

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2  
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4  
5 CISCO SYSTEMS, INC.,

6 Petitioner,

7 -v-

8 CENTRIPETAL NETWORKS, INC.,

9 Patent Owner

10  
11 Case IPR2018-01512

12 U.S. Patent 9,565,213

13  
14 VIDEOTAPED DEPOSITION OF

15 KEVIN JEFFAY

16  
17 DATE: Wednesday, June 5, 2019

18 TIME: 9:00 a.m.

19 LOCATION: MERCHANT & GOULD  
20 3200 IDS Center  
21 80 South Eighth Street  
22 Minneapolis, Minnesota 55402

REPORTED BY: Lori Morrow, RMR, CRR, CLR, CBC

Transcript of Kevin Jeffay, Ph.D.  
Conducted on June 5, 2019

1 (1 to 4)

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22
UNITED STATES PATENT AND TRADEMARK OFFICE  BEFORE THE PATENT TRIAL AND APPEAL BOARD  CISCO SYSTEMS, INC., Petitioner, -v- CENTRIPETAL NETWORKS, INC., Patent Owner  Case IPR2018-01512 U.S. Patent 9,565,213  VIDEOTAPED DEPOSITION OF KEVIN JEFFAY  DATE: Wednesday, June 5, 2019 TIME: 9:00 a.m. LOCATION: MERCHANT & GOULD 3200 IDS Center 80 South Eighth Street Minneapolis, Minnesota 55402 REPORTED BY: Lori Morrow, RMR, CRR, CLR, CBC	INDEX  WITNESS: Kevin Jeffay  EXAMINATION BY: PAGE: Mr. Proctor..... 5  INSTRUCTIONS: (None) REQUESTS FOR PRODUCTION: (None)  EXHIBITS: DESCRIPTION: PAGE: Exhibit 1 Decision to Institute Inter Partes review for IPR2018-01512..... 14  ***** (REPORTER'S NOTE: Original exhibit is attached to the original transcript.)	
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22
APPEARANCES:  On Behalf of the Petitioner: Jeffrey D. Blake, Esquire MERCHANT & GOULD 191 Peachtree Street NE, Suite 3800 Atlanta, Georgia 30303 (404) 954-510  On Behalf of the Patent Owner: Greg Proctor, Esquire KRAMER LEVIN NAFTALIS & FRANKEL LLP 990 Marsh Road Menlo Park, California 94025 (650) 752-1700 - and - Jeffrey H. Price, Esquire KRAMER LEVIN NAFTALIS & FRANKEL LLP 1177 Avenue of the Americas New York, New York 10036 (212) 715-9100  ALSO PRESENT: Ira Livingston, IV	THE VIDEOGRAPHER: Here begins tape media number one in the deposition of Kevin Jeffay in the matter of Cisco Systems, Inc., versus Centripetal Networks, Inc., filed in the United States Patent and Trademark Office, Case Number IPR2018-01512. Today's date is June 5, 2019. The time on the video monitor is 9:10 a.m. The videographer today is Ira Livingston IV representing Planet Depos. This video deposition is taking place at Merchant & Gould located at 3200 in the IDS Center at 80 South Eighth Street in Minneapolis, Minnesota. Would counsel please voice and identify themselves and state whom they represent. MR. PROCTOR: Greg Proctor of Kramer Levin representing Patent Owner Centripetal Networks. MR. PRICE: Jeffrey Price from Kramer Levin representing Patent Owner Centripetal Networks. MR. BLAKE: Jeffrey Blake from Merchant & Gould representing the Petitioner Cisco Systems, Inc.	

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<p style="text-align: right;">5</p> <p>1 THE VIDEOGRAPHER: The court reporter today</p> <p>2 is Lisa [sic] Morrow representing Planet Depos.</p> <p>3 Will she please swear in the witness, and we may</p> <p>4 proceed.</p> <p>5 KEVIN JEFFAY.</p> <p>6 duly sworn, was examined and testified as follows:</p> <p>7 EXAMINATION</p> <p>8 BY MR. PROCTOR:</p> <p>9 Q Where do you work?</p> <p>10 A I work at the University of North Carolina.</p> <p>11 Q What is your title?</p> <p>12 A My title is I am the Gillian Cell Distinguished</p> <p>13 Professor of Computer Science.</p> <p>14 Q What are your responsibilities?</p> <p>15 A Threefold. I have a teaching responsibility, a</p> <p>16 research responsibility, and a service responsibility.</p> <p>17 Q What type of research do you do?</p> <p>18 A Today it's primarily in the area of networking.</p> <p>19 Q Do you understand why you're here today?</p> <p>20 A I do.</p> <p>21 Q Why is that?</p> <p>22 A My understanding here is that I'm being deposed</p>	<p style="text-align: right;">7</p> <p>1 Q Yeah.</p> <p>2 A No.</p> <p>3 Q Do you have any experience with the technology</p> <p>4 subject matter of the patent at issue here?</p> <p>5 A Yes.</p> <p>6 Q And what is your experience?</p> <p>7 A Well, I have done work in building devices to</p> <p>8 monitor network traffic and analyze network traffic for</p> <p>9 things like anomalous traffic patterns, intrusion</p> <p>10 detection, denial of service attacks, and to -- also to</p> <p>11 characterize work loads in networks.</p> <p>12 Q And where -- what projects specifically are you</p> <p>13 referring to?</p> <p>14 A Well, there are a variety of projects. These</p> <p>15 are research projects that were undertaken at the</p> <p>16 University of North Carolina.</p> <p>17 Q When was the last time you worked on a research</p> <p>18 project in this field?</p> <p>19 A I couldn't say off the top of my head. But</p> <p>20 probably 2015, 2016.</p> <p>21 Q I misspoke previously. Do you have any</p> <p>22 experience with packet broker technology?</p>
<p style="text-align: right;">6</p> <p>1 regarding a declaration I wrote in the IPR matter that</p> <p>2 the videographer read off the caption for.</p> <p>3 Q And that would be IPR2018-05 -- 01512, correct?</p> <p>4 A I'll take your word for it.</p> <p>5 Q Have you been deposed before?</p> <p>6 A I have.</p> <p>7 Q How many times have you been deposed?</p> <p>8 A Several dozen.</p> <p>9 Q Have you been deposed in an IPR proceeding?</p> <p>10 A Yes.</p> <p>11 Q How many times?</p> <p>12 A Probably about a dozen.</p> <p>13 Q Have you been deposed in an IPR proceeding on</p> <p>14 the present patent before?</p> <p>15 A Yes.</p> <p>16 Q And was that in the same case?</p> <p>17 MR. BLAKE: Objection to form.</p> <p>18 THE WITNESS: I believe it was a different IPR.</p> <p>19 BY MR. PROCTOR:</p> <p>20 Q Correct. Do you have any experience with</p> <p>21 patent broker technology?</p> <p>22 A With patent broker?</p>	<p style="text-align: right;">8</p> <p>1 A Oh, packet broker. I'm not familiar with that</p> <p>2 term, or that term doesn't ring a bell.</p> <p>3 Q Have you heard of something called Cisco ACNS?</p> <p>4 A I have.</p> <p>5 Q What is Cisco ACNS?</p> <p>6 A It's a -- it's a comprehensive content delivery</p> <p>7 and management system that Cisco sells.</p> <p>8 Q Do you have any experience using Cisco ACNS?</p> <p>9 A No.</p> <p>10 Q Do you have any knowledge of Cisco ACNS outside</p> <p>11 of the user guide that you cited in your declaration?</p> <p>12 A I may have. I don't recall for certain.</p> <p>13 Q Is there any other reference or document that</p> <p>14 you analyzed on Cisco ACNS other than the document you</p> <p>15 cited in your declaration?</p> <p>16 A For this particular matter, no.</p> <p>17 Q What about for another matter?</p> <p>18 A I think I may have encountered ACNS doing some</p> <p>19 work with a different Cisco product.</p> <p>20 Q What do you remember about Cisco ACNS from that</p> <p>21 project?</p> <p>22 A Just as I say, that it was a content management</p>

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<p style="text-align: right;">9</p> <p>1 and delivery system.</p> <p>2 Q Do you remember anything else about ACNS from</p> <p>3 that previous project you're referring to?</p> <p>4 A Well, I mean, I remember – I don't remember</p> <p>5 the name of the product that I was looking at back at</p> <p>6 that time. But when I was reading the ACNS document for</p> <p>7 this – excuse me, for this matter, it seemed awfully</p> <p>8 familiar. And so I've been wondering whether or not this</p> <p>9 product that I had encountered several years ago was in</p> <p>10 fact ACNS. I just hadn't paid attention to the name of</p> <p>11 it when I first encountered it.</p> <p>12 Q Are you certain that that product that you were</p> <p>13 working with was Cisco ACNS?</p> <p>14 MR. BLAKE: Objection to form.</p> <p>15 THE WITNESS: No, I'm not certain.</p> <p>16 BY MR. PROCTOR:</p> <p>17 Q How does Cisco ACNS function?</p> <p>18 MR. BLAKE: Objection to form.</p> <p>19 THE WITNESS: That's a pretty big question. I</p> <p>20 mean, Cisco ACNS is a pretty large, sophisticated</p> <p>21 system. I don't know how to begin answering your</p> <p>22 question.</p>	<p style="text-align: right;">11</p> <p>1 A So the content engine is one mode in which you</p> <p>2 can operate ACNS. So operating on a device that acts</p> <p>3 effectively as a gateway, the content engine is the</p> <p>4 device that's at the edge of a user's network and is the</p> <p>5 device that will be examining content requests coming</p> <p>6 from the – from users and – all the requests and</p> <p>7 responses will transit the content engine.</p> <p>8 Q What are the other modes in which ACNS can</p> <p>9 operate?</p> <p>10 A There's four modes. There's the content</p> <p>11 engine, the content router. There is the content</p> <p>12 delivery manager. And I can't remember what the name of</p> <p>13 the fourth one is.</p> <p>14 Q How does the content delivery manager function?</p> <p>15 A Well, as the name implies, it's a management</p> <p>16 entity that is going to in the case of the content</p> <p>17 engines control the operation and behavior of the content</p> <p>18 engines.</p> <p>19 Q How does it control the operation and behavior</p> <p>20 of the content engines?</p> <p>21 A Well, the way that's most relevant for this</p> <p>22 particular matter is that it will provision rules to the</p>
<p style="text-align: right;">10</p> <p>1 BY MR. PROCTOR:</p> <p>2 Q I think you said that it is a content</p> <p>3 distribution system. Is that correct?</p> <p>4 A I think it's a content management – it's like</p> <p>5 a lot of networking products. It's a giant Swiss Army</p> <p>6 Knife. It can be configured in many ways to provide many</p> <p>7 functions. But at a very high level, it's related to</p> <p>8 delivering and securing content to networks.</p> <p>9 Q How does it deliver and secure content to</p> <p>10 networks?</p> <p>11 A Well, ultimately, the idea is that content is</p> <p>12 requested through ACNS devices, so the content may</p> <p>13 originate in – on origin servers that are not</p> <p>14 necessarily part of ACNS. But the requests and the</p> <p>15 content itself will flow through ACNS, so in that sense,</p> <p>16 it's the – it's part of the delivery – the requesting</p> <p>17 and delivery pipeline.</p> <p>18 Q What's the primary function of Cisco ACNS?</p> <p>19 A I don't think it has one primary function. I</p> <p>20 mean, as I say, it's a richly functional, multi-faceted</p> <p>21 system.</p> <p>22 Q What is the content engine in Cisco ACNS?</p>	<p style="text-align: right;">12</p> <p>1 content engines that will influence how the content</p> <p>2 engines process requests and responses.</p> <p>3 Q If I hand you the ACNS Guide that you cited in</p> <p>4 your declaration, can you show me where it discusses the</p> <p>5 rules that it provisions to the content engines?</p> <p>6 A Sure.</p> <p>7 Q This exhibit has been marked as Exhibit 8 to</p> <p>8 the Jeffay declaration. It's entitled "Cisco ACNS</p> <p>9 Guide."</p> <p>10 MR. BLAKE: Just for clarity of the record,</p> <p>11 when you say 8, you mean 1008?</p> <p>12 MR. PROCTOR: Yes.</p> <p>13 MR. BLAKE: Okay. And you're representing that</p> <p>14 this is a complete copy of the guide?</p> <p>15 MR. PROCTOR: Yes, I am. It's a complete copy</p> <p>16 of the guide as filed by Cisco.</p> <p>17 MR. BLAKE: Fair enough.</p> <p>18 THE WITNESS: There's one example on pages 8-23</p> <p>19 and 8-24 which describes how you can configure the</p> <p>20 content engines to accept or reject particular HTTP</p> <p>21 request methods, and so it describes how, using a</p> <p>22 particular interface at the content distribution</p>

