UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMCAST CABLE COMMUNICATIONS, LLC
Petitioner,

v.

ENTROPIC COMMUNICATIONS, LLC,

Patent Owner.

CASE IPR2025-00180
Patent 11,785,275

Deposition of DAVID B. LETT, taken on behalf of the Patent Owner, via Zoom videoconference, commencing on the 23rd day of July, 2025, at the hour of 9:00 a.m. PT, before Jillian Doctor, CSR No. 14603, pursuant to Notice of Taking Deposition.

	Page 2		Page 3
1	APPEARANCES	1	INDEX
2	FOR THE PETITIONER:	2	TNDLA
3	BANNER & WITCOFF, LTD	3	WITNESS EXAMINATION PAGE
4	1100 13th Street, NW, Suite 1200 Washington, DC 20005	4	DAVID B. LETT BY MR. HENDIFAR 4
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6	FOR THE PATENT OWNER:	7	* * * * *
7	LOWENSTEIN & WEATHERWAX LLP 1016 Pico Boulevard	8	EXHIBITS FOR IDENTIFICATION
8	Santa Monica, California 90405	9	Exhibit 2012 11
	BY: Parham Hendifar, Esquire	10	Lett Errata
9	Hendifar@lowensteinweatherwax.com	11	
10		12	
11 12		13	
13		14	
14		15	
15		16	
16		17	
17 18	JILLIAN DOCTOR, RPR, CRR	18	
10	COURT REPORTER	19	
19		20	
20		21	
21 22		22	
23		23	
24		24	
25		25	
	Page 4		Page 5
1	THE COURT REPORTER: Good morning. My name	1	Okay. Let's try that.
2	is Jill Doctor. License Number 14603. Would you	2	Okay. Go ahead. I'm sorry.
3	please raise your right hand.	3	BY MR. HENDIFAR:
4	DAVID B. LETT,	4	Q. No worries.
5	having been first duly sworn,	5	So you were deposed in connection with three
6	was examined and testified as follows:	6	related cases between the same parties and IPRs
7	EXAMINATION	7	2024-432, 435, and 438, I believe late last year.
8	BY MR. HENDIFAR:	8	Do you recall that?
9	Q. Thank you. Good morning, Mr. Lett.	9	A. Yeah, again, I haven't verified the numbers,
10	A. Good morning.	10	but I'll take your word for it.
11	Q. You were deposed in connection with three	11	Q. Thank you.
12	additional IPRs, 2024-435, 432, and 438, earlier this	12	Do you have any questions about the
13	year or late last year.	13	deposition process today?
14	Do you recall that?	14	A. No, I don't.
15	A. I don't remember if those are the numbers	15	Q. You realize that you're testifying under
16	that you know, I don't have those numbers in front	16	oath; correct?
17	of me. But, yes, I did testify in related cases.	17	A. I do.
18	I need to turn up the volume just a little	18	Q. And you are also aware that you are not
19	bit on your voice. Do I what do I need to press	19	allowed to speak with anyone regarding the substance
20	here to get that?	20	of the deposition during the breaks today.
21	It's right hard right?		
21	It's right here; right?	21	Do you understand that?
22	MR. KRONENTHAL: Yeah. Use that.	22	A. I do.
22 23	MR. KRONENTHAL: Yeah. Use that. THE WITNESS: Or do I just press okay.	22 23	A. I do. Q. And do you have any questions about the
22	MR. KRONENTHAL: Yeah. Use that.	22	A. I do.

Page 6 Page 7

- 1 Q. Is there any reason why you may not be able
- 2 to provide your best testimony today?
- 3 Α. No reason.
- 4 Okay. What did you do to prepare for the Q.
- 5 deposition today?
- 6 I spent some time studying my declaration
- 7 and other materials that were -- excuse me.
- 8 Declaration, I meant to say.
- 9 In my declaration and other materials. The
- 10 materials considered list, I would say. And I also
- 11 had some preparation sessions with the attorneys from
- Banner Witcoff. 12
- 13 Q. And when did you meet with attorneys in
- 14 preparation for your deposition today?
- 15 I think it was -- I think it was last week A.
- 16 and this week.
- 17 Q. And how many days total did you meet --
- 18 strike that.
- 19 Approximately how many hours did you spend
- 20 meeting with attorneys in preparation for our
- 21 deposition today?
- 22 A. I would say around 15, ballpark. 15 hours.
- 23 And how many of those hours were this week? Q.
- 24 A. Probably about ten.
- 25 And you testified that you reviewed your O.

- 1 declaration and some other documents in connection 2 with your preparation for the deposition today.
  - Do you recall that?
- 4 Yes. A.

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- Q. And in connection with your preparation for
- 6 the deposition today, did you review any documents 7
  - that were not cited in your declaration, Exhibit 1002?
- 8 A. Not that I'm aware of.
- 9 Q. Did you prepare any notes that you're --10 strike that.
- 11 Do you have any documents in front of you 12 right now?
- 13 A. I do.
- 14 Q. Okay. Would you please let me know what
- 15 documents you have available in front of you.
- 16 Yeah. I have printed copies of my
- 17 declaration. The -- Zhang's Exhibit 1013,
- 18 Exhibit 1001. And then I have printouts of several
- 19 pages of my -- that are also part of my declaration,
- 20 but just have them printed out separately. One is the
- 21 materials considered section, which is Pages 8 through
- 22 12. And then I have printed out the claims listing 23 appendix from my declaration.
  - And then I also have a folder on my computer that is -- it includes all the materials considered,

Page 8

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- 1 Exhibits -- you know, starting with 1001 to wherever
- 2 they end. And also, I think the right description of
- 3 what else is on here is the record.
  - There is some documents labeled 1 through 18 that I really haven't looked at, I don't think. But
- 6 they're called the record, I think. In case we need
- 7 those, I can pull them up.
- 8 Thank you very much.
- 9 Are any of the documents you have in front 10 of you marked?
- 11 No. A.

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- 12 And you submitted a declaration in this IPR. O.
- 13 And when I say this IPR, I mean the 2025-00180 that
- 14 follows Exhibit 1002; correct?
- 15 A. I'm sorry. That last part, I didn't quite 16 catch.
- 17 O. Sure.
- 18 Going forward, when I refer to this IPR, I
- 19 will be referring to IPR 2025-00180.
- 20 Is that fair?
- 21 A. Yes.
- 22 And a declaration was submitted by you in
- 23 this IPR that is filed as Exhibit 1002.
- 24 Do you have that?
- 25 A. Yes.

- Q. Okay. Did you sign that declaration?
- A. I did.
- 3 O. And what did you do in connection with your
- 4 analysis to prepare your declaration here?
- 5 A. So I studied the patent, the 275 patent.
- 6 And I studied the prior art references. And then I
- studied some of the other materials considered in
- 8 order to create those opinions that are in the
  - declaration.
- 10 And did you draft your declaration filed as Q.
- 11 Exhibit 1002?
- 12 So it was a collaborative process between
- 13 myself and the attorneys. I have a hard time
- 14 remembering which ones -- I would say neither one of
- 15 us drafted it entirely. I would say we went back and
- 16 forth a bunch of times on different sections and
- 17 edits, and I honestly can't remember exactly, you
- 18 know, who did what.
- 19 Q. Fair enough.
- 20 Are you aware of any errors, either 21 typographical or substantive, in your declaration
- 22 filed as Exhibit 1002 in this IPR?
- 23 I did notice a couple of typos. If you
- 24 like, I can try to find those. But I think -- I think
  - it would be obvious that they're typos when you look

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Page 9

Page 10 Page 11

1 at them.

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But one is -- I think I referred to Figure 2 or 6, and it should have been the other one.

And it's obvious by looking at it, it's the one that I did not say. Right?

And the other one is I used a less than, you know, mathematical symbol less than, instead of less than equal than -- less than or equal to.

