocol conversion. There is no
9 protocol conversion disclosed in An. This is
10 why I can't give you an example from An.

11 The only thing that is close is
12 encapsulation, which is described in column 7,
13 lines 55 through 64. The word "conversion"
14 does not appear in the specification, and the
15 only thing that appears here is the
16 encapsulation, and encapsulation is not
17 conversion. So I cannot give you an example
18 from An on protocol conversion.

19 Q. Now, the term "encapsulate" or --
20 strike that.

21 The terms "encapsulate" or
22 "encapsulation" do not appear in the claims of
23 the An patent; correct?

24 A. Do you want me to go through the
25 claims word by word to verify? I can take your

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word for it if you've done the word search.

Q. No. You should verify if you need to.

A. Do you want me to look only at Claim 1 or all the claims?

Q. Whatever claims of the An patent you believe are relevant to your analysis in the 227 matter.

A. I don't see the words "encapsulate," at least in Claims 1, 7, and 11, which are the independent claims.

Q. And you didn't see the term "encapsulation," either; correct?

A. Yes, that is correct.

Q. If you could turn back to your declaration, we're going to move to paragraph 80. And in the first sentence of paragraph 80 of your declaration, you say: "Based on the language of the An claims, I interpret those claims as requiring support for protocol conversion performed by a server dependent on a type of service manager node."

Did I read that correctly?

A. Yes.

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2 Q. Now, you previously stated you were
3 unable to determine the meaning of protocol
4 conversion as used in the An patent; correct?

5 MR. EMERSON: Object to the form.

6 A. I think you're mischaracterizing my
7 testimony.

8 Q. Were you able to determine a plain
9 and ordinary meaning for the term "protocol
10 conversion" as used in the claims of the An
11 patent?

12 MR. EMERSON: Object to the form.

13 A. I -- I think you were asking me for
14 an example, and that's what I didn't find.
15 There is no mention of conversion, one way or
16 the other in the specification.

17 Q. That's not what I'm asking you right
18 now, though. Okay?

19 A. Then if you can rephrase the
20 question, because you were referring to my
21 prior testimony.

22 Q. Okay. So I will not refer to your
23 prior testimony. Instead, I will just ask you
24 a question.

25 Were you able to determine the plain

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2 and ordinary meaning for the term "protocol
3 conversion" as used in the claims of the An
4 patent?

5 MR. EMERSON: Same objection.

6 A. I'm not sure I understand the
7 question. Is there a way you can phrase it so
8 I can try to answer it?

9 Q. In your analysis of the An patent --
10 strike that.

11 What is the plain and ordinary
12 meaning of the term "protocol conversion" as
13 used in the claims of the An patent?

14 MR. EMERSON: Objection, form, asked
15 and answered.

16 A. There is nothing I can point to in
17 the An patent as an example of the plain and
18 ordinary meaning for protocol conversion which
19 appear in the claims.

20 Q. So there is nothing you can point to
21 in the patent, but in reading the patent as a
22 whole and in reading the claims of the An
23 patent, did you, yourself, determine what the
24 plain and ordinary meaning of the term
25 "protocol conversion" means?

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2 MR. EMERSON: Object to the form,
3 asked and answered.

4 A. There is no claim construction that
5 we have with regard to the An patent. And it
6 is my understanding that normally, you give
7 words their plain and ordinary meaning unless
8 there are circumstances where you would provide
9 a construction.

10 In the absence of a construction,
11 I -- in doing my analysis, I gave those words
12 their plain and ordinary meaning.

13 Q. And what plain and ordinary meaning
14 did you give to the term "protocol conversion"
15 as used in the claims of the An patent?

16 MR. EMERSON: Object to form.

17 A. Now you're asking me to articulate a
18 definition. And for the same reasons, I am not
19 comfortable articulating a definition on the
20 fly. I can provide you that I've used the
21 plain and ordinary meaning without giving you a
22 definition on the fly because that's not
23 something that I wrote in my declaration.

24 Q. So you admit that you applied the
25 plain and ordinary meaning to the term

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"protocol conversion" in your analysis of the
An patent; correct?

A. Yes.

Q. But sitting here today, you can't
tell me what that definition of protocol
conversion is that you used in your analysis;
right?

A. If I give you a definition, I would
be doing claim construction, and I want to make
sure that any definition that I do provide
should not be too narrow or too broad. So what
I can do is I can give you an example, and the
example is sufficient for me to do the analysis
that I did.

So an example that I gave you
previously was you're modifying the protocol.
You're changing it. You're doing conversion on
the protocol. That understanding is sufficient
for me to be able to carry on and do the
analysis without having to articulate an exact
definition here on the fly and make sure that
that definition would not be too narrow or too
broad or do claim construction.

Q. What do you mean by modifying the

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2 protocol or changing the protocol in the
3 example you just gave me?

4 MR. EMERSON: Objection to form,
5 asked and answered.

6 A. Again, those words would have their
7 plain and ordinary meaning. You're --
8 you're -- you're asking me for a definition of
9 a -- of a definition.

10 Q. No. I'm just trying to understand
11 what your understanding is. Are -- are you
12 modifying data according to a protocol? Are
13 you changing the protocol? What's happening?
14 What do you mean by you are doing conversion on
15 the protocol? You are changing it?

16 MR. EMERSON: Objection, form, asked
17 and answered.

18 A. Well, that's what An says. I did
19 not come up with the term "protocol
20 conversion." The term "protocol conversion"
21 appears in the claim. There is no support for
22 protocol conversion in the specification.
23 You're having issues understanding it. I'm
24 having issues explaining it because there is
25 nothing I can point to as an example because

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there is no support for that term in the specification. That's exactly the problem we're having.

Q. Okay. One last question, Dr. Ak1.
Do you currently own any AT&T stock?

A. No.

MR. KITCHURA: Okay. I have no further questions.

MR. EMERSON: We'll take a short break and be back.

VIDEOGRAPHER: We are off record at 11:20 a.m.

(Recess, 11:20 to 11:23 a.m.)

VIDEOGRAPHER: We are back on record at 11:23 a.m.

MR. EMERSON: We have no questions. All done. Thank you.

MR. KITCHURA: Thanks, Dr. Ak1.

THE WITNESS: Thank you.

VIDEOGRAPHER: We are off record at 11:23 a.m.

(Deposition adjourned at 11:23 a.m.)

1 AKL - 6/2/16

2 C E R T I F I C A T E

3
4 I, SUSAN S. KLINGER, a certified
5 shorthand reporter within and for the
6 States of Texas and California, do hereby
7 certify:

8 That DR. ROBERT AKL, the witness
9 whose deposition is hereinbefore set forth,
10 was duly sworn by me and that such
11 deposition is a true record of the
12 testimony given by such witness.

13 I further certify that I am not
14 related to any of the parties to this
15 action by blood or marriage; and that I am
16 in no way interested in the outcome of this
17 matter.

18 IN WITNESS WHEREOF, I have hereunto
19 set my hand this 6th of June, 2016.

20
21 _____
22 Susan S. Klinger,
23 RMR-CRR, CSR
24 Texas CSR# 6531
25

ERRATA SHEET

Case Name:

Deposition Date:

Deponent :

Pg.	No.	Now Reads	Should Read	Reason
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Signature of Deponent

SUBSCRIBED AND SWORN BEFORE ME

THIS _____ DAY OF _____, 2016.

(Notary Public) MY COMMISSION EXPIRES:_____