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<p>13</p> <p>1 manager, you can configure a -- you can create a</p> <p>2 rule and have this rule be in place at a content</p> <p>3 engine so that, for example, if there's a particular</p> <p>4 HTTP request method that you don't want to be</p> <p>5 generated or don't want to be sent out of your</p> <p>6 network, you can have the content engine block</p> <p>7 that -- the sending of that request method.</p> <p>8 BY MR. PROCTOR:</p> <p>9 Q What's required -- strike that.</p> <p>10 What is a rule?</p> <p>11 MR. BLAKE: Objection to form.</p> <p>12 THE WITNESS: So a rule is a term in the</p> <p>13 '213 patent, and the rule has -- the definition of a</p> <p>14 rule has been provided by the board in this matter,</p> <p>15 and that's the -- that's the understanding of rule</p> <p>16 that I've been using.</p> <p>17 BY MR. PROCTOR:</p> <p>18 Q Does a rule within the '213 patent require</p> <p>19 identifying application layer packet header information?</p> <p>20 <b>A So perhaps we could look at the board's</b></p> <p>21 <b>construction of rule and see what it says.</b></p> <p>22 MR. PROCTOR: We will actually need to mark</p>	<p>15</p> <p>1 Inter Partes review for IPR2018-01512.</p> <p>2 I'm going to hand you what's been marked as</p> <p>3 Cisco Exhibit 1004.</p> <p>4 <b>A Thank you.</b></p> <p>5 MR. PROCTOR: Counsel.</p> <p>6 MR. BLAKE: Thank you.</p> <p>7 BY MR. PROCTOR:</p> <p>8 Q Mr. Jeffay, do you recognize this document?</p> <p>9 <b>A I do.</b></p> <p>10 Q What is this document?</p> <p>11 <b>A This appears to be a copy of the declaration</b></p> <p>12 <b>that I submitted in support of Cisco's petition.</b></p> <p>13 Q And when did you submit this declaration?</p> <p>14 <b>A It says here that it was August 15 of 2018.</b></p> <p>15 Q And did you sign this declaration?</p> <p>16 <b>A I did.</b></p> <p>17 Q What construction did you apply to the term</p> <p>18 rule?</p> <p>19 <b>A So I offered an opinion that I think a person</b></p> <p>20 <b>of skill in the art would have had concerning the term</b></p> <p>21 <b>rule that's different than what the board ultimately</b></p> <p>22 <b>adopted. But the differences between the opinion that I</b></p>
<p>14</p> <p>1 this.</p> <p>2 (Deposition Exhibit Number 1 was marked.)</p> <p>3 THE WITNESS: (Perusing document.)</p> <p>4 Perhaps you could just reask your question just</p> <p>5 so I have it fresh.</p> <p>6 BY MR. PROCTOR:</p> <p>7 Q Sure. What is a rule within the meaning of the</p> <p>8 '213 patent?</p> <p>9 <b>A So the construction that the board gave is the</b></p> <p>10 <b>construction that came out of the prior Keysight</b></p> <p>11 <b>litigation, and a rule is a condition or set of</b></p> <p>12 <b>conditions that, when satisfied, cause a specific</b></p> <p>13 <b>function to occur.</b></p> <p>14 Q Do you agree with the board's construction?</p> <p>15 <b>A I haven't offered opinions on the board's</b></p> <p>16 <b>constructions. I've simply been applying them.</b></p> <p>17 Q Well, in your declaration you didn't apply the</p> <p>18 board's construction, correct?</p> <p>19 <b>A I believe -- well, can we look and see exactly</b></p> <p>20 <b>what I said for this construction?</b></p> <p>21 Q All right. Let me specify for the record, the</p> <p>22 Exhibit 1 to the deposition is the Decision to Institute</p>	<p>16</p> <p>1 <b>offered and the construction that the board ultimately</b></p> <p>2 <b>offered are not substantial enough that they would affect</b></p> <p>3 <b>any of the analyses that I've done.</b></p> <p>4 Q And what was your construction, your opinion of</p> <p>5 what the term rule meant?</p> <p>6 <b>A The opinion I offered was that a person of</b></p> <p>7 <b>skill in the art reading the '213 patent would have</b></p> <p>8 <b>understood that rule would refer to at least the part of</b></p> <p>9 <b>a dynamic security policy that specifies criteria in one</b></p> <p>10 <b>or more packet transformation functions that should be</b></p> <p>11 <b>performed for packets associated with the specified</b></p> <p>12 <b>criteria.</b></p> <p>13 Q So you would agree that a rule includes -- I'm</p> <p>14 sorry. Strike that.</p> <p>15 Is it true that you believe a rule includes</p> <p>16 both criteria and one or more packet transformation</p> <p>17 functions?</p> <p>18 <b>A That was the opinion that I offered. But</b></p> <p>19 <b>that's not the opinion -- that's not the construction</b></p> <p>20 <b>that the board ultimately came down with.</b></p> <p>21 Q What would be the packet transformation</p> <p>22 function in the section of Cisco ACNS that we were just</p>

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<p>17</p> <p>1 looking at?</p> <p>2 <b>A The function would be to either accept or deny</b></p> <p>3 <b>the request method.</b></p> <p>4 Q And what would be the criteria within the rule?</p> <p>5 <b>A It would be what the HTTP request method was.</b></p> <p>6 Q Can you show me the rule within ACS [sic]?</p> <p>7 MR. BLAKE: Objection to form.</p> <p>8 THE WITNESS: I don't think I understand your</p> <p>9 question.</p> <p>10 BY MR. PROCTOR:</p> <p>11 Q Sure. So you said that -- is it your opinion</p> <p>12 that 8-22 and 8-23 disclose the rule we've been</p> <p>13 discussing?</p> <p>14 MR. BLAKE: Objection to form.</p> <p>15 THE WITNESS: I think it's 8-23 and 8-24 that I</p> <p>16 was referring to. And what they disclose is the</p> <p>17 process by which a rule is specified.</p> <p>18 BY MR. PROCTOR:</p> <p>19 Q Can you show me specifically where this rule is</p> <p>20 in ACNS?</p> <p>21 MR. BLAKE: Objection to form.</p> <p>22 THE WITNESS: I guess I don't understand what</p>	<p>19</p> <p>1 <b>Managers." And the description of Content Distribution</b></p> <p>2 <b>Manager says that, "The primary role of the Content</b></p> <p>3 <b>Distribution Manager is to perform centralized content</b></p> <p>4 <b>and device management." So we know that the content</b></p> <p>5 <b>distribution manager is managing the devices. And then</b></p> <p>6 <b>it further says that it -- "The Content Distribution</b></p> <p>7 <b>Manager manages both content acquisition and distribution</b></p> <p>8 <b>and also manages policy settings and configurations on</b></p> <p>9 <b>individual content engines." So that tells us the</b></p> <p>10 <b>content manager is responsible for managing the policy</b></p> <p>11 <b>settings on content engines. Then it also says that</b></p> <p>12 <b>"Through the Content Distribution Manager GUI," G-U-I,</b></p> <p>13 <b>"the Network Administrator can specify what content is to</b></p> <p>14 <b>be distributed and to whom, and it also allows the</b></p> <p>15 <b>Administrator to monitor nodes, apply changes." So</b></p> <p>16 <b>that's a little introduction.</b></p> <p>17 <b>And then we go to Chapter 3, which describes</b></p> <p>18 <b>the "Content Distribution Manager GUI." And on pages 3-2</b></p> <p>19 <b>and 3-3, it's describing the "Primary Features." One of</b></p> <p>20 <b>the primary features is a device tab that is selected</b></p> <p>21 <b>from within the GUI. And the device tab, among the</b></p> <p>22 <b>features there is disclosed that it "lets you configure</b></p>
<p>18</p> <p>1 exactly it is you're looking for.</p> <p>2 BY MR. PROCTOR:</p> <p>3 Q Can you show me in the ACNS Guide where it</p> <p>4 discusses the rule?</p> <p>5 <b>A I believe we've done that. That's disclosed in</b></p> <p>6 <b>8-23 and 8-24 as one example.</b></p> <p>7 Q Do the content engines receive this rule from</p> <p>8 some other component?</p> <p>9 <b>A In this example here, they would be receiving</b></p> <p>10 <b>it from the content distribution manager.</b></p> <p>11 Q Where does it say that in the ACNS Guide?</p> <p>12 <b>A This whole section is about configuring</b></p> <p>13 <b>services on things like the content engine. And what</b></p> <p>14 <b>this is describing is how you use the interface of the</b></p> <p>15 <b>content distribution manager -- an interface that's</b></p> <p>16 <b>present on the content distribution manager to set up</b></p> <p>17 <b>these rules.</b></p> <p>18 Q Where does it say that?</p> <p>19 <b>A Well, we're going to have to go back to the</b></p> <p>20 <b>beginning. So we can start -- so we can start on page</b></p> <p>21 <b>1-2, which gives an overview of the ACNS network. And</b></p> <p>22 <b>there there is a section titled "Content Distribution</b></p>	<p>20</p> <p>1 <b>and manage Content Distribution Managers, Content</b></p> <p>2 <b>Engines, Content Routers, and Device Groups." So the GUI</b></p> <p>3 <b>is allowing you to configure the content engines.</b></p> <p>4 <b>And then I think the rest of this is just --</b></p> <p>5 <b>yeah. So that all tells us that the content distribution</b></p> <p>6 <b>manager is the thing that manages the content engines,</b></p> <p>7 <b>provides policies for the content engines, and where the</b></p> <p>8 <b>GUI runs.</b></p> <p>9 <b>So then when we get to Chapter 8, when it's</b></p> <p>10 <b>talking -- in that section that we were looking at was --</b></p> <p>11 <b>for that one example was about configuring, caching --</b></p> <p>12 <b>oh, I've screwed this up. Hang on. Okay, now I'm good.</b></p> <p>13 <b>Right.</b></p> <p>14 <b>So the section that we were talking about is</b></p> <p>15 <b>about configuring cache settings, and it's describing</b></p> <p>16 <b>starting on page 8-19, it says, "from the Content</b></p> <p>17 <b>Distribution Manager GUI," and then describes a set of</b></p> <p>18 <b>steps that you have to go through.</b></p> <p>19 <b>And then that takes us to the pages we were</b></p> <p>20 <b>looking at, 8-23, which is describing additional steps</b></p> <p>21 <b>that are taken with the GUI. So it's describing the GUI</b></p> <p>22 <b>on the content distribution manager, and that tells a</b></p>

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<p style="text-align: right;">21</p> <p>1 <b>person of skill in the art that it is the content</b>  2 <b>distribution manager that is provisioning these rules and</b>  3 <b>policies down to the content engines.</b>  4 Q Can we go back to the description of -- strike  5 that.  6 First, previously we were discussing "content  7 delivery manager," but I think you were referring to the  8 "content distribution manager." Is that correct?  9 A <b>What I was just referring to --</b>  10 Q Sorry. To be more clear, earlier in the  11 deposition you said the "content delivery manager." Is  12 it true that you were referring to the "content  13 distribution manager" as disclosed in the Cisco ACNS?  14 A <b>Well, so you have the transcript there. I</b>  15 <b>don't -- so I don't know what the context of the earlier</b>  16 <b>comment was. But within the context of ACNS, the entity</b>  17 <b>that I'm going to be referring to is the content</b>  18 <b>distribution manager. Sorry. And if I said content</b>  19 <b>delivery manager in that context of an ACNS component,</b>  20 <b>then I probably just misspoke.</b>  21 Q Going back to the discussion of content  22 distribution managers, where does it say -- or does ACNS</p>	<p style="text-align: right;">23</p> <p>1 managing policies. You can provision policies on  2 content engines. You can add policies. You can  3 delete policies. All of that, I think, falls under  4 this very high level statement that it manages  5 policy settings and configurations.  6 BY MR. PROCTOR:  7 Q I'm only seeing where it says that it manages  8 policy settings. Can you direct me to the portion of the  9 ACNS Guide where it says you can provision policies to  10 the content engines?  11 MR. BLAKE: Objection to form.  12 THE WITNESS: So it says, "Manages policy  13 settings and configurations." And the --  14 (Perusing document.) Sorry. These pages  15 are -- I'm having a hard time keeping these pages  16 all straight. Okay. Okay.  17 So you wanted to know where it speaks of  18 provisioning?  19 BY MR. PROCTOR:  20 Q Provisioning, yes. Where does ACNS Guide  21 disclose that the content distribution managers provision  22 policies to the content engines?</p>
<p style="text-align: right;">22</p> <p>1 say that the content distribution manager provides  2 policies to the content engines?  3 MR. BLAKE: Objection to form.  4 THE WITNESS: I think I read -- I think I read  5 exactly where it said that. And when I was reading  6 it, I believe I gave the cite for where it was. So  7 now we'll just have to go back and find it again.  8 BY MR. PROCTOR:  9 Q I believe it's 1-2 you were referring to.  10 A <b>Yes. That's one place where it says that, "The</b>  11 <b>Content Distribution Manager manages both content</b>  12 <b>acquisition and distribution and also manages policy</b>  13 <b>settings and configurations on individual content</b>  14 <b>engines."</b>  15 Q So it discloses that it manages policy  16 settings. Is that --  17 A <b>And configurations.</b>  18 Q Is that different than providing policies to  19 the content engines?  20 MR. BLAKE: Objection to form.  21 THE WITNESS: I think what's disclosed in all  22 of ACNS is a very rich set of primitives for</p>	<p style="text-align: right;">24</p> <p>1 MR. BLAKE: Same objection.  2 THE WITNESS: So one -- just to stick with the  3 one example that we've been working with, that's  4 disclosed on 8-23 and 8-24.  5 BY MR. PROCTOR:  6 Q Are you referring to where it's discussing  7 adding or modifying additional HTTP requests for the  8 content engine?  9 MR. BLAKE: Objection to form.  10 THE WITNESS: Well, an example here is on 8-23.  11 It's describing how you can create a new HTTP method  12 for the content engine and add the method to a list  13 of methods already supported by the content engine  14 for the case where you want to potentially support  15 something that was previously unsupported. So what  16 I think this teaches a person of ordinary skill in  17 the art is, given the steps that follow on 8-24 that  18 describes using the GUI, and this is again on the  19 content distribution manager -- or maybe we'll just  20 call it the CDN -- CDM just to keep it simple, is  21 that this rule as to this new method is going to be  22 created on the CDM. And then if you don't like the</p>