Those are the two typos I remember. You know, upon my review over the last couple of weeks, I'm like, oops, I must have missed that the first time.

13 Q. Thank you.

> Would you be kind enough to point me to the typographical error that is the equal or less than so I can just make sure I understand where that error is?

17 Okay. Let me see if I can find it. And I'm

18 going to do a search in my declaration for the symbol 19 less than or equal to -- or less than. And I think

20 that would maybe speed things up.

21 O. Sure.

22 A. If that's okay.

23 Of course. And please feel free to review

24 any document that you need when I ask questions, as

25 long as you just let me know what you're reviewing. I

1 want your best testimony, so please feel free to 2

review anything. Just let me know what it is you are

3 reviewing.

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4 A. Oh, okay. I found it really quickly, which

is surprising. I didn't expect it to be that quick.

6 Page 102 of my declaration.

Q. Okay.

8 At the very top, it says for m equals n, all A.

9 of the selected Channels C1 through Cn are output to

10 one or more demodulators. And for m is less than n,

11 the user may output some or all end channels of C1 to 12 Cn to the demodulators.

And the less than sign there in the second 13 14 line should be less than or equal to.

15 Understood. Thank you very much.

16 I am going to put in the chat box a document 17 that we will mark as Exhibit 2012.

18 (DEPOSITION EXHIBIT NUMBER 2012 19 WAS MARKED FOR IDENTIFICATION.)

20 THE WITNESS: Okay.

21 BY MR. HENDIFAR:

22 Q. Please let me know when you have it.

23 What do I do? Click on... A.

> MR. KRONENTHAL: Select chat down there, and then you'll see the chat box open. And then he just

> > Page 13

Page 12

added the document at the bottom.

THE WITNESS: Okay. Lett errata.

3 BY MR. HENDIFAR:

4 Please let me know when you have it so I can

5 ask my questions.

6 Okay. I have it. A. 7

Thank you. Q.

I represent to you that this is the error that was submitted to us by Comcast Cable Communications as the errata in connection with the two-day deposition that you had in cases IPR 2024-00432, 435, and 438.

And do you see on Page 2 and Page 4 of this document, there are places with a signature where it has your name at the bottom?

16 A. Yes, I see that.

17 Are the signatures on Pages 2 and 4 of this

18 document your signatures?

19 Α. Yes.

20 Okay. And is it your testimony that this

21 document -- let me strike that.

22 So what is this document, based on your

23 understanding?

24 So the transcript of the deposition, it's A. 25 a -- it's corrections to the transcript of my

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deposition referenced at the top. 2

Q. And did you compile the list of corrections

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Yes. This is -- the file is not labeled

5 Exhibit 2012, so I just assume that's correct as far

6 as the exhibit number.

7 We are going to mark this document as O.

Exhibit 2012 here. So I will be referring to the 8

9 errata sheet as Exhibit 2012.

10 A. Okay. Fair enough.

11 Did you carefully review the transcript of O.

12 your deposition in the prior IPRs to then compile the

13 errata sheet that is marked as Exhibit 2012?

14 A. I did, yes.

15 Okay. And does Exhibit 2012 represent all 16

the errors that you were able to identify in your

17 earlier deposition?

18 A. I think so. Perhaps I missed some, but that

19 wasn't my intention.

20 Are you aware of any errors in your earlier

21 deposition transcript that is not reflected in the

22 errata sheet that is Exhibit 2012?

23 I haven't looked at it since this time, so I

24 haven't really, you know, looked for any additional

25 errors. So the answer is no, I'm not aware of any.

(Pages 10 to 13)

Page 14 Page 15

- 1 May I now please refer you to Exhibit 1001, Q.
- 2 which is the 275 patent that is challenged in this
- 3 IPR.
- 4 A. Okay.
- 5 Q. Please let me know when you have that.
- 6 A. Okay. I have it.
- 7 May I please refer you to Column 1, lines 52 Q.
- 8 to 55 of the 275 patent, and the sentence that reads,
- 9 quote, In general, television channels broadcasted
- 10 over the air or over cable networks are distributed
- 11 across a broad frequency spectrum. That is, the
- 12 channel frequencies may not be adjacent to each other.
- 13 Do you see that?
- 14 A. Yes.
- 15 Q. And then may I now please refer you to the
- 16 same Exhibit 1001, 275 patent, Column 2, lines 2
- 17 through 5. And the sentence that reads, quote, The RF
- 18 input signal may include the VHF and UHF television
- 19 channels in a terrestrial television broadcasting
- 20 system or the CATV -- if I'm pronouncing it
- 21 correctly -- channels in cable networks, end quote.
- 22 Do you see that sentence as well?
- 23 A. I do.
- 24 O. What does broadcast channel mean?
- 25 Well, so in this particular case, it's A.

- 1 talking about channels that are sent over the cable 2
  - network to, you know, subscribers. And whether those
- 3 subscribers receive them or not, it's still
  - transmitting.
- 5 Q. Who does the broadcasting for a broadcast
- 6 channel?

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- 7 A. Well, I mean, it depends on the context.
- 8 Right? So from a cable head end, you could say that
- 9 the cable system operator is broadcasting. But, you
- 10 know, really, like in the case of a channel over the
- 11 air, you -- the cable company would receive that
- 12 signal broadcast from the -- over the air, for
- 13 example. Right? So there is different places, right,
  - but I think I answered your question.
- 15 Q. Thank you.

So am I understanding you correctly that in this context of television channel broadcast networks, a broadcast channel is basically a content channel?

- 19 I think a POSITA would consider a broadcast
- 20 channel to have content on it, you know. Otherwise --21
- I don't know. Maybe there is a reason to broadcast a 22
- channel without content on it. You know, sometimes 23
- you may be broadcasting a blank screen or a -- or a 24
  - test pattern or something. So I don't know if you
- 25 call a test pattern content. Maybe it is. I don't

Page 16

Page 17

- 1 know.
- 2 Q. I'm sorry. I'm not sure if I understood the 3 answer to my question. Let me ask it again.

4 So is it fair to say that, at least in the 5 context of television broadcast systems, a broadcast

6 channel is basically a content channel?

- 7 I think a broadcast channel generally
- 8 contains content in most cases, except for corner
- 9
- 10 Q. And what does a corner case mean?
- 11 Well, you know, if you do something A.
- 12 99.9 percent of the time, it's not a corner case.
- 13 Right? Where as if you do something, let's say, 14
- .1 percent of the time, I think, you know, a POSITA
- 15 would consider the .1 percent case to be a corner 16 case.
- 17 O. And a corner case is the instance where you 18
- testified for some reason a broadcaster may broadcast 19 a test pattern channel.
- 20 Did I understand that correctly?
- 21 A. I did, yes.
- 22 Okay. If a test pattern can be considered
- 23 content, would it then be the case that all broadcast
- 24 channels are content channels in this context?
- 25 So, again, I think there are corner cases

- that all content channels -- I'm sorry. Say that 2 again, please. Repeat your question.
- 3 Of course.

So if test pattern channels can be 4 5 considered content, is it then the case that in the

- 6 context of television channel broadcast systems, a 7 broadcast channel is a content channel?
- 8 Again, I think there are corner cases other
- 9 than test patterns where a broadcast channel may not
- 10 have content.
- 11 Are you aware -- would you -- are you aware Q.
- 12 of any examples?
- 13 One example would be that there is an
- 14 equipment problem or a -- or a signal reception
- 15 problem or some other problem that is in the system.
- 16 So that, essentially, you're just broadcasting a blank 17
- screen or -- yeah, a blank screen would be an example. 18 So, essentially, a technical error where a
- 19 channel is mistaken and being broadcast without
- 20 content.

21

- Is that the example you have?
- 22 That's one example, yes. A.
- 23 Q. Okay. Any other examples?
- 24 A. There are probably more, that's just the
- 25 only one I thought of off of the top of my head.