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<p>25</p> <p>1 word "provision," it will be delivered, sent to, 2 provided to the content engine where it becomes a 3 new rule, effectively a new policy, for the behavior 4 of the content engine. 5 BY MR. PROCTOR: 6 Q Would the policy be the HTTP request methods? 7 A <b>The policy would be comprised of the rule that 8 specifies the condition that you're looking for, which 9 would be the request method, and then depending on how 10 else you configure the rule, you know, what you want to 11 happen when the content engine encounters that form of 12 HTTP request.</b> 13 Q Is the -- so would -- strike that. 14 Is each HTTP request method a different 15 security policy? 16 A <b>That question is -- I can't answer that 17 question. That question is ill formed.</b> 18 Q You're not able to answer that question? 19 A <b>I don't -- excuse me. I don't understand your 20 question.</b> 21 Q I'm trying to figure out what the policies are. 22 My question is, is each HTTP request method a different</p>	<p>27</p> <p>1 <b>A Okay. I'm there.</b> 2 Q Do you see where -- the limitation beginning 3 "Performing by the packet security gateway"? 4 <b>A Yes.</b> 5 Q Do you see at the end of that limitation it 6 says, "wherein the performing the packet transformation 7 function comprises," and it lists three different steps? 8 <b>A I see that.</b> 9 Q And the first one is "identifying a subset of 10 information specified by the packet digest logging 11 function"? 12 <b>A I see that.</b> 13 Q And so to step back, the -- within claim 1 of 14 the '213 patent, the packet transformation function 15 includes a packet digest logging function. Is that 16 correct? 17 MR. BLAKE: Objection to form. 18 THE WITNESS: So in claim 1, the packet 19 digest -- sorry. The packet transformation function 20 comprises a packet digest logging function. 21 BY MR. PROCTOR: 22 Q Can you show me in ACNS where this packet</p>
<p>26</p> <p>1 policy? 2 A <b>I don't think that question makes sense.</b> 3 Q Why does that question not make sense? 4 A <b>What ACNS discloses is that you can create a 5 rule that consists of a particular HTTP request method 6 and what should happen to requests of that type. And 7 that rule both satisfies the construction of a rule as 8 proposed by the board and would also then satisfy the 9 construction of the dynamic security policy as construed 10 by the board. So that rule in ACNS would be a dynamic 11 security policy.</b> 12 Q I'm going to hand you the '213 patent. What 13 I'm handing you has been marked as Cisco Exhibit 1001. 14 Do you recognize this document -- 15 A <b>I do.</b> 16 Q -- Dr. Jeffay? 17 A <b>I do.</b> 18 Q What is this document? 19 A <b>This appears to be a copy of what we've been 20 calling the '213 patent.</b> 21 Q Can you please turn to column 25 where it 22 recites claim 1?</p>	<p>28</p> <p>1 digest logging function is with regard to the HTTP 2 request method that you pointed out? 3 A <b>Sure. So there's a variety of logging features 4 in ACNS. And we can look at one example. So some 5 examples are given in Chapter 19 of the ACNS manual 6 regarding transaction logging, and it describes logging 7 of HTTP requests in a variety of formats and gives 8 examples and says that you can do standard logging, you 9 can do custom logging, but in any case, you can log 10 information that is found in the application layer packet 11 header. And there are examples of this, for example, on 12 page 19-3 for a custom format. The next pages describe 13 all the things that you can pull out. So there are a 14 variety of examples in here of logging HTTP requests.</b> 15 Q Sorry. I just got to the page. Can you show 16 me what you were referring to where it discusses logging 17 HTTP requests? 18 A <b>It is a log entry that's generated as the basis 19 of an HTTP request. The request itself -- the entire 20 request itself isn't logged. So there are -- so the one 21 example that I was specifically referring to is in the 22 middle of page 19-3.</b></p>



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<p>29</p> <p>1 Q And so where does it say that -- where does</p> <p>2 ACNS disclose that this logging is part of the policy</p> <p>3 provided by the content distribution manager?</p> <p>4 A Well, we're going to have to go through -- back</p> <p>5 through the document again. But the logging is something</p> <p>6 that you can also configure via the content distribution</p> <p>7 man- -- you can configure it on the content engine via</p> <p>8 the content distribution manager. So as part of the</p> <p>9 process of provisioning the -- for the example we've been</p> <p>10 using, the HTTP request method rule, you can provision</p> <p>11 the content engines to generate log entries in a variety</p> <p>12 of formats with a variety of contents. And some of that</p> <p>13 is actually described in this chapter on, say, for</p> <p>14 example, pages 19-10 and 19-11 where it describes part of</p> <p>15 how you use the GUI on the content distribution manager</p> <p>16 to configure the logging on the content engines. And</p> <p>17 those disclosures go throughout this Chapter 19.</p> <p>18 Q Sorry. Where on 19-10 through 19-11 does it</p> <p>19 discuss configuring these settings on the GUI?</p> <p>20 MR. BLAKE: Objection to form.</p> <p>21 THE WITNESS: So I didn't specifically say</p> <p>22 19-10 and 19-11. I think what I specifically said</p>	<p>31</p> <p>1 I see that.</p> <p>2 Q What does "transaction logging" mean?</p> <p>3 MR. BLAKE: Objection to form.</p> <p>4 THE WITNESS: I don't know that -- I don't</p> <p>5 recall where in this document it gives a precise</p> <p>6 definition of what transactions are. But generally,</p> <p>7 they are -- they're referring to the application</p> <p>8 level interactions, so things like requests and</p> <p>9 responses.</p> <p>10 BY MR. PROCTOR:</p> <p>11 Q Is this section what you were pointing to for</p> <p>12 the packet digest logging function?</p> <p>13 MR. BLAKE: Objection to form.</p> <p>14 THE WITNESS: This is one example.</p> <p>15 BY MR. PROCTOR:</p> <p>16 Q Is an HTTP request a packet?</p> <p>17 MR. BLAKE: Objection to form.</p> <p>18 THE WITNESS: I guess you're going to have to</p> <p>19 tell me what precisely you mean by an HTTP request.</p> <p>20 BY MR. PROCTOR:</p> <p>21 Q What is your understanding of an HTTP request?</p> <p>22 A In the context that we've been talking here,</p>
<p>30</p> <p>1 was there was examples -- sorry. Maybe I did say</p> <p>2 that. Apologies. Yeah, I guess I did say that. I</p> <p>3 just didn't recognize the page numbers.</p> <p>4 So there are a rich set of disclosures in --</p> <p>5 throughout Chapter 19 about how you can configure</p> <p>6 logging. The specific example that's on 19-11 has</p> <p>7 to do with how you enable logging in the first</p> <p>8 place. And then -- I don't know if it actually</p> <p>9 shows the GUI, but the -- but the disclosures</p> <p>10 earlier in the chapter on pages 19-2 through 19-5</p> <p>11 are examples of the types of things that can be</p> <p>12 logged if you wanted to generate -- so you can</p> <p>13 control when logging occurs and what actually gets</p> <p>14 logged and what format the log is generated in.</p> <p>15 BY MR. PROCTOR:</p> <p>16 Q Do you see on page 19-10 where it says,</p> <p>17 "Enabling Transaction Logging with the Content</p> <p>18 Distribution Manager GUI"?</p> <p>19 A You're talking about in the figure or in the</p> <p>20 text?</p> <p>21 Q In the text. It's the heading.</p> <p>22 A Oh, I'm sorry. I was on the wrong page. Yes,</p>	<p>32</p> <p>1 we've been referring to the request methods, which would</p> <p>2 be understood as the GET request, a path, and a protocol</p> <p>3 version.</p> <p>4 Q Is an HTTP request method a packet?</p> <p>5 MR. BLAKE: Objection to form.</p> <p>6 THE WITNESS: An HTTP request method is just an</p> <p>7 HTTP request method.</p> <p>8 BY MR. PROCTOR:</p> <p>9 Q Previously, you said that transaction logging</p> <p>10 was referring to application level transactions. Is that</p> <p>11 correct?</p> <p>12 MR. BLAKE: Objection to form.</p> <p>13 THE WITNESS: I mean, the transcript is going</p> <p>14 to show what I said, so -- I mean, I said what I</p> <p>15 said.</p> <p>16 BY MR. PROCTOR:</p> <p>17 Q Do you agree that -- do you believe that</p> <p>18 transaction logging is referring to an application layer</p> <p>19 packet?</p> <p>20 A No.</p> <p>21 Q Why do you disagree with that?</p> <p>22 A Because that's not what it's referring to.</p>

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<p style="text-align: right;">33</p> <p>1 Q What is the disclosure in ACNS on page 19-10</p> <p>2 where it says under the heading "Transaction Logging"?</p> <p>3 What does transaction logging mean?</p> <p>4 A So you've -- you asked what a transaction was</p> <p>5 previously, and I said that I can't find very quickly</p> <p>6 where here it precisely defines what a transaction is.</p> <p>7 But I think the conceptual idea is that a user is using</p> <p>8 an application to have some transaction with some content</p> <p>9 delivery device, a web server for example. And what</p> <p>10 you're logging here are aspects of that transaction, of</p> <p>11 that application layer transaction.</p> <p>12 Q And where does it disclose in ACNS that you are</p> <p>13 logging application layer information --</p> <p>14 A So --</p> <p>15 Q -- in this section?</p> <p>16 MR. BLAKE: Objection to form.</p> <p>17 THE WITNESS: We've been through this. I gave</p> <p>18 you an example on page 19-3 of a particular</p> <p>19 transaction entry, a log entry in a particular</p> <p>20 format. And what you can see there is that it</p> <p>21 includes the request method, it includes the path,</p> <p>22 and it includes the protocol type. All that</p>	<p style="text-align: right;">35</p> <p>1 Q Is it correct to say you don't know the answer</p> <p>2 to that question?</p> <p>3 MR. BLAKE: Objection to form.</p> <p>4 THE WITNESS: I think what I'm saying is that</p> <p>5 this document I don't think describes how</p> <p>6 transaction logging -- it doesn't describe how it is</p> <p>7 that the content manager [sic] develops the ability</p> <p>8 to generate transaction logs. What the document</p> <p>9 clearly generates is the content engines -- sorry.</p> <p>10 I used content manager in the last sentence. I</p> <p>11 meant to say content engine. What the document</p> <p>12 clearly discloses, that the content engines have the</p> <p>13 capability of generating transaction logs, they have</p> <p>14 the capability to generate logs in a variety of</p> <p>15 formats, and they have the capability to generate</p> <p>16 logs with a customizable set of fields in them.</p> <p>17 BY MR. PROCTOR:</p> <p>18 Q Are these capabilities included on the content</p> <p>19 engine out of the box, or do they have to be provisioned</p> <p>20 by the content distribution manager?</p> <p>21 MR. BLAKE: Objection to form.</p> <p>22 THE WITNESS: I don't think there's any</p>
<p style="text-align: right;">34</p> <p>1 information is information that is found in the</p> <p>2 application layer packet header.</p> <p>3 BY MR. PROCTOR:</p> <p>4 Q Would you agree that the transaction logging</p> <p>5 is -- comes standard on the content engines?</p> <p>6 A I don't know what you mean by comes standard.</p> <p>7 Q Is the transaction logging functionality</p> <p>8 provisioned onto the content engine by the content</p> <p>9 distribution manager?</p> <p>10 A You're saying is the code to implement the</p> <p>11 logging function provisioned by the content distribution</p> <p>12 manager? I'm not sure I know exactly what it is you're</p> <p>13 looking for.</p> <p>14 Q Is the logging functionality on the content</p> <p>15 engines provisioned from the content distribution</p> <p>16 manager?</p> <p>17 MR. BLAKE: Objection to form.</p> <p>18 THE WITNESS: Again, if by functionality you</p> <p>19 mean is the code to implement transaction logging</p> <p>20 provided by the content distribution manager, I</p> <p>21 don't think that is addressed in this document.</p> <p>22 BY MR. PROCTOR:</p>	<p style="text-align: right;">36</p> <p>1 disclosure in this document of the content</p> <p>2 distribution manager providing code to content</p> <p>3 engines. So I think a reasonable assumption would</p> <p>4 be that the capabilities to generate these logs and</p> <p>5 to -- the support for the various formats is part of</p> <p>6 the content engine.</p> <p>7 BY MR. PROCTOR:</p> <p>8 Q When a content engine is -- strike that.</p> <p>9 How is a content engine first set up?</p> <p>10 MR. BLAKE: Objection to form.</p> <p>11 THE WITNESS: Yeah. I don't -- I don't know</p> <p>12 how to answer that question. I don't know what it</p> <p>13 is -- what are you looking for?</p> <p>14 BY MR. PROCTOR:</p> <p>15 Q Do content engines include these policies out</p> <p>16 of the box, or do they have to be provisioned by the</p> <p>17 content distribution manager?</p> <p>18 A What are these -- what are the "these policies"</p> <p>19 in that question?</p> <p>20 Q The policies we've been referring to in our</p> <p>21 discussion so far.</p> <p>22 A So the only policies that we have been</p>

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<p style="text-align: right;">37</p> <p>1 referring to so far are the policies related to the HTTP</p> <p>2 request methods. And those rules that form policies are</p> <p>3 provisioned by the content distribution manager.</p> <p>4 Q Now, what format are the transaction logs that</p> <p>5 we're discussing created in? Strike that. Let me</p> <p>6 rephrase.</p> <p>7 Do you see on the '213 patent in claim 1, the</p> <p>8 claim requires both generating a record of a subset of</p> <p>9 information specified identified as packet layer --</p> <p>10 application layer packet header information and</p> <p>11 reformatting?</p> <p>12 MR. BLAKE: So just to make sure I understand,</p> <p>13 you're talking about column 25 --</p> <p>14 MR. PROCTOR: Correct.</p> <p>15 MR. BLAKE: -- lines 42 to 50?</p> <p>16 BY MR. PROCTOR:</p> <p>17 Q Correct.</p> <p>18 A I see column 25, lines 42 through 50. I'll</p> <p>19 note that this text here, as best I heard your question,</p> <p>20 does not include several of the terms that you used in</p> <p>21 your question.</p> <p>22 Q What is your understanding of the generating</p>	<p style="text-align: right;">39</p> <p>1 formats and a variety of different log content -- a</p> <p>2 variety of different content logging.</p> <p>3 Q In ACNS, are the transaction logs ever recorded</p> <p>4 and then later reformatted?</p> <p>5 A They can be, yes.</p> <p>6 Q Where does it say that in ACNS?</p> <p>7 A So in ACNS, if we go a little further into</p> <p>8 Chapter 19 where we have realtime transaction logging,</p> <p>9 this describes generating additional log entries using a</p> <p>10 particular format, in particular, what's called the</p> <p>11 syslog format. So if you -- in addition to configuring</p> <p>12 the logging however you want to configure it, as</p> <p>13 described in sections pages 19.1 and 19.2, you can</p> <p>14 generate logs in a particular format if you enable</p> <p>15 realtime logging. Those log entries will be reformatted</p> <p>16 into a syslog format.</p> <p>17 MR. PROCTOR: We've been going about an hour.</p> <p>18 Would you like to take a break?</p> <p>19 THE WITNESS: Sure.</p> <p>20 MR. PROCTOR: We can go off the record.</p> <p>21 THE VIDEOGRAPHER: This ends media unit one.</p> <p>22 We are going off the record at 10:20 a.m.</p>
<p style="text-align: right;">38</p> <p>1 step and the reformatting step in claim 1?</p> <p>2 A I have just understood these according to the</p> <p>3 plain language of the claims.</p> <p>4 Q Can you describe to me how the generating and</p> <p>5 reformatting steps -- strike that.</p> <p>6 Can you describe to me how the transaction logs</p> <p>7 in ACNS include both generating a record and then</p> <p>8 reformatting those entries?</p> <p>9 A So what I've relied on for the generating</p> <p>10 limitation is the fact that the ACNS describes that you</p> <p>11 can log in a variety of formats. And those formats are</p> <p>12 disclosed, for example, on 19-1 and 19-2.</p> <p>13 Q And that's -- those log formats are what these</p> <p>14 records are generated as. Is that correct?</p> <p>15 A Okay. Tell me what "these records" are in your</p> <p>16 question.</p> <p>17 Q I'm trying to figure out what format are the</p> <p>18 transaction logs recorded as.</p> <p>19 A They are configurable by the operator of the</p> <p>20 ACNS system. And what's described in 19-1 and 19-2 and</p> <p>21 as well as additional sections in Chapter 19 is that the</p> <p>22 content engines support a variety of different log</p>	<p style="text-align: right;">40</p> <p>1 (Break.)</p> <p>2 THE VIDEOGRAPHER: This begins media unit</p> <p>3 number two. We are going back on the record at</p> <p>4 10:37 a.m.</p> <p>5 BY MR. PROCTOR:</p> <p>6 Q Dr. Jeffay, could you please turn to Chapter 8</p> <p>7 of the ACNS Guide?</p> <p>8 A Sure. Okay. It's sort of in the middle.</p> <p>9 Q Could you please turn to 8-1?</p> <p>10 A Okay.</p> <p>11 Q What is "Content Engine Proxy Caching</p> <p>12 Overview"?</p> <p>13 A It's the title of a section. What --</p> <p>14 Q Excuse me. My question is, what is content</p> <p>15 engine proxy caching in ACNS?</p> <p>16 A In ACNS, one of the things that a content</p> <p>17 engine can do is serve as what's called a proxy cache, a</p> <p>18 traditional proxy cache. And this section is just giving</p> <p>19 an overview of how it functions as a proxy cache.</p> <p>20 Q What is cached in a proxy cache?</p> <p>21 A It's configurable. But, generally, the idea is</p> <p>22 that as requests for content are made, the responses are</p>

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<p>41</p> <p>1 <b>cached by the proxy.</b></p> <p>2 Q Can you give me an example of what you're</p> <p>3 talking about here?</p> <p>4 A <b>If you requested a video via the web, and there</b></p> <p>5 <b>was a proxy cache on your network, the proxy cache would</b></p> <p>6 <b>receive the request for the video. It would proxy the</b></p> <p>7 <b>request, send the request to the origin server. The</b></p> <p>8 <b>origin server would return the video, and the proxy cache</b></p> <p>9 <b>would cache -- would return the video to you, the</b></p> <p>10 <b>requester, but would also maintain a copy of it in its</b></p> <p>11 <b>cache.</b></p> <p>12 Q So to make sure I understand, this section is</p> <p>13 discussing caching or storing web objects. Is that</p> <p>14 correct?</p> <p>15 MR. BLAKE: Objection to form.</p> <p>16 THE WITNESS: I mean, it's generally talking</p> <p>17 about it's serving as a proxy cache, and I believe</p> <p>18 that the web is the primary service that they're</p> <p>19 envisioning proxy, but I don't recall if it's</p> <p>20 limited to just the web because it does talk about</p> <p>21 proxying other -- I believe it talks about proxying</p> <p>22 other protocols. Yeah. So the web is part of</p>	<p>43</p> <p>1 Q What is that sentence referring to?</p> <p>2 MR. BLAKE: Objection to form.</p> <p>3 BY MR. PROCTOR:</p> <p>4 Q Strike that.</p> <p>5 More realistically, what is this paragraph</p> <p>6 referring to that starts with "The interaction between</p> <p>7 the web browser and the web server"?</p> <p>8 A <b>I think what this is saying is that the content</b></p> <p>9 <b>engine has to support the standard protocols that you can</b></p> <p>10 <b>potentially use to interact with the web server, and the</b></p> <p>11 <b>ones that it's listing are HTTP, HTTPS, and FTP. And</b></p> <p>12 <b>then in addition, it lists other protocols that the</b></p> <p>13 <b>content engine is capable of supporting.</b></p> <p>14 Q Is my understanding correct that the content</p> <p>15 engine must receive requests by one of these protocols to</p> <p>16 be able to perform the content caching that we were</p> <p>17 discussing?</p> <p>18 A <b>If it receives a request in at least these</b></p> <p>19 <b>protocols, I think what it's saying is that if it's</b></p> <p>20 <b>configured as a cache it will support proxy caching for</b></p> <p>21 <b>at least these protocols.</b></p> <p>22 Q And then is it correct that the content engine</p>
<p>42</p> <p>1 what -- web content is part of what can be cached.</p> <p>2 BY MR. PROCTOR:</p> <p>3 Q Can you give me an example of something else</p> <p>4 that can be cached other than web content?</p> <p>5 A <b>Well, it talks about other protocols that it</b></p> <p>6 <b>will proxy for, and so it talks about things like RTSP</b></p> <p>7 <b>and FTP. So it potentially could cache anything that you</b></p> <p>8 <b>could request via FTP, HTTP, HTTPS, and RTSP.</b></p> <p>9 Q If you are not already, can you turn to page --</p> <p>10 it says page 320, but I think it's 8-2.</p> <p>11 A <b>You said, sorry, 8-2 in ACNS?</b></p> <p>12 Q Yes.</p> <p>13 A <b>Okay, I'm there.</b></p> <p>14 Q And do you see there's a heading that says,</p> <p>15 "Network Protocols in Caching"?</p> <p>16 A <b>I do.</b></p> <p>17 Q And it says -- the second sentence says, "The</p> <p>18 content engine must support these standard protocols to</p> <p>19 receive cache and send web content." Do you see that?</p> <p>20 MR. BLAKE: Objection to form.</p> <p>21 THE WITNESS: I see that sentence, yes.</p> <p>22 BY MR. PROCTOR:</p>	<p>44</p> <p>1 will cache whatever is received back from the origin</p> <p>2 server?</p> <p>3 A <b>No.</b></p> <p>4 Q Why is that incorrect?</p> <p>5 A <b>A person with skill in the art would understand</b></p> <p>6 <b>proxy caching, would understand that the -- that what you</b></p> <p>7 <b>can cache is a function of how the cache has been</b></p> <p>8 <b>configured as well as cache control directives that are</b></p> <p>9 <b>provided by the content -- by the origin server.</b></p> <p>10 Q What does ACNS disclose as being cached in</p> <p>11 terms of proxy caching?</p> <p>12 MR. BLAKE: Objection to form.</p> <p>13 THE WITNESS: I mean, in terms of what it</p> <p>14 actually caches I don't think it addresses that</p> <p>15 issue. It's just simply saying that it will act as</p> <p>16 a proxy cache for at least the protocols that we</p> <p>17 mentioned as well as potentially some additional</p> <p>18 protocols.</p> <p>19 BY MR. PROCTOR:</p> <p>20 Q Does ACNS teach in this section of Chapter 8</p> <p>21 caching anything other than web objects?</p> <p>22 A <b>Well, as I say, it describes that it can</b></p>