Page 18 Page 19

Q. Okay. So sitting here now, you are not aware of any example of a broadcast channel not being

3 a content channel, other than a test pattern, which

4 may or may not be content, and an instance where a

technical error has resulted in a channel being
 broadcast without content. And you have no or

broadcast without content. And you have no other example sitting here now.

Is that accurate?

MR. KRONENTHAL: Objection. Form.

THE WITNESS: I'm sorry. That was a really long question. I think I lost you. Can you break it

long question. I think I lost you. Can you break it down a little bit?

13 BY MR. HENDIFAR:

O. Of course.

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You testified that other than, in your words, corner instances, a broadcast channel is typically a content channel. And the two examples you were able to provide for why a broadcast channel may not be a content channel were, one, a pattern signal; and, two, a technical error, where a channel is mistakenly -- or through technical errors broadcast without content.

And sitting here now, you are not aware of any other examples where a broadcast channel may not be a content channel. Is that accurate?

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A. And I think the right way to say it is, a broadcast channel contains content or does not contain content. And so there are probably other examples -- like, if someone wanted to intentionally broadcast that blank channel, right, then they could do that.

You know, and so that would be not necessarily due to a technical problem. They may want to make some measurements or, for some other reason, broadcast a blank channel.

You know, there is also cases where, you know, content is -- it's contained within a broadcast channel, is encrypted such a way, right, that one would need to be authorized to receive that content to see the content. And unless he was authorized to receive that content, he would not see any content on that broadcast channel.

And I may think of more examples as we go along. But I think there are plenty of cases where, you know -- and I called them corner cases, and that's probably the right term -- that a broadcast channel may not contain content.

Q. Okay. May I now please refer you to Zhang Exhibit 1013.

25 A. Okay.

Page 20

1 So. you know. I forget w

Q. And specifically to Paragraph 6.A. Paragraph -- what did you say?

3 Q. Zhang Exhibit 1013, Paragraph 6.

A. 6?

5 Q. 6, correct.

6 A. Okay. Thank you.

7 Q. Please let me know when you have it.

8 A. I have it.

9 O. What does UHF band mean?

10 A. UHF band, he says 300 megahertz to 3

11 gigahertz.

12 Q. Okay. So it's just a nomenclature, that the

range of 300 to 600 megahertz -- 3 gigahertz, I'm

sorry, is called a UHF band?

15 A. That's what Zhang is disclosing, yes.

16 Q. Based on your expertise, is that an accurate

17 description?

18 A. I have no reason to dispute what he's

19 saying.

21

20 Q. And based on your expertise, is it accurate

that channels in the UHF band are spaced at

22 6 megahertz intervals?

23 A. In the United States, North America,

channels were generally spaced at 6 megahertz.

However, there is gaps in that band. Right?

So, you know, I forget whether it's between Channel 4 and 5 or between Channel 5 and 6, there is a gap where, you know, there is other services that are in those frequencies. Like an aeronautical band, for example, as well as other areas.

Page 21

So they were generally spaced 6 megahertz, and then there were gaps in the bands where, you know, other services may be in there.

Q. Thank you.

10 A. As one example.

11 Q. Okay. What does an RF channel mean?

12 A. Well, so both the 275 patent and the -- and

23 Zhang are given examples of an RF channel, which is,

essentially -- you know, they always refer to 6 -- I

think they always refer to 6 megahertz bandwidth

channels that have television signals on them.

17 Q. Is any frequency bandwidth necessarily a

18 channel?

19 A. It can be. I mean, you could just -- you

20 could say, okay, you know, here is a -- here is a

21 1 megahertz channel, here is 6 megahertz channel, you

know, depending on what you're doing. And both of

23 these patents, we're talking about television

24 channels.

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And, again, in Europe, they were, you know,

Page 23 Page 22

- 1 8 megahertz and different, you know, bandwidths. But
- 2 in North America, generally, we're talking about
- 3 6 megahertz-wide bandwidth channels.
- 4 Thank you.

5 Maybe I'll ask my question a bit 6

differently. I may not have been quite clear.

What makes a frequency band a channel as opposed to just a blank frequency band?

- 9 I'm not sure. I mean, it starts at some
- 10 frequency and ends at some frequency. You know, like,
- 11 Channel 2 is 54 to 60 megahertz. Hopefully I got that
- 12 right. Anyway, so that's -- that's a channel. You
- 13 know, that has a slot, basically, that is defined as
- 14 that channel.

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- 15 Q. Okay. Are there any requirements such as
- 16 standard definition controlling formation or other
- 17 criteria that would make a frequency band a channel as
- 18 opposed to just, for instance, a blank frequency band?
- 19 I think, in general, in the context of these
- 20 patents, a channel is a 6 megahertz slot. Right?
- 21 And I think they're talking about the
- 22 channel has a television signal in it, or not.
- 23 Q. I'm sorry. I didn't quite understand your
- 24 last sentence.
- 25 Let me think about how to say it more

- 1 clearly.
- 2 So I think a channel is a slot in frequency.
- 3 In the case of this context of these patents, we're
- 4 talking about 6 megahertz slots of frequencies.
- 5 Whatever is in them, they are channels.
- 6 So any 6 megahertz slot and frequency, in
- 7 vour view, would be considered a channel?
- 8 Yeah. Because it's defined with a start and A. 9
  - an end point.
- 10 Q. Where is that?
- 11 A. It's a slot where you can put things or not.
- 12 And when you say it's defined with a start O.
- 13 and an end point, where would that definition be? Who 14
  - defines it?
- 15 A. Well, so, like, there are books that tell,
- 16 you know, like, the allocation of channels. Right?
- 17 So, like, for example, one of the exhibits
- 18 that I have is Exhibit 1033, modern cable television
- 19 technology. And if you look at the end, like -- let
- 20 me see if I can find it. 21
  - Oh. I found it pretty quickly, actually.
- 22 I'm surprised.
- 23 Appendix A of Exhibit 1033, channel
- 24 allocation.

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25 Q. I apologize for interrupting. I'm sorry.

Page 24

- 1 Which page of that exhibit are you looking 2 at? I'm sorry.
- 3 Yeah. I'm sorry. It's PDF Page 516. And
- 4 it's -- it says 986 Appendix A. I'm not sure if
- 5 that's right or not, but that's what's printed on the
- 6 page.
- 7 Q. So the bottom of each of those pages has a
- 8 number that seems to be added by Comcast.
- 9 Do you see at the bottom of each? 506 or 10 507, for instance.
- 11 Let me see. I have to turn it. Yeah, it's
- 12 upside down. So let me turn it the other way so I can
- 13 see it better.

14

- Okay. I see it. Yeah. 516.
- 15 Okay. So you're on Page 516 of Exhibit 1033 based on the bottom page numbers. 16
- 17 Is that correct?
- 18 A. Yes. That's correct.
- 19 Q. Okay.
- 20 Okay. So this is -- these are channel --
- 21 this is channel allocating, giving the frequencies,
- 22 with the bottom of the band and the start of the band
- 23 showing 6 megahertz chunks.
- 24 So let's actually walk through that so I Q.
- 25 fully understand what we are talking about.

- So we are on Page 516 of Exhibit 1033. And
- there is a table; right? Is that what you're
- 3 referring to?
- 4 That's right. A.
- 5 Now, the first line of that table, where O.
- 6 there are numbers, Channel 1, there is a low megahertz
- 7 at 72 and a high megahertz at 76. And the spread
- 8 seems to be 4 megahertz.
  - So what does the 72 and 76 denote in this
- 10 table?
- 11 You know, based on my experience of a POSITA A.
- 12 in this area, we don't ever talk about Channel 1, so I
- 13 don't really remember what that's all about. We
- 14 always start talking about Channel 2 at 54 megahertz.
- 15 Q. Okay. What does 54 in Channel 2 denote?
- 16 That's the low edge of the 6 megahertz A.
- 17
- bandwidth of Channel 2.
- 18 O. Great. Okay.
- 19 And then do you see that Channel 6 ends at
- 20 88 megahertz; correct?
- 21 A. Yes.
- 22 O. And then Channel 7 starts at 174 megahertz;
- 23 correct?
- 24 A. That's right.
- 25 So there is a frequency band between Q.