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<p style="text-align: right;">45</p> <p><b>1 support potentially proxying the FTP protocol and the</b></p> <p><b>2 RTSP protocol.</b></p> <p>3 Q Are you saying that it supports -- strike that.</p> <p>4 Are you saying that it supports those</p> <p>5 protocols?</p> <p>6 MR. BLAKE: Objection to form.</p> <p>7 THE WITNESS: I'm saying that it appears to be</p> <p>8 capable of proxying requests for protocols,</p> <p>9 including HTTP, HTTPS, FTP, and RTSP.</p> <p>10 BY MR. PROCTOR:</p> <p>11 Q Does it teach caching those requests?</p> <p><b>12 A So in the proxy cache context, you don't cache</b></p> <p><b>13 requests.</b></p> <p>14 Q Can I take you back to the transaction logging</p> <p>15 section of ACNS, please?</p> <p><b>16 A Sure.</b></p> <p>17 Q I believe that's Chapter 19. Are you at</p> <p>18 Chapter 19?</p> <p><b>19 A I am. Sorry.</b></p> <p>20 Q I want to clear up my understanding of</p> <p>21 transaction logs. You may have answered this question</p> <p>22 before, but if you could repeat your answer for me, I</p>	<p style="text-align: right;">47</p> <p>1 THE WITNESS: What a person with skill</p> <p>2 would understand is that the example 19-3 is</p> <p>3 the result of a user generating the URL,</p> <p>4 putting the URL, for example, into a</p> <p>5 Mozilla compatible browser, putting the URL</p> <p>6 http://www.cisco.com/swa/i/cite_tour_link.gif. So</p> <p>7 that's what the user types into their browser, into</p> <p>8 their Mozilla compatible browser, and their browser</p> <p>9 is using the HTTP 1.1 protocol. So that's a</p> <p>10 specific real-world example.</p> <p>11 BY MR. PROCTOR:</p> <p>12 Q Thank you. So a user is accessing this GIF, or</p> <p>13 this web page, and the content engine creates a record of</p> <p>14 that transaction using the format that you just</p> <p>15 described. Is that correct?</p> <p><b>16 A So this is -- as I say, we haven't drilled down</b></p> <p><b>17 exactly what the four corners of what ACNS wants to</b></p> <p><b>18 consider a transaction. But the point here is that this</b></p> <p><b>19 log entry would be generated as a result of the content</b></p> <p><b>20 engine having received the request that was made by the</b></p> <p><b>21 user's browser.</b></p> <p>22 Q Would the content engine log the response from</p>
<p style="text-align: right;">46</p> <p>1 would appreciate it. What does it mean to log a</p> <p>2 transaction?</p> <p>3 MR. BLAKE: Objection to form.</p> <p>4 THE WITNESS: What ACNS teaches about logging</p> <p>5 what it refers to as transactions are that it</p> <p>6 generates a log entry with potentially a</p> <p>7 customizable number of fields that are specified in</p> <p>8 the document and in -- and in a format that is</p> <p>9 configurable within ACNS.</p> <p>10 BY MR. PROCTOR:</p> <p>11 Q Can you give me a real-world example of what</p> <p>12 that would look like?</p> <p><b>13 A So we've covered this, and the example we</b></p> <p><b>14 talked about before is on the middle of page 19-3, which</b></p> <p><b>15 is a particular Apache format for a log entry.</b></p> <p>16 Q Sorry. More -- at a more basic level, what</p> <p>17 would this look like? You know --</p> <p><b>18 A It would look exactly as shown in the middle of</b></p> <p><b>19 page 19-3. That is an actual log entry.</b></p> <p>20 Q So would this log, for example, a client sends</p> <p>21 a request to a web server and it logs that transaction?</p> <p>22 MR. BLAKE: Objection to form.</p>	<p style="text-align: right;">48</p> <p>1 the origin server as well, or would it just record the</p> <p>2 request that you just discussed?</p> <p><b>3 A Well, it's really doing neither.</b></p> <p>4 Q Can you explain what you mean by that?</p> <p><b>5 A This log entry is a -- this log entry is</b></p> <p><b>6 neither the request nor the response. It's an entry that</b></p> <p><b>7 gets generated using portions as, for example, described</b></p> <p><b>8 in the tables that follow. So it's not a request, and</b></p> <p><b>9 it's not a response. It contains data that are contained</b></p> <p><b>10 in the HTTP -- well, in particular, it's data from the</b></p> <p><b>11 HTTP headers.</b></p> <p>12 Q The HTTP -- sorry. Strike that.</p> <p>13 It appears to me that because it's a GET</p> <p>14 request that a GET, it would be a log of the request to</p> <p>15 access that web page. Is that correct?</p> <p><b>16 A No.</b></p> <p>17 Q Why is that incorrect?</p> <p><b>18 A Because it is not the request. The request is</b></p> <p><b>19 something that would -- so we don't know what the actual</b></p> <p><b>20 request is. But in my experience and a person of</b></p> <p><b>21 ordinary skill in the art's experience, a request, even</b></p> <p><b>22 for simple content, consists of far more data than is in</b></p>

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<p style="text-align: right;">49</p> <p>1 <b>this particular log entry.</b></p> <p>2 Q Do you know at one point -- at what point in</p> <p>3 the transaction from the client to the origin server the</p> <p>4 transaction logging occurs?</p> <p>5 A <b>I think what this teaches a person of ordinary</b></p> <p>6 <b>skill in the art, who would certainly have experience</b></p> <p>7 <b>with logging, is that the log entry is created when the</b></p> <p>8 <b>first packet is received, when the first packet, for</b></p> <p>9 <b>example, of the request message is received.</b></p> <p>10 Q And is the request considered an application</p> <p>11 layer message?</p> <p>12 A <b>So for the example that we've been speaking of,</b></p> <p>13 <b>this is an HTTP request. And the full HTTP request is an</b></p> <p>14 <b>application layer message.</b></p> <p>15 Q Does Cisco ACNS utilize ICAP?</p> <p>16 A <b>It does.</b></p> <p>17 Q What is ICAP?</p> <p>18 A <b>ICAP is a protocol that is used to -- between</b></p> <p>19 <b>caches to effectively synchronize -- help synchronize</b></p> <p>20 <b>their contents.</b></p> <p>21 Q Is it your opinion that ICAP identifies</p> <p>22 application layer packet header information?</p>	<p style="text-align: right;">51</p> <p>1 <b>that's part of your network, you can configure a content</b></p> <p>2 <b>engine to use that ICAP server.</b></p> <p>3 Q How does the content engine use the ICAP</p> <p>4 server?</p> <p>5 MR. BLAKE: Objection to form -- excuse me.</p> <p>6 Objection to form.</p> <p>7 THE WITNESS: It simply sends -- it will</p> <p>8 forward -- it will generate ICAP requests and send</p> <p>9 them to the ICAP server.</p> <p>10 BY MR. PROCTOR:</p> <p>11 Q To perform what functionality?</p> <p>12 A <b>Depends on what -- how the content engine is</b></p> <p>13 <b>configured and what the network manager wants to do. I</b></p> <p>14 <b>mean, again, these are all richly featured, richly</b></p> <p>15 <b>functional protocols.</b></p> <p>16 Q Can you give me one example of how the content</p> <p>17 engine uses the ICAP server?</p> <p>18 A <b>So there's -- what this document teaches, what</b></p> <p>19 <b>the ACNS document teaches is that you can use -- the</b></p> <p>20 <b>content engines can use ICAP as ICAP is designed to be</b></p> <p>21 <b>used. It's not providing examples of how you use it.</b></p> <p>22 <b>It's describing how you can set up a content engine to</b></p>
<p style="text-align: right;">50</p> <p>1 MR. BLAKE: Objection to form.</p> <p>2 THE WITNESS: I don't know how to answer your</p> <p>3 question.</p> <p>4 BY MR. PROCTOR:</p> <p>5 Q How does ICAP function -- strike that.</p> <p>6 What type of -- strike that.</p> <p>7 How does ICAP function within ACNS?</p> <p>8 A <b>ICAP is just another protocol structure that's</b></p> <p>9 <b>very similar to HTTP that can also be used to request</b></p> <p>10 <b>content.</b></p> <p>11 Q How specifically does ACNS utilize ICAP?</p> <p>12 MR. BLAKE: Objection to form.</p> <p>13 BY MR. PROCTOR:</p> <p>14 Q I believe your declaration refers to</p> <p>15 Chapter 16.</p> <p>16 A <b>Well, there are several disclosures of it. But</b></p> <p>17 <b>thank you for that.</b></p> <p>18 <b>So ICAP, as I say, is a protocol that's used</b></p> <p>19 <b>by -- typically by web caches, and it's a protocol that</b></p> <p>20 <b>ACNS supports. Like all of these protocols, I mean, it</b></p> <p>21 <b>can be configured in a number of ways, so you can</b></p> <p>22 <b>configure it to work with -- if you have an ICAP server</b></p>	<p style="text-align: right;">52</p> <p>1 <b>use ICAP.</b></p> <p>2 Q So you can't give me an example, sitting here</p> <p>3 today looking at the ACNS guide, of how a content engine</p> <p>4 uses an ICAP server?</p> <p>5 MR. BLAKE: Objection to form, mischaracterizes</p> <p>6 testimony.</p> <p>7 THE WITNESS: What I said is, what the document</p> <p>8 teaches is you can use, I believe, any and all</p> <p>9 features of ICAP. And what the document is</p> <p>10 describing is how it is that you configure the</p> <p>11 content engine to use ICAP. This document also has</p> <p>12 absolutely no example of accessing the web. But a</p> <p>13 person of skill reading this document understands</p> <p>14 how that with a content engine you can access --</p> <p>15 depending on how it's configured, you can access any</p> <p>16 content on the web, and you can control what content</p> <p>17 is accessed by the web. So I don't think the</p> <p>18 document provides a full example of using ICAP.</p> <p>19 It's just a -- because it's up to the person who</p> <p>20 deploys ACNS to decide how they want to use ICAP.</p> <p>21 BY MR. PROCTOR:</p> <p>22 Q Does the ACNS Guide give a specific example of</p>

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<p>53</p> <p>1 how the ICAP server looks at application layer packets?</p> <p>2 <b>A A specific example of how it looks in</b></p> <p>3 <b>application layer packets. I think this document assumes</b></p> <p>4 <b>that -- so a person of skill understands ICAP. They</b></p> <p>5 <b>understand the adaptations that are possible with ICAP.</b></p> <p>6 <b>And as I say, the document isn't describing how ICAP</b></p> <p>7 <b>works because ICAP is just a standard protocol, and</b></p> <p>8 <b>persons of skill know how it works. So it's really</b></p> <p>9 <b>describing how you can configure a content engine to use</b></p> <p>10 <b>ICAP.</b></p> <p>11 Q Does ACNS -- strike that.</p> <p>12 Do you agree that the claim 1 of the</p> <p>13 '213 patent requires identifying application layer</p> <p>14 packet header information? That would be the third</p> <p>15 limitation down starting with "Identifying."</p> <p>16 <b>A Well, what the identifying limitation is</b></p> <p>17 <b>identifying is it's identifying packets, so it's</b></p> <p>18 <b>identifying packets that comprise application layer</b></p> <p>19 <b>packet header information.</b></p> <p>20 Q How does ICAP identify packets comprising</p> <p>21 application layer packet header information?</p> <p>22 <b>A So ICAP is a protocol. It's a set of messages</b></p>	<p>55</p> <p>1 BY MR. PROCTOR:</p> <p>2 Q Does ACNS -- Cisco ACNS Guide disclose that</p> <p>3 they do?</p> <p>4 <b>A The ACNS Guide is concerned with what ACNS</b></p> <p>5 <b>does, not with external servers.</b></p> <p>6 Q So is the answer then that it does not disclose</p> <p>7 that information?</p> <p>8 MR. BLAKE: Objection to form.</p> <p>9 THE WITNESS: No. What I'm saying is that what</p> <p>10 ACNS discloses is how you can use -- how you can use</p> <p>11 ICAP services to provide different functions, some</p> <p>12 of them being, you know, security related functions.</p> <p>13 How those functions are -- and in the course of</p> <p>14 doing this, the content engine is going to be using</p> <p>15 application layer packet header information. But</p> <p>16 the ICAP server itself is -- in this document, I</p> <p>17 believe, is just considered as an external server.</p> <p>18 BY MR. PROCTOR:</p> <p>19 Q Can you please turn to 16-15?</p> <p>20 <b>A Okay.</b></p> <p>21 Q Do you see the heading where it says,</p> <p>22 "Configuring Service Rules"?</p>
<p>54</p> <p>1 <b>and a set of formats. So your question is somewhat ill</b></p> <p>2 <b>formed.</b></p> <p>3 Q Would you agree with me then that an ICAP</p> <p>4 server -- that the ACNS Guide does not teach that the</p> <p>5 ICAP server identifies packets comprising application</p> <p>6 layer packet header information?</p> <p>7 MR. BLAKE: Objection to form.</p> <p>8 THE WITNESS: I think we're getting confused</p> <p>9 here. What's identifying application layer packet</p> <p>10 header information is the content engine. And one</p> <p>11 of the ways -- one of the examples of its</p> <p>12 identification of application layer packet header</p> <p>13 information comes through its use of ICAP, the</p> <p>14 protocol.</p> <p>15 BY MR. PROCTOR:</p> <p>16 Q Cisco ACNS discusses an ICAP server. Is that</p> <p>17 correct?</p> <p>18 <b>A It has references to ICAP servers, yes.</b></p> <p>19 Q Does the ICAP server identify packets</p> <p>20 comprising application layer packet header information?</p> <p>21 MR. BLAKE: Objection to form.</p> <p>22 THE WITNESS: They may, or they may not.</p>	<p>56</p> <p>1 <b>A No.</b></p> <p>2 MR. BLAKE: Objection to form.</p> <p>3 THE WITNESS: Is that maybe on 1-4?</p> <p>4 BY MR. PROCTOR:</p> <p>5 Q Yes.</p> <p>6 <b>A Okay. I see that on page 16-14.</b></p> <p>7 Q Is this referring to service rules for the ICAP</p> <p>8 server?</p> <p>9 <b>A So I haven't studied this section in great</b></p> <p>10 <b>detail in a while, so I would need more time to consider</b></p> <p>11 <b>it. But I don't believe this is referring to the use of</b></p> <p>12 <b>ICAP.</b></p> <p>13 Q What do you believe this is referring to?</p> <p>14 <b>A That ACNS has this concept of a service rule</b></p> <p>15 <b>for a content engine, and it's part of how, when a</b></p> <p>16 <b>content engine is acting as a cache, how these -- how</b></p> <p>17 <b>requests are processed. So these are rules that are used</b></p> <p>18 <b>to control how the content engine will in part deal with</b></p> <p>19 <b>requests.</b></p> <p>20 Q Can you turn to 16-19?</p> <p>21 <b>A Okay.</b></p> <p>22 Q Do you see Table 16-6 entitled "Rule Actions"?</p>

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<p>57</p> <p>1     <b>A   Yes, I see that.</b></p> <p>2     Q   What are these -- what is this referring to?</p> <p>3     <b>A   So I believe what this is referring to is</b></p> <p>4 <b>particular -- so this table is listing what I believe are</b></p> <p>5 <b>options for what's called the action of a service rule.</b></p> <p>6     Q   Are these service rules what you consider to be</p> <p>7 application transformation functions?</p> <p>8       MR. BLAKE: Objection to form.</p> <p>9 BY MR. PROCTOR:</p> <p>10    Q   Packet transformation functions. Excuse me.</p> <p>11    <b>A   I believe these are part of what ACNS teaches</b></p> <p>12 <b>the packet transformation functions.</b></p> <p>13    Q   And do you see that the left column has "Action</p> <p>14 Types"?</p> <p>15    <b>A   Yes.</b></p> <p>16    Q   Do you see that the first one is "Allow"?</p> <p>17    <b>A   Yes.</b></p> <p>18    Q   And do you see under "Description," it says,</p> <p>19 "Allows incoming requests that match the pattern list"?</p> <p>20    <b>A   I do.</b></p> <p>21    Q   So would that be what it means by the action</p> <p>22 "Allow," to allow incoming requests that match the</p>	<p>59</p> <p>1       THE WITNESS: It depends on the action type.</p> <p>2       But generally, it's going to have to look at fields</p> <p>3       in the application layer header.</p> <p>4 BY MR. PROCTOR:</p> <p>5     Q   Is a request a packet?</p> <p>6       MR. BLAKE: Objection to form.</p> <p>7       THE WITNESS: So it depends on how you're using</p> <p>8       the word packet.</p> <p>9 BY MR. PROCTOR:</p> <p>10    Q   Can you explain what you mean?</p> <p>11    <b>A   What I would say is it literally depends on --</b></p> <p>12 <b>you have to tell me -- you're asking a question. And so</b></p> <p>13 <b>to answer your question, I need to understand how you are</b></p> <p>14 <b>using the word packet.</b></p> <p>15    Q   How would you use the word packet?</p> <p>16    <b>A   Packet gets used in a variety of ways in a</b></p> <p>17 <b>variety of different contexts.</b></p> <p>18    Q   Based on your -- how about based on the context</p> <p>19 of the '213 patent?</p> <p>20    <b>A   It's used in a variety of different ways, I</b></p> <p>21 <b>think, in the '213 patent.</b></p> <p>22    Q   How about specifically to claim 1 of the</p>
<p>58</p> <p>1 pattern list?</p> <p>2     <b>A   Yeah. This is their description of what allow</b></p> <p>3 <b>means.</b></p> <p>4     Q   So are the ICAP -- or strike that.</p> <p>5       Are the rule actions listed here in Table 16-6</p> <p>6 applied to requests?</p> <p>7     <b>A   Not exclusively.</b></p> <p>8     Q   What else can those rule actions be applied to?</p> <p>9     <b>A   Well, I mean, as the table describes, some of</b></p> <p>10 <b>them can apply to responses, and some of them will apply</b></p> <p>11 <b>to potentially requests and responses.</b></p> <p>12    Q   So the rule actions on Table 16-6 either apply</p> <p>13 to requests, responses or requests and/or responses,</p> <p>14 correct?</p> <p>15    <b>A   Right. And to be clear, when we say requests</b></p> <p>16 <b>and responses, what we really mean are packets coming</b></p> <p>17 <b>from a requester and packets coming from a content</b></p> <p>18 <b>provider.</b></p> <p>19    Q   And what would ICAP or content engine,</p> <p>20 whichever is used in the rules, look at to make this</p> <p>21 determination whether to allow, for example, a request?</p> <p>22       MR. BLAKE: Objection to form.</p>	<p>60</p> <p>1 '213 patent?</p> <p>2     <b>A   I think the packet in the '213 patent claim 1</b></p> <p>3 <b>is that entity that's received by the packet security</b></p> <p>4 <b>gateway.</b></p> <p>5     Q   What do you mean by "that entity"?</p> <p>6     <b>A   I don't know how to say it any simpler than</b></p> <p>7 <b>that. The packet security gateway receives something.</b></p> <p>8 <b>That thing that it receives, that's a packet. That's</b></p> <p>9 <b>what the reference to the packet is. The packet is the</b></p> <p>10 <b>thing that is received by the packet security gateway.</b></p> <p>11    Q   And is that entity a request?</p> <p>12    <b>A   Claim 1 doesn't -- is agnostic about what the</b></p> <p>13 <b>packet actually represents.</b></p> <p>14    Q   Does the '213 patent disclose that a packet can</p> <p>15 be a request -- or excuse me. Strike that.</p> <p>16       Does the '213 patent disclose that a request</p> <p>17 can be a packet?</p> <p>18       MR. BLAKE: Objection to form.</p> <p>19       THE WITNESS: There's loads of disclosures of</p> <p>20 packets in the '213. I mean, we would just have to</p> <p>21 go through and look. I mean, it certainly discloses</p> <p>22 requests, the notions of requests within certain --</p>

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<p>61</p> <p>1 within certain protocols.</p> <p>2 BY MR. PROCTOR:</p> <p>3 Q Would one of ordinary skill in the art</p> <p>4 generally consider a request to be over multiple packets?</p> <p>5 A Completely depends on the protocol.</p> <p>6 Q How about for HTTP?</p> <p>7 A It may, or it may not. A person of skill in</p> <p>8 the art would understand that whether or not a request is</p> <p>9 going to span -- an HTTP request is going to span, say,</p> <p>10 multiple Ethernet packets is going to be a function of</p> <p>11 how the browser operates, I guess technically how the</p> <p>12 browser and the browser's operating system operate.</p> <p>13 Q Are you familiar with the reference Kjendal?</p> <p>14 A We've been debating how to pronounce that. But</p> <p>15 if you're referring to the K-j-e-n-d-a-l, yes.</p> <p>16 Q How would you pronounce that reference?</p> <p>17 A I would love to pronounce it "Kendal," but I</p> <p>18 think we've come down on "Shindal."</p> <p>19 Q I'm going to stick with "Kendal."</p> <p>20 A "Kendal" works for me.</p> <p>21 Q For my sanity. Are you familiar with the</p> <p>22 reference that we're discussing, Kjendal?</p>	<p>63</p> <p>1 '9,172,627 to Kjendal. Do you recognize this reference,</p> <p>2 Dr. Jeffay?</p> <p>3 A I'm sorry. I didn't hear you read out the</p> <p>4 title, but I'm assuming -- assuming you read what's</p> <p>5 listed on the cover page, then yes, I recognize this</p> <p>6 document.</p> <p>7 Q Can you turn to column 10, please?</p> <p>8 A Okay.</p> <p>9 Q Do you see at the top of column 10 it says,</p> <p>10 "Examples for criteria which may generate a mirroring</p> <p>11 activity include, but are not limited to, frames of</p> <p>12 packets, the content of particular fields in a frame,</p> <p>13 flow counts, the end of a flow, a regularly timed</p> <p>14 mirroring initiation, or any other conditions of</p> <p>15 interest"?</p> <p>16 A I see that. And just to complete the sentence,</p> <p>17 it's "any other conditions of interest to the network</p> <p>18 administrator can be used as conditions for establishing</p> <p>19 monitoring activities on a device of the network."</p> <p>20 Q Thank you. And is this referring to the</p> <p>21 criteria by which somebody might want to mirror traffic</p> <p>22 under Kjendal?</p>
<p>62</p> <p>1 A I believe I am.</p> <p>2 Q What does Kjendal disclose?</p> <p>3 A Kjendal is a patent. What we're referring to</p> <p>4 as Kjendal is a patent. And it is a patent that</p> <p>5 describes a variety of logging and mirroring methods.</p> <p>6 Q How does Kjendal perform mirroring?</p> <p>7 A It describes a wide variety of mirroring</p> <p>8 methods. It's actually a very -- has very general</p> <p>9 disclosures of mirroring. You can mirror in -- it</p> <p>10 contemplates mirroring in a significant number of</p> <p>11 different ways.</p> <p>12 Q What types of information does Kjendal disclose</p> <p>13 mirroring?</p> <p>14 A Kjendal essentially discloses mirroring</p> <p>15 anything you want. It discloses mirroring entire</p> <p>16 packets. It discloses mirroring portions of packets that</p> <p>17 are selectable. It discloses mirroring portions of</p> <p>18 protocol fields. It discloses mirroring just byte ranges</p> <p>19 within a packet. As I say, it has a very general set of</p> <p>20 disclosures.</p> <p>21 Q I'm going to hand you Kjendal. This exhibit</p> <p>22 has been marked Cisco Exhibit 1009. It is Patent Number</p>	<p>64</p> <p>1 A I think this is referring to essentially</p> <p>2 conditions that would or criteria that would initiate the</p> <p>3 mirroring of traffic.</p> <p>4 Q And would one of ordinary skill in the art</p> <p>5 understand any difference between the term "mirroring"</p> <p>6 and the term "routing"?</p> <p>7 MR. BLAKE: Objection to form.</p> <p>8 THE WITNESS: I mean, they are typically used</p> <p>9 in different contexts. But mirroring typically</p> <p>10 includes a notion of routing because you have to</p> <p>11 send -- you have to send the data somewhere. So</p> <p>12 I would say mirroring is maybe sort of a superset</p> <p>13 of -- routing, for example, is used in the</p> <p>14 '213 patent. Mirroring is, like I say, a</p> <p>15 superset of routing.</p> <p>16 BY MR. PROCTOR:</p> <p>17 Q Would you consider routing to be redirecting</p> <p>18 packets?</p> <p>19 A I guess it depends on the context in which the</p> <p>20 routing is occurring.</p> <p>21 Q How about in the context of the '213 patent?</p> <p>22 A So I would say that routing in the '213 patent</p>

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<p style="text-align: right;">65</p> <p>1 is used within the context of redirecting packets that</p> <p>2 have been received, assuming that those packets were not</p> <p>3 destined for the monitoring device. So routing is the</p> <p>4 means by which the packets are going to be redirected to</p> <p>5 the monitoring device.</p> <p>6 Q What do you believe the -- strike that.</p> <p>7 Do you believe a person having ordinary skill</p> <p>8 in the art would be motivated to combine ACNS and</p> <p>9 Kjendal?</p> <p>10 A Sure.</p> <p>11 Q Why do you believe that?</p> <p>12 A Well, I give a variety of reasons in my</p> <p>13 declaration. But just to summarize, the starting point</p> <p>14 is that mirroring as a general concept was extremely well</p> <p>15 known by 2014, by the date of the '213 patent. I mean,</p> <p>16 as I say in the declaration, I personally had been using</p> <p>17 mirroring for probably ten years by 2014. So it's a very</p> <p>18 common technique that a networking person would have in</p> <p>19 their tool kit. And so -- and in particular, mirroring</p> <p>20 also was -- at some level was an operation that's</p> <p>21 supported by just about every networking device that I've</p> <p>22 ever seen and certainly by 2014.</p>	<p style="text-align: right;">67</p> <p>1 like the '213 patent, is largely interested in</p> <p>2 information -- in performance operations based on</p> <p>3 information in application layer packet headers.</p> <p>4 Given that you are interested in policing what</p> <p>5 users on your network request and what they receive,</p> <p>6 I think what a person of skill in the art would</p> <p>7 understand is that a great utility in adding Kjendal</p> <p>8 is, by mirroring the packets, you could allow a</p> <p>9 further analysis, for example, of the payloads of</p> <p>10 these packets. So ACNS will allow you to provide</p> <p>11 security functions related to -- associated with</p> <p>12 users or with content in the form of request methods</p> <p>13 or URLs. But what it doesn't allow is it doesn't</p> <p>14 allow you to, for example, directly inspect the</p> <p>15 payloads to see is there malware in a payload. So</p> <p>16 given that you've determined that you don't want to</p> <p>17 support a particular method or you don't want a user</p> <p>18 to access particular content, combining Kjendal</p> <p>19 would allow -- would provide a facility where an</p> <p>20 ACNS user could then do an analysis of the actual</p> <p>21 content of the messages that have been flagged by</p> <p>22 the ACNS system by mirroring those packets to a</p>
<p style="text-align: right;">66</p> <p>1 So from a technical standpoint, I think the</p> <p>2 disclosures are eminently combinable. Kjendal has, as I</p> <p>3 say, a variety of different forms of mirroring. And I</p> <p>4 think a person of skill in the art would have been</p> <p>5 motivated to combine Kjendal with ACNS because Kjendal</p> <p>6 has a richer set of -- will allow a richer set of logging</p> <p>7 functions through its mirroring. And in particular,</p> <p>8 given that ACNS is interested in security, it's</p> <p>9 interested in ensuring packets of certain types and forms</p> <p>10 that are considered bad, don't enter a network, Kjendal</p> <p>11 teaches a method by which you could mirror these packets</p> <p>12 to some monitoring device for further analysis. And a</p> <p>13 person of skill in the art would understand the utility</p> <p>14 of that in ACNS because you would be offloading that</p> <p>15 further analysis from the device that's in line in the</p> <p>16 packet flow, so -- thereby not degrading the performance.</p> <p>17 So it would enhance the operation of, say, a device like</p> <p>18 the content engine.</p> <p>19 Q What type of information that the content</p> <p>20 engine is handling would one be motivated to mirror?</p> <p>21 MR. BLAKE: Objection to form.</p> <p>22 THE WITNESS: So the content engine, very much</p>	<p style="text-align: right;">68</p> <p>1 monitoring device that could then do a further</p> <p>2 analysis of those packets and, in particular, do</p> <p>3 things like look at the payloads.</p> <p>4 BY MR. PROCTOR:</p> <p>5 Q So I'm going to read back part of your answer</p> <p>6 so I can ask you a question about it.</p> <p>7 A Sure.</p> <p>8 Q You said, and I quote, so ACNS will allow you</p> <p>9 to provide security functions related to -- associated</p> <p>10 with users or with content in the form of request methods</p> <p>11 or URLs, but what it doesn't allow is it doesn't allow</p> <p>12 you to, for example, directly inspect the payloads to see</p> <p>13 if there is malware in the payload. Do you recall --</p> <p>14 A Yes.</p> <p>15 Q -- saying that?</p> <p>16 Why does -- why do you say ACNS doesn't allow</p> <p>17 you to, for example, directly inspect the payloads to see</p> <p>18 if there's malware in the payload?</p> <p>19 A Because I don't believe ACNS discloses the</p> <p>20 ability to do searching, for example, over payloads.</p> <p>21 Q What do you mean do searching over payloads?</p> <p>22 A To look for specific entities or to try and</p>