Page 25

Page 29

- 1 88 megahertz and 174 megahertz where no channel is
- 2 defined: correct?
- 3 That's correct for this table for television
- 4 signals. And in that -- in between there are other
- 5 services, I think. Like aeronautical, for example.
- 6 But it's not a defined channel; correct? O.
- 7 Well, they're defined. It's just not in A.
- 8 this table. Like, they're defined elsewhere. Like,
- 9 for whatever services use those frequencies.
- 10 Q. Okay. But as far as the television
- 11 broadcast system is concerned, for example, in the
- 12 table on Page 516 of Exhibit 1033, the frequency band
- 13 between 88 to 174 is not a defined channel; correct?
- 14 A. Not in this table, no.
- 15 And what is, exactly, the table on Page 516 Q.
- 16 of Exhibit 1033?
- 17 Well, at the time the book was written, it
- 18 was a standard developed by the joint -- EIA, now CEA
- 19 and CTA -- engineering, specifying the channel number
- 20 and corresponding frequencies for North America.
- 21 Is that, basically Page 516 of Exhibit 1033,
- 22 the channel structure that Zhang is basically
- 23 referring to?

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- 24 A. Yes. And also, the 275 patent are referring
- 25 to, you know, something very similar to this.

- Okay. And so channels that you see on the 1 Q.
- 2 left-hand side up to Channel 30, are those basically
- 3 the broadcast channels?
- 4 Well, I don't know. Broadcast sometimes --
- 5 I think for a POSITA, if you said it that way would
- 6 be -- you know, broadcast channels are maybe
- 7 synonymous with off-air channels. So when I'm talking
- 8 about a cable system, I kind of, like, talk about the
- 9 off-air channels.
- 10 Q. So I'm --
- 11 Talking about off-air channels. Like, in
  - other words, something that was, like, a CBS or an ABC
- 13 or PBS or something that would be also transmitted
  - over the air to televisions. A POSITA might call
- 15 those the broadcast channels as opposed to the off-air
- 16 channels --

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- 17 O. I'm sorry. Offer --
- 18 I'm sorry. I can't figure out which word A.
- 19 you were talking about.
- 20 Offer? Offer channels? Q.
- 21 A. Off-air.
- 22 Q. I'm sorry.
- 23 A-I-R. Yeah. I'm sorry. I ran it
- 24 together. Off-air.
- 25 Q. I see.

Page 28

- Off-air, as in cable instead of, for
- 2 instance, an antenna broadcast. Is that --
- 3 Yeah. Off-air would be a -- something
- 4 that's broadcast over the air, terrestrially, to
- 5 televisions. And then we also happen to put that
- 6 channel in the cable network, like same -- or
- 7 actually, it would probably be a different frequency,
- 8 but we'll talk about -- that's not matter -- it
- 9 doesn't matter.

So if you have ABC, that's a local channel, right, and you want to receive it over the air with an antenna, you can do that. Right?

And then -- but also when you subscribe to cable, you would generally have Channel ABC received on your -- as part of your cable system. And so a POSITA might call that a broadcast channel even though it's coming on cable or an off-air channel even though it's coming on cable, you know, so it really just depends.

A broadcast can be used in a number of different ways. I mean, in one context, broadcast means, you know, all the channels sent from the cable system to the box, whether it's an off-air or not. Right? So I think broadcast can be used in a lot of different ways.

Going back to the table on Page 516 of

- Exhibit 1033, it gives me a numerical baseline to work
- 3 with. So referring, again, back to the -- at least in
- 4 the context of the television broadcast network,
- 5 undefined frequency between 88 to 174 between
- 6
  - Channels 6 and 7.

Do you recall that?

- Yeah. I think I was actually referring to A. that earlier, and I may have said the wrong channel
- 10 numbers earlier in this deposition because I just 11
  - didn't remember exactly which numbers they were.
    - Q. No worries.

Now, if you have a broadcast cable -- I'm not sure what terminology you prefer to use, so let's say a broadcast system, broadcast television system.

That broadcast television system wouldn't be transmitting the frequency between 88 and 174 that is the blank frequency between Channel 6 and 7, would it?

MR. KRONENTHAL: Objection. Form.

THE WITNESS: So cable systems, for example, would broadcast other things in that slot. So, like, a control channel where you could -- sometimes we call it out-of-band channel even though it's in-band with all these frequencies.

But it was in the industry called

IPR 1202 5509 18 S EXTRAGRESS rporation v. Entropic Communications, LLC

Page 30 Page 31

- 1 out-of-band. Right? So one would transmit -- let's 2
  - call it command and control information to a set-top
- 3 box in -- somewhere in there. I don't remember
- 4 exactly, but somewhere in that slot you're talking
- 5 about. So it was broadcast from the cable network to
- 6 cable boxes.

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- BY MR. HENDIFAR:
- Let me ask differently. O.

Is the entire frequency band between 54 to 264 used by that cable or television broadcast system one way or another?

Well, so it depends. Right? So cable systems were flexible. They could do whatever they wanted to because it's a closed system. Maybe that's not the way to describe it. But they -- they were allowed to transmit anything including in that band 88 -- excuse me -- yeah, 88 to 174 megahertz. They were allowed to transmit in those bands.

Sometimes -- and probably, this reference explains it, but Walscor [Phonetic] and Jim Farmer would know very well that you generally didn't do that, or -- any more than you -- you were very careful on doing that because you want to make sure you don't interfere with other services. Like aeronautical, for example. And probably military. But I can't remember

what else is in there. I would have to look it up -a frequency allocation chart to see exactly.

But my point is that, I'm allowed to, as a cable operator, transmit things in those bands; and I do. Not me personally, but a cable multisystem operator would transmit some things. But they were very careful. And the reason they were very careful was if there was any leakage or interference caused by our signal to those other bands.

And so it's very difficult to go through the cable network and find, like, where the leakage is coming from. Like it may be a frayed coaxial cable or something like that that's causing it to transmit something that's interfering with, let's say, an aeronautical band. It's very difficult to find those. So we kind of avoided -- or let's say we were very careful. The cable MSOs were very careful about what to transmit in those frequencies.

So that may be a part of my confusion. So is it the case that that same frequency

21 band is both licensed to the cable company and to the 22 military and to some aeronautical company?

Well, so it's not transmitted over the air by the cable company initially -- intentionally. So it's a closed system. It's all in wires that are not

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- 1 supposed to let those frequencies get out into the 2 air, is what I'm saying.
- 3 So the cable company has licensed those
- 4 frequency bands in the cable, and then other 5 industries have license to bands in the air?
- 6 I don't know about licensing. You know, I'm
- 7 just -- from a practical point of view, I know that
- 8 they were allowed to transmit on those frequencies. I
- 9 don't know whether there was a license or not. I tend
- 10 to think not, but I don't know the answer to that
- 11 question.
- 12 Okay. And on Page 516 of Exhibit 1033, the O.
- 13 first column that is titled Channel, is that an RF
- 14 channel or a content channel?
- 15 A. It's a number indicating a frequency slot.
- 16 Right. So -- but when the table uses the O.
- 17 term channel on Page 516 of Exhibit 1033, is the table
- 18 using the word channel as an RF channel or as a
- 19 content channel?
- 20 It's using it as a frequency slot that goes A.
- 21 from the beginning to the end of that slot. It's not
- 22 saying anything about content or RF, it's -- well,
- 23 it's talking about -- it's defined. You know,
- 24 Channel 11 means a slot from 198 to 204 megahertz.
- 25 What does RF channel mean, in your opinion?

1 Is it referred to in the patents so I can

maybe get the context? Or can you refer me to where

Page 33

3 that term's being used?

4 I'm not sure I have that. But the field we

5 are talking about, television channel broadcast

6 systems. And in the context of television channel

7 broadcast systems, what does an RF channel mean, if 8 you have an opinion?

Well, so I think -- I think we're talking

10 about -- like, for example, you know -- I'm just

11 looking at the table here -- 26, Channel 26 is 234 to

12 240 megahertz. That frequency range is kind of

13 considered a radio frequency range, 234 to

14 240 megahertz. So I guess you could call that an RF

15 channel.

> O. Is it fair to say that the table on Page 516

17 of Exhibit 1033, in the first column, those are the RF

channel definitions?

19 Well, so this is kind of like what was A.

20 normal. Right? You could have other RF channels

that, as I described it, you could, as a cable

22 operator, broadcast on if you chose to.

23 Right. But in the example on Page 516 --

24 let me -- maybe I can clarify my question.

So is it fair to say that in the example in

Page 35 Page 34

to the transmission frequency; correct?

So generally speaking, when a channel is

Yes. And modulated accordingly so that the

Now, for Channel 20, for instance, the 156

to 162, that's the transmission frequency to which the

And then once the receiver receives, for

instance, Channel 20, it downconverts it to baseband;

It may if it's selected to -- by the user

as -- if they're interested in it or whatever. It may

You know, if you had like all these

But say there are -- just for example, say there is

channels, right -- I don't know how many there are.

150 of them. Right? You wouldn't downconvert all of

them to baseband. You'd only downconvert the ones

that the user was interested in watching or authorized

Page 37

being transmitted, it's upconverted from the baseband

Do you see that?

information can be transmitted.

baseband is upconverted; correct?

correct? Generally speaking.

not be. It may be just --

I think that's fair, yes.

162 megahertz band.

Yes.

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O.

- 1 the table on Page 516 of Exhibit 1033, Channels 1
- 2 through 30 are RF channel definitions; correct?
- 3 A. They're showing the RF frequencies for each
- 4 channel number was 6 megahertz-wide bandwidth that are
- 5 normal, you know, part of this table without the other
- 6 things that I just described that were, perhaps,
- 7 exceptions to transmitting in the gaps.
- 8 Now, what -- when you said 234 is an RF O.
- 9 frequency, what does that mean?
- 10 So -- just a second.

11 So in my declaration, in Paragraph 49, I

- 12 stated: "RF is the frequency range starting from
- 13 10 kilohertz to 1,000 megahertz" -- or excuse me --
- 14 "100,000 megahertz" -- correction -- "in the
- 15 electromagnetic spectrum."

16 And that's quoting a reference that it came

17 from.

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- 18 Okay. So it's a nomenclature, a certain Q.
- 19 range of frequencies is called RF frequencies?
- 20 Well, it's understood from this background A.
- 21 reference that, generally, 10 kilohertz to
- 22 100,000 megahertz has frequencies in the RF range for
- 23 data transmission, wire to wireless between devices.
- 24 Now, still discussing the table on Page 516
- 25 of Exhibit 1033, let's say Channel 20, 156 through
  - Page 36
- A. I think that's the way he uses it. Yes.

to watch and interested in watching.

- 2 So then let's go to Exhibit 1013, Zhang. Q.
- 3 A. Okav. I'm there.
- 4 Actually, we've been going for about an O.
- 5 hour. Would you like to take a 15-minute break? And
- 6 then it might be our last break.
- 7 A. Sure, if you want to. I'm okay with less
- 8 than 15 minutes.
- 9 Sure. Well, how much of a break --

10 MR. HENDIFAR: And, Counsel, how much of a 11 break would you guys like?

12 MR. KRONENTHAL: Five. Five minutes good? 13 THE WITNESS: Let's do five.

14 MR. HENDIFAR: Let's make it seven so we 15 come back at top of the hour. Thank you. See you 16 guys at the top of the hour.

THE COURT REPORTER: Off the record.

18 (OFF THE RECORD AT 9:53 a.m. PT)

19 (ON THE RECORD AT 10:00 a.m. PT)

20 THE COURT REPORTER: Back on the record.

- 21 BY MR. HENDIFAR:
- 22 Mr. Lett, welcome back. During the break,
- 23 did you speak with anyone regarding the contents of
- 24 your deposition?
  - No.

1 Q. So do I understand you correctly that 2

- desired channels are basically the channels the user
- 3 is interested in watching and is authorized to watch?
- 4 So the 275 patent, I don't think, defines
- 5 desired channels, but it gives an example of what I
- 6 understand he means by desired channels. So, like, 7 Figure 2 of the 275 patent shows a diagram with ten
- 8 channels. And four of them have hash markings, and
- 9 he's calling those desired channels.

And, similarly, Zhang talks about channels that are used by a subscriber, selected or used by a subscriber. And I generally understand that to mean the same thing, that it's the ones that we might be interested in downconverting the baseband or selecting out of the full spectrum of channels that are selected or used by a subscriber.

17 Thank you very much.

18 And in order for a subscriber to use a 19 channel, that channel necessarily has to be 20 demodulated; correct?

- 21 Yeah. I think you would generally A.
- 22 demodulate. That's right.
- 23 O. Is it fair to say that in the context of the
- 24 275 patent, a channel that is never demodulated would
- 25 not be considered a desired channel?

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Page 39 Page 38 1 May I please refer you now to Zhang 1 Q. A. Yes. 2 2 Exhibit 1013. Q. Now, Figure 3 of Zhang is the circuitry for 3 3 Okay. the digital channel, demultiplexer 230; correct? Α. 4 4 That's right. At a high level. Q. And let's start with Figure 2 of Zhang. 5 5 Q. I'm sorry? A. 6 6 O. And you see on the left-hand side an RF A. At a high level. 7 signal is input to Figure 2? 7 Q. In Figure 3 of Zhang, you have numeric 8 8 Α. controlled oscillator 310, which sets the frequency Yes. 9 O. And in Block 220, high-speed analog to 9 for the multiplier 320; correct? 10 digital converter, that an input signal is digitized; 10 It provides a frequency that is multiplied 11 correct? 11 by the input frequency to produce the output at the 12 12 Α. Yes. target frequency. 13 13 O. And the digital channel demultiplexer 230 Okay. And do you recall in Exhibit 10 -- do 14 demultiplexes Channels C, as in Charlie, 1 through Cn, 14 you recall in Exhibit 1033, Page 516, we discussed 15 as in November, from the input signal; correct? 15 Channel 20 as an example? 16 16 That's right. Yes. A. 17 Q. And that --17 Q. So I'm going to use that example just so I 18 I'm sorry. What word did you use? 18 understand fully the description. A. 19 19 Demultiplexes. So we are going to use Channel 20, which is Q. 20 Thank you. Yes is my answer. 20 A. defined as the bandwidth between 156 megahertz and 21 21 And n by m selector 240 selects Channels D1 162 megahertz, to discuss Figure 3. 22 through Dm from Channels C1 through Cn; correct? 22 So let's assume that in Figure 3, the first 23 23 A. Yes. chain, 321, is set to demultiplex Channel 20, which is 24 24 O. And then it transmits Channels D1 through Dm the frequency between 156 to 162. 25 through demodulators; correct? 25 Do I understand that? Page 40 Page 41 1 A. Yes. 1 A C-chain. C -- capital C-chain. Let's 2

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2 Q. Now, what frequency would the numeric 3 controlled oscillator 310 be set to, to extract Channel 20? 4 5 A. So we want the output signal to be 0 to

6 6 megahertz. Right? So we have to go in the middle 7

of the -- the 159 megahertz. We essentially need to

8 go and get that down to -- let's call it 3 megahertz. 9 Right? So it comes out 0 to 6 megahertz.