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<p style="text-align: right;">69</p> <p>1 <b>understand the contents of a payload.</b></p> <p>2 Q If -- wouldn't that be where, for example, a</p> <p>3 virus might be found?</p> <p>4 A I'm sorry?</p> <p>5 Q Wouldn't -- if there was malware and a packet</p> <p>6 or a series of packets, wouldn't it be found in the</p> <p>7 payload?</p> <p>8 A <b>The predominant location to find malware is in</b></p> <p>9 <b>the payloads.</b></p> <p>10 Q So content engines can't look inside of the</p> <p>11 payload of these packets to find malware. Is that</p> <p>12 correct?</p> <p>13 A <b>I don't think there are any disclosures in ACNS</b></p> <p>14 <b>of the functions that you would need to be able to</b></p> <p>15 <b>perform in order to do things like search payloads for</b></p> <p>16 <b>malware.</b></p> <p>17 MR. PROCTOR: Can we take a break, please?</p> <p>18 MR. BLAKE: Sure.</p> <p>19 THE VIDEOGRAPHER: We are going off the record.</p> <p>20 The time is 11:38 a.m.</p> <p>21 (Break.)</p> <p>22 THE VIDEOGRAPHER: We are going back on the</p>	<p style="text-align: right;">71</p> <p>1 <b>whole application layer dialogue, save it on a remote</b></p> <p>2 <b>server for offline processing.</b></p> <p>3 So, you know, ACNS is about realtime inline</p> <p>4 processing. And I think a person of skill in the art</p> <p>5 would understand that a great adjunct to that kind of</p> <p>6 processing would be the ability to do some offline</p> <p>7 analyses, some non-realtime analyses, and that Kjendal</p> <p>8 would enable this through its logging disclosure --</p> <p>9 through its mirroring disclosures.</p> <p>10 Q Do you have any other opinions regarding the</p> <p>11 motivations to combine Kjendal and ACNS?</p> <p>12 A <b>I think those are -- they're the big picture</b></p> <p>13 <b>ones.</b></p> <p>14 Q Referring to your declaration, is there</p> <p>15 anything in your declaration that you would like to add</p> <p>16 or change or that you now disagree with since you wrote</p> <p>17 it?</p> <p>18 A <b>There is -- thank you for that opportunity.</b></p> <p>19 <b>There is a typo that I think is pretty obvious in</b></p> <p>20 <b>paragraph 147. In paragraph 147, on page 80, at the very</b></p> <p>21 <b>bottom of page 80, the sentence appears, "Moreover, the</b></p> <p>22 <b>ACNS Guide describes using the ACNS system's content</b></p>
<p style="text-align: right;">70</p> <p>1 record. The time is 11:58 a.m.</p> <p>2 BY MR. PROCTOR:</p> <p>3 Q Before we took the break, we were discussing</p> <p>4 motivations to combine ACNS with Kjendal, correct?</p> <p>5 A <b>Correct.</b></p> <p>6 Q Are there any other motivations to combine that</p> <p>7 you see as a person of ordinary skill in the art other</p> <p>8 than what we've discussed previously?</p> <p>9 A <b>Sure. I mean, I think a person of skill in the</b></p> <p>10 <b>art looking at ACNS would recognize the utility of doing</b></p> <p>11 <b>additional what I'll call offline analyses of packets</b></p> <p>12 <b>that are flagged by ACNS. We talked about the one</b></p> <p>13 <b>example about doing payload processing. Another one</b></p> <p>14 <b>would be, you know, the fact that ACNS talks about</b></p> <p>15 <b>disallowing requests from individual users. I could</b></p> <p>16 <b>easily imagine or a person of skill could easily imagine</b></p> <p>17 <b>that, as part of the process of determining whether or</b></p> <p>18 <b>not a user should be penalty boxed, disallowed, from</b></p> <p>19 <b>making GET requests, would be some big brother analysis</b></p> <p>20 <b>of what they're actually requesting. So, you know, you</b></p> <p>21 <b>sample what they're requesting, and you save it by</b></p> <p>22 <b>mirroring the packet so you can get the whole -- the</b></p>	<p style="text-align: right;">72</p> <p>1 <b>router as a device that meets the requirements for the</b></p> <p>2 <b>claimed packet security gateway." Instead of content</b></p> <p>3 <b>router, that should have been content engine. And I</b></p> <p>4 <b>think that's clear from the remaining disclosures,</b></p> <p>5 <b>because the remaining disclosures only talk about the</b></p> <p>6 <b>content engine and don't really mention the content</b></p> <p>7 <b>router anymore. But nonetheless, that was a typo.</b></p> <p>8 Q Okay. Is there anything else in your</p> <p>9 declaration that you wish to modify?</p> <p>10 A <b>Not as of today.</b></p> <p>11 Q Who prepared the Jeffay declaration?</p> <p>12 A <b>So I don't remember the order in which -- as</b></p> <p>13 <b>you know, I have been retained to work on several of the</b></p> <p>14 <b>declarations related to the '213 patent, and I don't</b></p> <p>15 <b>remember the order in which they were all done. But when</b></p> <p>16 <b>we started the work on the '213 patent, I generated the</b></p> <p>17 <b>first draft of the declaration, and then it was an</b></p> <p>18 <b>iterative process working with Cisco's counsel to get to</b></p> <p>19 <b>the final product.</b></p> <p>20 Q Are you referring to this specific declaration</p> <p>21 or the multiple declarations for the different IPRs?</p> <p>22 A <b>The multiple declarations for the '213. I</b></p>

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<p style="text-align: right;">73</p> <p>1 mean, as you'll see, there's obviously a lot of shared  2 text between them. And whichever one was first, I  3 remember that was the one that I came up with the initial  4 draft. And then for the subsequent declarations, large  5 amounts of that text then became the starting point for  6 those declarations.  7 Q What about the sections that are specific to  8 ACNS? Did you prepare those sections?  9 A As I say, I believe it's the case that for this  10 declaration, I came up with the first draft.  11 Q Did you read and sign off on the final draft?  12 A I did.  13 Q Were you asked to provide any opinions that you  14 did not agree with?  15 A I wasn't asked to provide – I was asked – I  16 wasn't asked to provide any opinions. I was asked to  17 just simply perform an analysis. So I think the answer  18 to your question is no.  19 Q How many hours did you spend preparing  20 Exhibit 1004?  21 A Yeah, that, unfortunately, I can't answer  22 simply because I – you know, I don't think I kept track</p>	<p style="text-align: right;">75</p> <p>1 it in terms of documents. And then I met with Cisco's  2 counsel, and we prepped for the deposition.  3 Q Are you familiar with the concept of claim  4 construction?  5 A I am.  6 Q What is claim construction?  7 A My understanding is claim construction is a  8 legal process wherein, typically, a judge determines what  9 the meanings of terms are that are disputed between  10 parties in a patent litigation.  11 Q Did you construe the claims of the '213 patent?  12 MR. BLAKE: Objection to form.  13 THE WITNESS: I offered opinions on what I  14 think a person of skill in the art would have  15 understood certain claim terms to be in light of the  16 intrinsic evidence in this case.  17 BY MR. PROCTOR:  18 Q What materials did you rely on to form those  19 constructions?  20 A The patent, the file history. And then in  21 certain cases, because there had been – this and related  22 patents had terms construed, I also considered some of</p>
<p style="text-align: right;">74</p> <p>1 of my hours separately for these – for each declaration.  2 Q Can you turn to pages 9 through 11 of your  3 declaration?  4 A Sure. Okay.  5 Q Do you see on page 9 it says, "Materials relied  6 on in forming my opinions"?  7 A I do.  8 Q Does this list of materials encompass the  9 entire universe of materials that you relied on to form  10 your opinions for this declaration?  11 A Yes. In terms of printed publications, yes,  12 this, I believe, is the entire list.  13 Q Did you rely on anything that you would not  14 consider a printed publication?  15 A Well, I'm fundamentally relying on my knowledge  16 and skill as an expert in the field, and in particular my  17 knowledge of persons of ordinary skill in the art.  18 Q What did you do to prepare for this deposition?  19 A I read over the declaration, the primary  20 references that are cited here on page 10 and 11. I also  21 read the Patent Owner's preliminary response. I read the  22 institution decision by the PTAB board. I think that's</p>	<p style="text-align: right;">76</p> <p>1 the materials there, for example, the materials that were  2 part of the claim construction process in the – what  3 we've referred to as the Keysight litigation.  4 Q Did you construe the term "dynamic security  5 policy"?  6 A I offered – let's go check. I did offer an  7 opinion on the construction for dynamic security policy.  8 Q And what is your opinion of what the  9 construction of dynamic security policy should be?  10 A It should be any rule – include at least "any  11 rule, message, instruction, file, data structure, or the  12 like that specifies criteria corresponding to one or more  13 packets and identifies a packet transformation function  14 to be performed on packets corresponding to the specified  15 criteria."  16 Q What do you think it means to be dynamic in  17 terms of the claim term "dynamic security policy"?  18 A Well, the '213 patent doesn't really tell us  19 what specifically it means by dynamic. And instead, what  20 it tells us is what the phrase, the three-word phrase  21 means. And so as you know, the construction here is  22 essentially lifted straight out of the specification. So</p>