10 So you just pick a value of the NCO so when 11 it's multiplied together, it comes out 0 to

12 6 megahertz.

13 So am I understanding correctly that in Q. 14 Figure 3 of Zhang, Chain 1 is set to demultiplex

15 Channel 20, which has the -- which is defined as the

16 bandwidth between 156 and 162 megahertz, the output of

17 Chain 1, C1, is the frequency between 0 to

18 6 megahertz?

19 A. That's right.

20 Q. And then is the same process repeated for

21 different channels, C1 through Cn, in Zhang Figure 3?

22 Well, so each one of these -- let's call the

23 multiplier 320, the NCO 310, and the low-pass filter

24 330. Let's call it a --

25 Q. Chain? just call it that so I don't have to keep saying those three elements over and over.

Now, you know, so for each channel that the subscriber wishes to use, as described by desired channels, the discussion that we had previously, each C-chain chooses that particular desired channel so that it comes out at baseband out of its C-chain.

So, for example, if I had -- well, that's enough.

11 So let's say that in Zhang Figure 3, the input is Channels 1 to 30. So the input is 13 frequencies 54 to 264 megahertz; correct?

14 A. I believe that's Channel 2 through 30. 15

I apologize. Let me stand correct. Q. Channel 1 is also 72, so it's in that range?

16 17 Yeah. I just said I didn't -- I don't A.

18 remember what that is. I'm sorry. I could probably 19 read above here and figure out what that is, but I 20 just don't remember. 21

Q. I don't want to waste your time, so let me ask.

23 In Zhang Figure 3, let's assume that the 24 input is Channels 2 to 30, which would make the 25 bandwidth of the input 54 megahertz to 264 megahertz;

Page 43 Page 42

1 correct?

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- 2 Okay. A.
- 3 The output of Figure 3, if Figure 3 is going O.
- 4 to extract Channels 2 to 30, would be 29 channels,
- 5 each at 0 to 6 megahertz frequency; correct?
- 6 Is that 29? I think it might be 28.
  - Oh. Inclusive of the -- yeah, okay. So 29
- 8 C-elements -- C-chains we called them. C-chains that
- 9 each output 0 to 6 megahertz signal.
- 10 Q. Okay. So now let's take that -- and then
- 11 going to -- okay. Let's start example now to Zhang
- 12 Figure 6 embodiment. And may I please refer you to
- 13 Zhang Paragraph 41. Actually, let's actually look at
- 14 Figure 6. That's easier. Let's look at Figure 6 of
- 15 Zhang itself.
- 16 A.
- 17 Q. And do you see that in Zhang Figure 6, the
- 18 input frequency band is 540 to 750 megahertz?
- 19
- 20 Q. And that is a bandwidth of 210 megahertz.
- 21 Is that correct?
- 22 A. That's right.
- 23 And the output of the channel demultiplexer
- 24 630, which I believe corresponds to the demultiplexer
- 25 230 of Figure 2, is Channels C1 to 35.

- 1 Is that correct?
  - A. Yes. In this embodiment.
- 3 O. Now, in the embodiment of Figure 6, 35
- 4 channels are demultiplexed from the input signal;
- 5 correct?

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- 6 A. That's right. In this embodiment.
- 7 O. Now, do you recall that we discussed that in
- Zhang, each of the channels are, generally speaking, 8
- 9 6 megahertz in bandwidth; correct?
- 10 A. Those are the examples that he uses, but I
- 11 don't know if it's restricted to 6 megahertz.
- 12 But in the example that it uses, they are
- 13 6 megahertz in bandwidth, the channels; correct?
- 14 A. That's right.
- 15 And in Zhang Figure 6, 35 Channel C times Q.
- 16 6 megahertz each, that's 210 megahertz in bandwidth;
- 17 correct?
- 18 A. I think so, yes.
- 19 Q. And the inputs of Zhang Figure 6 was also
- 20 210 megahertz in bandwidth; correct?
- 21 A. That's right.
- 22 Q. So in Zhang Figure 6 embodiment, Channels C1
- 23 through C35 constitute all the RF input channels;
- 24 correct?

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25 Well, I would say it's all the desired A.

Page 44

1 channels.

- 2 Q. Are there any channels -- in Zhang Figure 6,
- 3 are there any Channel -- strike that.
- 4 In Zhang Figure 6, are there any channels in
- 5 the input signal of 540 to 750 that are not
- 6 demultiplexed by the demultiplexer Channels 1 through
- 7 35?
- 8 No. He doesn't show in Figure 6 Α.
- 9 demultiplexing less channels than on the RF input.
- 10 But he clearly discloses that in a number of places in
- 11 the patent. In the -- Zhang's patent.
- 12 So I'm asking about Figure 6. Q.
- 13 So in Zhang Figure 6, demultiplexer that
- 14 demultiplexes Channels C1 through C35 has
- 15 demultiplexed all the channels -- all the RF channels
- 16 in the input signal; correct?
- 17 In this specific example, yes. A.
- 18 Q. And in Zhang's Figure 6, the output of the
- 19 demultiplexer 630 are Channels C1 through C35;
- 20 correct?
- 21 A. That's right.
- 22 And each of those channels occupy the same
- 23 frequency of 0 to 6 megahertz; correct?
- 24 A. That's right.
- 25 Q. The inputs of the channel demultiplexer is

1 the frequency band of 540 to 750.

Is that correct?

- 3 Well, actually, he's showing 280C. So if
- 4 you want to say the input to the Figure 6 is 540 to
- 5 750 megahertz, that's correct.
- 6 And then a digital selector 640 in Zhang
  - Figure 6 selects 20 channels, D1 through D20, from the
- 8 35 demultiplexed channels, C1 through C35; correct?
- 9 So Zhang digital selector is put in for the
- 10 purpose of fast channel change. So what he discloses
- 11 is that any one of those D-elements can select any of
- 12 those C-elements at any particular time.

13 And what he describes is that I can quickly

- 14 switch between these 35 channels on my 20 outputs by
- 15 just a very fast switch. Right? So it's not that,
- 16 you know, D -- C1 corresponds to D1 and C2 corresponds
- 17 to D2, and this kind of thing. It's that D1 can be
- 18 any of C1 through C35 at any particular time, and so
- 19 on for each of the D-elements.
- 20 No dispute.
  - So less Channels -- in this example of
- 22 Figure 6 -- strike that.
- 23 In the example of Figure 6, 20 channels, D,
- 24 are sent to demodulators, correct, at any given time? 25 I'm sorry. I missed part of that. Could

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Page 45

Page 46 Page 47

- 1 you repeat it?
- In Zhang's Figure 6 embodiment, at any given 2 O.
- 3 time, 20 channels, D, are sent to demodulators:
- 4 correct?
- 5 A. That's right. In this particular, specific
- 6 embodiment.
- 7 O. And 20 is less than 35; correct?
- 8 A. Yes.
- 9 O. In Zhang's Figure 6, at any given time, less
- 10 Channels, D, are sent to demodulators than -- strike 11

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- Where is the logic in Zhang's Figure 6 that determines which of the 20 channels, D, are selected from Channels C1 through 35 to be sent to demodulators at any given time?
- 16 A. Can you be more specific about where is the logic? 17
- 18 Q. Sure.
- 19 So -- okay. How does Zhang determine which
- 20 Channels D1 through D20 are selected from Channels C1
- 21 through C35 to be sent to demodulators at any given
- 22 time?
- 23 So the subscriber selects which ones he A.
- 24 wants to watch or record.
- 25 Okay. And then when the subscriber makes O.

Page 48 Page 49

- 1 Q. And Channels D1 through D20 are also, each 2 one, 6 megahertz, from 0 to 6; correct?
- 3 Well, it just takes the Cs, right, and
- 4 outputs whichever C it is. So because C is -- the C
- 5 channels are 6 megahertz, the D channels are
- 6 6 megahertz in this example and embodiment.
- 7 Q. So the digital selector 640 itself does not
- 8 perform any extraction of channels; correct?
- 9 I would say the extraction is done -- well,
- 10 the selection of which channel we want to -- that is
- 11 desired. Which one is desired is done by 630. And
- 12 which ones go to a demodulator at a particular time of
- 13 the desired channel, C1 through C35, are done by the
- 14 digital selector.
- 15 Is it possible that in Zhang Figure 6, some
- 16 of Channels C1 through 35 would never be selected by a
- 17 user to go to demodulators?
- 18 It's possible, but what he's -- what he's
- 19 describing here is a fast channel change between C1 to
- 20 C35 for any one of these demodulators.
- 21 So one would -- you know, what he discloses
- 22 is that I've got them all, C1 through C35, on the
- 23 input to the digital selector. Maybe it's my favorite
- 24 channel list, you know? Like, I like ESPN and HBO and
- 25 Channel 5 and 2 and whatever. Right? They could be

- 1 that selection, where in Zhang Figure 6 is that 2
  - selection logic implemented in the circuitry?
- 3 When we're talking about from the desired
- 4 channels C1 through C35, selecting between those
- 5 desired channels to watch at any particular time, that
- 6 selection is made by the -- the element 640 digital
- 7 selector in Figure 6.

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- 8 Q. So there is a logic in the digital selector
  - 640 in Figure 6 of Zhang that implements the user
- 10 selection of the user-selected channels, one of D1
- 11 through D20, to be sent to demodulators?
- 12 Yeah. The user selection of the desired A.
- 13 channels, C1 through C35.
- 14 Q. I'm sorry. Maybe we are talking past each 15 other.

Maybe I'll ask again.

17 You testified that Zhang -- the way Zhang 18 determines which channels, D1 through D20, are sent to 19 demodulators are based on the user selection; correct?

- 20 A. That's right.
- 21 And you testified that the logic where Zhang
- 22 implements which of Channels D1 through D20 are
- 23 selected based on the user selection is in the
- 24 selector 640; correct?
- 25 That's right. A.

1 all there ready to quickly switch between my favorite 2 channels.

3 If a user does not watch a specific channel, 4 that channel would not be demodulated; correct?

5 Well, Zhang discloses that the selection of 6 which ones to select can be made by the subscriber. I

7 think he also says by the service provider.

Like, for example, if I had -- if I was not subscribed to HBO, right, I would probably -- whether you call it selecting or not, I would never really select HBO in that specific example. And with one of the C-chains. We wouldn't waste one of the C-chains on something that we're not authorized to watch.

Maybe my question was not clear.

If a channel that is not watched or recorded or otherwise used by -- strike that.

If a channel [sic] does not watch or record a channel, that channel would not be demodulated.

Is that fair?

MR. KRONENTHAL: Objection. Form.

21 THE WITNESS: Can you repeat the question?

22 BY MR. HENDIFAR:

Of course.

If a channel is not watched or recorded by a user, that channel would not be demodulated.

Page 50 Page 51

1 Is that fair?

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- 2 I don't think either Zhang or the 275 A.
- 3 disclosed the answer to that question.
- 4 Okay. Now, selector 640 in Zhang Figure 6
- 5 selects Channels D1 through D20 from Channels C1
- 6 through C35 to then be sent to demodulators; correct?
  - That's what the diagram is showing, yes.
- 8 Where specifically in Figure 6, digital Q.
- 9 selector 640, is the logic that allows Zhang to select
- 10 Channels D1 through D20 from Channels C1 through C35?
- 11 It's not shown in this -- it's just shown as
- 12 a box in this diagram.
- 13 Does anywhere in Zhang explain that? Q.
- 14 A. Yes. There is -- there is more detailed
- 15 explanation in other places.
- 16 Okay. So Figure 5 of Zhang is the circuitry O.
- 17 for the selector 640 slash 240; correct?
- 18 Well, it's a -- it's a functional block
- 19 diagram, example of 240 or -- what's the other number?
- 20 640, is it? Yes. 240 or 640.
- 21 Okay. So where in Zhang Figure 5 would the O.
- 22 logic -- strike that.
- 23 Where would a POSITA understand, in Zhang
- 24 Figure 5, the logic for selecting Channel D1 through
- 25 Dm be located?

1 I don't think he shows where the logic is. A.

- 2 He describes the functionality and shows that it can
- 3 be used to provide this switching capability between
- 4 the desired C1 through Cn channels.
- 5 Would a POSITA understand where the logic in
- 6 Figure 5 for selecting Channels D1 through Dm have to 7
  - be located?
- 8 I think they would have a pretty good idea A. of different places they could do it. 9
- 10 Q. Okay. Would you please elaborate?
- 11 So, I mean, the circuit -- you'd have to A.
- 12 essentially draw a schematic diagram of this, of
- 13 Figure 5. And you would see in there some way to
- 14 control the switches so that we, essentially, can
- 15 route the signals in different ways within this box.
- 16 And so you'd have to -- you'd have to look at the
- digital circuitry. And then probably the 17
- 18 microprocessor would be involved in selecting the
- 19 digital circuitry that we want for particular -- at a
- 20 particular point in time. 21

And, also, you know, as I've talked about in the declaration, this Figure 5 also contains

Page 53

- 23 additional capabilities, like -- like time division 24 multiplexing and serial parallel -- or parallel
- 25 interfaces and serial interfaces. So there is lots of

Page 52

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- 1 Q. And do you recall we discussed 20 of the 35
  - 2 channels in the input signal are transmitted to the
  - 3 demodulators; correct?
  - 4 A. That's what this diagram shows, yes.
  - 5 O. And do you recall that you testified that
  - 6 the way Zhang determines the 20 channels at any given
  - 7 time that are sent to demodulators, that selection is
  - 8 done in the digital selector 640.

Do you recall that?

- 10 A. That's right.
- 11 And my question is that the logic to select Q.
- 12 the 20 channels at any given time that are sent to
- 13 demodulators from the 35 input channel, is that in the
- 14 bus selector portion of the selector, or is that in
- 15 the time division demultiplexer portion of the
- 16 selector?
- 17 So I don't think Zhang discloses where that
- 18 is exactly. He describes the functionality and then
- 19 provides a high-level block diagram with some of that
- 20 functionality as shown in Figure 5. It's not like a
- 21 schematic or anything.
- 22 May I please now refer you to the 275
- 23 patent, Exhibit 1 [sic], Figure 2.
- 24 So Exhibit 1 --
  - A. Okay.

- stuff that's going on and described throughout Zhang 1 2 in 640 or 240.
- 3 Now, would the logic for selecting D1
- 4 through Dm in Figure 5 of Zhang be located in the bus
- 5 selector portion or in the time division demultiplex
- 6 portion of Figure 5?

9

- 7 A. The logic for selecting C1 through Cn are in
- 8 the C-chains. The C-chains can select the number of
  - channels that are desired from the input spectrum.
- 10 And Zhang clearly discloses that.
- 11 Maybe my question was not clear.
- 12 So at some point, Channels D1 through Dm
- 13 would have to be selected from Channels C1 through Cn.
- 14 We discussed that; correct?
- 15 I mean, I think -- I'm not sure you have to A.
- 16 use a digital selector. I think it's kind of an
- 17 enhanced capability that allows you to do this fast
- 18 channel change. And it could just -- it could just
- 19 output directly C1 through Cn, you know. But -- but
- 20 the reason that they want -- that Zhang describes
- 21 having this enhanced capability is to support this 22 fast channel change feature.
- 23 Q. Let's step back for a moment. Can we go
- 24 back to Figure 6 of Zhang?
- 25 A. Okay.