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<p style="text-align: right;">77</p> <p>1 in terms of dynamic security policy, those three words  2 together, this is what the inventors said about that  3 phrase.  4 Q Do you have any opinion of what the difference  5 would be between a dynamic security policy and a security  6 policy that is not dynamic?  7 MR. BLAKE: Objection to form.  8 THE WITNESS: So the '213 patent does not use  9 security policy, I believe. It just simply refers  10 to things as a dynamic security policy. And I  11 believe a person of skill in the art would take the  12 inventors at their word when they gave the  13 description of a dynamic security policy as I've  14 transcribed it here.  15 BY MR. PROCTOR:  16 Q Did you provide an opinion for the term in the  17 '213 patent "Rule/Rules"?  18 A I did offer an opinion.  19 Q And what is your opinion of what that means?  20 A That it refers to at least part of a dynamic  21 security policy that specifies criteria in one or more  22 packet transformation functions that should be performed</p>	<p style="text-align: right;">79</p> <p>1 security gateways a dynamic security policy. And since  2 it's comprising, and ultimately, it's a method, it's a  3 method comprising, I think a person of skill would  4 understand that it's open ended, and so that a packet  5 security gateway could receive multiple dynamic security  6 policies.  7 Q Do you understand that the board's preliminary  8 construction adopted Centripetal's proposed construction?  9 MR. BLAKE: Objection to the term -- objection  10 to form. Which term?  11 THE WITNESS: Yeah. What are --  12 BY MR. PROCTOR:  13 Q Rule --  14 A -- we talking about?  15 Q -- rules. Excuse me. Rule/rules.  16 A I believe that is correct.  17 Q And would your opinions in your declaration  18 change based on the board's preliminary construction?  19 A No. And I believe I documented that in my  20 declaration. While I understand the construction that  21 was in the Keysight litigation and I believe a person of  22 skill would come to a different outcome, I don't think</p>
<p style="text-align: right;">78</p> <p>1 for packets associated with the specified criteria.  2 Q What do you mean by at least part of a dynamic  3 security policy?  4 A A dynamic security policy is -- has, according  5 to, in my opinion, again taking the inventors' words, is  6 that it can be any rule, message, instruction, file, data  7 structure, or the like. And so I think a person of skill  8 in the art would understand that a dynamic security  9 policy could have multiple rules in it. So a single rule  10 can certainly be a dynamic security policy, or it could  11 comprise a dynamic security policy, or a dynamic security  12 policy could comprise a rule.  13 Q Is it your opinion that a gateway would have  14 multiple dynamic security policies or just one dynamic  15 security policy that's updated?  16 A What gateway are we speaking of?  17 Q Within the context of the '213 patent.  18 A So are you referring to a packet security  19 gateway?  20 Q Yes. Sorry.  21 A I don't believe there is a -- so the claims  22 recite receiving by each of a plurality of packet</p>	<p style="text-align: right;">80</p> <p>1 the difference between them, as I said at the beginning  2 of this deposition, is significant enough that it would  3 impact my -- any of the analyses that I've done so far or  4 any of the opinions that I've offered.  5 Q Did you provide an opinion as to the meaning of  6 security policy management server?  7 A I did.  8 Q And what is your opinion of what security  9 policy management server means?  10 A I simply adopted for purposes of doing this  11 analysis the -- what I understood was the construction  12 from the Keysight litigation, which was a server  13 configured to manage policies and communicate a dynamic  14 security policy to a packet security gateway.  15 Q Do you see that the board's preliminary  16 construction is different from both your proposed  17 construction and Centripetal's proposed construction?  18 A It's slightly different. It doesn't have  19 the -- it doesn't recite particularly the manage policies  20 element.  21 Q And would your opinions change at all based on  22 the board's preliminary construction?</p>

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<p style="text-align: right;">81</p> <p>1     <b>A</b>   No, because the -- whether or not the security</p> <p>2   <b>policy management server, whether and how it's managing</b></p> <p>3   <b>policies doesn't inform my analysis -- doesn't affect my</b></p> <p>4   <b>opinions.</b></p> <p>5     <b>Q</b>   So just to be clear, the board's construction</p> <p>6   removed the managed policies portion of the construction.</p> <p>7   So does your validity opinion change at all since the</p> <p>8   board's preliminary construction is a server configured</p> <p>9   to communicate a dynamic security policy to a packet</p> <p>10   gateway?</p> <p>11   <b>A</b>   No. I mean, it's essentially -- the one that I</p> <p>12   <b>did my analysis with was effectively a narrower</b></p> <p>13   <b>construction. And I view and I think a person of skill</b></p> <p>14   <b>in the art would view the board's construction as a</b></p> <p>15   <b>broader construction. So I think all the opinions that I</b></p> <p>16   <b>generated under this narrower construction clearly would</b></p> <p>17   <b>hold under the broader construction.</b></p> <p>18   <b>Q</b>   And did you provide an opinion as to what</p> <p>19   "packet security gateway" means?</p> <p>20   <b>A</b>   I did. Well, I didn't necessarily generate an</p> <p>21   <b>independent opinion, as was the case with the security</b></p> <p>22   <b>policy management server. But instead what I did was I</b></p>	<p style="text-align: right;">83</p> <p>1   <b>or the opinions that I've offered.</b></p> <p>2     <b>Q</b>   Do you have an opinion about what the</p> <p>3   differences are between your proposed construction and</p> <p>4   operations performed on a packet?</p> <p>5     <b>A</b>   As I say, I think it's just a small difference.</p> <p>6   <b>I think, you know, the -- depending on how one further</b></p> <p>7   <b>thinks about operation, it's the distinction between sort</b></p> <p>8   <b>of stating the goal, an operation, meaning to drop,</b></p> <p>9   <b>versus, you know, the actual action of doing the</b></p> <p>10   <b>dropping. But as I say, I don't think there's a</b></p> <p>11   <b>significant enough difference between these two</b></p> <p>12   <b>constructions. And in point of fact, it doesn't impact</b></p> <p>13   <b>my analysis or my opinions.</b></p> <p>14   <b>Q</b>   Did you provide an opinion of what monitoring</p> <p>15   device means?</p> <p>16   <b>A</b>   I did.</p> <p>17   <b>Q</b>   And what is your opinion?</p> <p>18   <b>A</b>   A device configured to copy or store packets or</p> <p>19   <b>data contained within them.</b></p> <p>20   <b>Q</b>   Do you have any further opinions about the</p> <p>21   meaning of the terms from claim 1 of the '213 patent</p> <p>22   other than what we've just discussed?</p>
<p style="text-align: right;">82</p> <p>1   <b>simply applied the construction from the Keysight</b></p> <p>2   <b>litigation.</b></p> <p>3     <b>Q</b>   And did you provide an opinion for the term</p> <p>4   "packet transformation function"?</p> <p>5     <b>A</b>   I did.</p> <p>6     <b>Q</b>   What was your opinion of what packet</p> <p>7   transformation function means?</p> <p>8     <b>A</b>   So I believe a person of skill in the art would</p> <p>9   <b>have understood it to mean that it's an action taken on a</b></p> <p>10   <b>packet. And then I also enumerated some specific actions</b></p> <p>11   <b>that would fall within this construction such as</b></p> <p>12   <b>forwarding, dropping, accepting, and routing to a</b></p> <p>13   <b>monitoring device.</b></p> <p>14   <b>Q</b>   Do you understand that the board preliminarily</p> <p>15   construed packet transformation function to mean</p> <p>16   operations performed on a packet?</p> <p>17   <b>A</b>   I do.</p> <p>18   <b>Q</b>   And would your opinions change at all based on</p> <p>19   the board's preliminary construction?</p> <p>20   <b>A</b>   No. I don't think -- again, the difference</p> <p>21   <b>between these two constructions, I think, is small enough</b></p> <p>22   <b>that it just doesn't impact either the analysis I've done</b></p>	<p style="text-align: right;">84</p> <p>1     <b>A</b>   As of today, no.</p> <p>2     <b>Q</b>   Is there any mental, physical, or emotional</p> <p>3   reason preventing you from giving your best and most</p> <p>4   truthful testimony today?</p> <p>5     <b>A</b>   No.</p> <p>6     <b>Q</b>   Are you on any drugs or medication that might</p> <p>7   prevent from you giving your best and most truthful</p> <p>8   testimony today?</p> <p>9     <b>A</b>   I am not.</p> <p>10    MR. PROCTOR: That's all the questions I have</p> <p>11   today.</p> <p>12    Counselor?</p> <p>13    MR. BLAKE: Okay. I have just three questions,</p> <p>14   and they all relate to the ACNS, so if we can get</p> <p>15   that out.</p> <p>16    MR. PROCTOR: By the way, we have five minutes</p> <p>17   left on the record --</p> <p>18    MR. BLAKE: Hopefully, we'll be done in four</p> <p>19   minutes if we can get to the pages fast enough.</p> <p>20    MR. PROCTOR: Talk fast.</p> <p>21           EXAMINATION</p> <p>22   BY MR. BLAKE:</p>

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<p>85</p> <p>1 Q Chapter 8, 8-23 to 8-24.</p> <p>2 A <b>I'm there. I beat you.</b></p> <p>3 Q Well, that's not unusual.</p> <p>4 Specifically looking at the steps that are</p> <p>5 recited on 8-24 for adding a new HTTP request method --</p> <p>6 A <b>Uh-huh.</b></p> <p>7 Q -- would these steps be performed by an</p> <p>8 administrator who is operating the CDM?</p> <p>9 A <b>Correct.</b></p> <p>10 Q Okay. And toward the bottom of the page,</p> <p>11 there's a line two-thirds of the way down that says, "To</p> <p>12 add a new HTTP request method using the CLI, use the HTTP</p> <p>13 add method global configuration command." Do you see</p> <p>14 that?</p> <p>15 A <b>I do.</b></p> <p>16 Q What's the CLI?</p> <p>17 A <b>CLI is an acronym that stands for command line</b></p> <p>18 <b>interface, which in this case is an alternate way in</b></p> <p>19 <b>which you can provision policies to the content engine.</b></p> <p>20 <b>So in addition to using the GUI, Cisco allows you to be</b></p> <p>21 <b>super old school and manually type in commands.</b></p> <p>22 Q And who would manually type in a command?</p>	<p>87</p> <p>1 information?</p> <p>2 A <b>Yes. It's the GET as well as the URL that is</b></p> <p>3 <b>the parameter to the GET method.</b></p> <p>4 MR. BLAKE: That's all the questions I have.</p> <p>5 MR. PROCTOR: We're done, too. Thank you.</p> <p>6 THE VIDEOGRAPHER: This concludes today's</p> <p>7 deposition. We are going off the record at</p> <p>8 12:25 p.m.</p> <p>9 (Reporter clarification regarding orders.)</p> <p>10 MR. PRICE: I believe we have a standing order,</p> <p>11 rough draft as soon as it's available. But yeah, no</p> <p>12 rush on the rough or the expedited. So let's do it</p> <p>13 the 20th. Maybe we could do five business days.</p> <p>14 MR. BLAKE: No expedite for me. Just whenever</p> <p>15 it gets there it gets there. Electronic. No rough</p> <p>16 draft. Two weeks is fine.</p> <p>17 (Deposition concluded at 12:25 p.m.)</p> <p>18 *****</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
<p>86</p> <p>1 A <b>This would be the operator of the CDM, which</b></p> <p>2 <b>would be, say, the network manager.</b></p> <p>3 Q If we could turn now to Chapter 19,</p> <p>4 specifically page 19-1.</p> <p>5 A <b>Okay.</b></p> <p>6 Q Now, earlier in your testimony, you were</p> <p>7 discussing a log format example from Apache.</p> <p>8 A <b>Correct.</b></p> <p>9 Q I want to direct your attention to the bottom</p> <p>10 of page 19-1, the last two lines.</p> <p>11 A <b>Uh-huh.</b></p> <p>12 Q What is that?</p> <p>13 A <b>That's another example for -- actually for an</b></p> <p>14 <b>interaction, web interaction to receive the same -- well,</b></p> <p>15 <b>I guess it's a slightly different content than on the</b></p> <p>16 <b>previous one. But it's a Squid log entry for a different</b></p> <p>17 <b>request.</b></p> <p>18 Q Does the log entry reflect an HTTP request</p> <p>19 method?</p> <p>20 A <b>It does. At the end of the first line, you see</b></p> <p>21 <b>the word "GET."</b></p> <p>22 Q Does it reflect application layer packet header</p>	<p>88</p> <p>1 CERTIFICATE OF NOTARY PUBLIC</p> <p>2 I, Lori L. Morrow, Certified Reporter</p> <p>3 and Notary Public within and for the State of</p> <p>4 Minnesota do hereby certify:</p> <p>5 That KEVIN JEFFAY, Ph.D., the witness whose</p> <p>6 deposition is hereinbefore set forth, was duly</p> <p>7 sworn by me before the commencement of such</p> <p>8 deposition and that such deposition was taken</p> <p>9 before me and is a true record of the testimony</p> <p>10 given by such witness.</p> <p>11 I further certify that the adverse party, Cisco</p> <p>12 Systems Inc., was represented by counsel at the</p> <p>13 deposition.</p> <p>14 I further certify that the deposition of KEVIN</p> <p>15 JEFFAY, Ph.D., occurred at the offices of MERCHANT</p> <p>16 &amp; GOULD, P.C., 80 SOUTH 8th STREET, SUITE 3200,</p> <p>17 Minneapolis, MINNESOTA 55402 on WEDNESDAY, JUNE 5,</p> <p>18 2019, commencing at 9:10 A.M. to 12:25 P.M.</p> <p>19</p> <p>20</p> <p>21</p> <p>22 (continued...)</p>

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1 CERTIFICATE OF NOTARY PUBLIC,  
2 continued:

3  
4 I further certify that I am not related to  
5 any of the parties to this action by blood or  
6 marriage, I am not employed by or an attorney to  
7 any of the parties to this action, and that I am  
8 in no way interested, financially or otherwise, in  
9 the outcome of this matter.

10

11

12

13 IN WITNESS WHEREOF, I have hereunto set my  
14 hand this 10th day of June, 2019.

15

16 My commission expires:

17 January 31, 2020

18

19

20 NOTARY PUBLIC IN AND FOR THE STATE OF  
21 MINNESOTA

22





A			
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