Page 55 Page 54 Q. 1 I apologize. In Figure 2 of Exhibit 1001, is there 1 2 2 Figure 2? necessarily a digital selector that is not shown at A. 3 3 Correct. the output of the digital front end to select desired Q. 4 4 channels and send them to demodulators? A. Okay. 5 5 I don't think Zhang describes the enhanced And in Figure 2 of Exhibit 1001, there is an 6 6 RF input signal. capability of --7 7 Do you see that? [Simultaneous speaking.] 8 8 Yes. THE WITNESS: I'm sorry. I'm sorry. A. 9 9 And then there is a digital front end 230. I don't think -- I don't think the patent --Q. 10 Do you see that as well? 10 the 275 patent describes the enhanced capability of 11 11 Yes. Zhang which allows you to support this fast channel A. 12 12 I think you're talking a little softer. I'm change capability. 13 13 having a little trouble hearing you. BY MR. HENDIFAR: 14 Okay. So in Figure 2 of Exhibit 1001, there 14 Okay. So you do not -- in Figure 2 of 15 15 is an output of the digital front end with a label Exhibit 1001, there doesn't necessarily need to be a 16 16 digital selector similar to Zhang's at the output of "Serial or parallel data interface to demodulator." the digital front end 230; correct? 17 Do you see that? 17 18 18 A. Yes. He doesn't describe this fast channel change 19 19 capability, which is the reason for the digital O. And do you necessarily have to have a 20 20 selector, as disclosed by Zhang. And the 275 does not digital selector at the output of Figure 2 to be able 21 21 have this fast channel change feature, so, therefore, to output to serial or parallel data interfaces from 22 22 the digital front end? it does not have the equivalent of the digital 23 23 So I'm not sure I understand the question. selector from Zhang. 24 24 Could you rephrase it? Q. Going to Zhang Figure 6 again, if you would. 25 25 Of course. A. Okay. Q. Page 56 Page 57 1 O. What is the purpose of Block 610, frequency demultiplexer 630 is different from the spectrum of block downconverter? 2 frequencies output as Channels C1 through C35; 3 So in my declaration on Page 59, I show the correct? mapping of the functionality of the RF front end of 4 A. Well, so the C-chains, which is essentially the 275 patent to Zhang's 210. 5 block C30, select 6-megahertz channels, the number of 6 So it's the same as what the -- 275 has. desired 6-megahertz channels from the full spectrum 7 O. And what is that purpose? that's been downshifted. 8 I'm sorry? Α. O. Right. 9 9 Q. Sure. So Channels D1 through D20 in Figure 6 that 10 10 are sent to demodulators are not selected from the What is the purpose -- maybe I didn't 11 understand that. 11 full spectrum of the downconverted frequency that is 12 12

2 3 4 5 6 7 8

So my question was not how it relates to the patent, my question was, in Figure 6 of Zhang, what is the purpose of the frequency block downconverter 610? So the -- that shifts the spectrum down and

15 16 also has a quadrature complex mixer that allows us to 17 digitize it with the next stage, which is the analog 18

to digital converter.

19 And why would -- why is there a need for Q. 20 that downconverter block?

21 You want to get the spectrum of the signal

22 down to a point where it's easier to process by the

23 circuitry.

13

14

24 Okay. And in Zhang Figure 6, the spectrum Q. 25 of frequencies that is input to the channel

input to the channel demultiplexer 630; correct?

13 I'm sorry. Could you repeat that again, A. 14 please?

> Q. Of course.

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In Zhang's Figure 6, Channels D1 through D20 that are sent to demodulators are not selected from the full spectrum of downconverted frequency that is input into the channel demultiplexer 630; correct?

They are. They're selected from the full spectrum of frequencies. Because C1 through Cn can select any of those frequencies that are in the full spectrum. In this case, 540 to 750 megahertz. Right? It's going to select -- it can select any of those

25 channels from 540 to 750 megahertz on each of the Page 58 Page 59

- 1 C-chains. And because of that, the digital selector
- 2 is just a switch. It puts the same thing -- so if I
- 3 wanted -- if I wanted D1 to select C1, it's the same
- 4 as C1 which came from the full spectrum of frequencies
- 5 540 to 750 megahertz.
- 6 Okay. But the selector 640 cannot select as
- 7 frequency in the input spectrum that is not extracted
- 8 as Channels C1 through C35; correct?
- 9 The combination of 630 and 640, part of or 10 full, causes the output D1 through Dn.

Did that answer your question?

- Not exactly. So I don't dispute with you O. that the combination of 630 plus all or part of 640 in
- Zhang Figure 6 causes -- to use your term -- the 14
- 15 output D1 through D30. Of course.

My question is, in Zhang Figure 6, focusing just on D1 through D20, those channels could not be selected -- could not be a frequency in the input signal that is not extracted by the demultiplexer 630; correct?

21 MR. KRONENTHAL: Objection. Form.

22 THE WITNESS: Could you break that down a

23 little bit?

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24 BY MR. HENDIFAR:

25 Sure. Q.

Do you recall that you testified -- if you look at Zhang Figure 6 channel demultiplexer 630, the frequency spectrum input into the demultiplexer is different from the output frequency, which is Channel C1 through C35; correct?

6 A. That's right.

> O. So if a specific frequency band is not

8 extracted by channel demultiplexer 630 in Zhang 9

Figure 6, the channel selector cannot select that

10 unextracted frequency to be sent to demodulators;

11 correct?

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12 A. Well, the selection is done with C1 through

13 C35. So -- or C1 through Cn in the more general case.

14 The C-chains do the selecting from the input spectrum, 15 and, therefore, any of the C-chains that are passed on

16 to a D is from the full spectrum input -- selected

17 from the full spectrum input.

18 Right.

19 So C is -- I'm not disputing with you that 20 Channels C are selected from the full spectrum input. 21 Let me ask this question.

Do you agree that Channels D, as in David, 1 through 20 is a subset of Channels C1 through C35?

Page 61

24 Well, Zhang discloses that m, which is the

D -- the number of D-elements, can be less than or

Page 60

equal to n, which is the number of C-elements. 1 2

So they can be equal, or they can be less.

- 3 Thank you. Q.
- 4 He discloses both. Α.
- 5 Q. Thank you.

So I don't dispute with you that Channels C are selected from the input frequency.

My question is whether Channels D are selected from the input frequency, or are they selected from Channels C?

So this functionality is -- so if you said

let's make D -- let's make C equals to D. Right?

We're selecting -- it's the exact same thing. C1 is the exact same thing as D1. C2 is the exact same as

15 D2. And so on and so forth. 16 All of those are selected from the input 17 frequencies. In other words, Zhang's digital selector

18 can be configured as -- to just pass through all the 19 Cs.

20 Q.

> So you're talking about the situation where n equals m, where all Channels C are selected as Channels D to be sent to demodulators; correct?

24 That was one example. They could also A. 25 output all of the Cs with this fast channel change 1 capability, which is the reason for the digital 2 selector as disclosed by Zhang.

3 Now, let's consider the situation that is

4 described in Figure 6, where Channels D are the subset

5 of Channels C.

6 Okay. A. 7

O. So 35 Channels D, 35 Channels C. Okay?

8 A.

9 O. In Zhang's Figure 6, are Channels D1 through 10 20 selected from Channels C1 through C35, or are they

11 selected from the input frequency spectrum through the 12 demultiplexer 630?

13 MR. KRONENTHAL: Objection. Form. 14

THE WITNESS: So perhaps it's easier if we just put a box around 630 and 640, and say, like, that's one box. Perhaps -- I think you're getting confused by this enhanced feature capability of Zhang.

D1 through D20 are selected from the input spectrum.

20 BY MR. HENDIFAR:

> I have no further questions. Q.

22 Okav.

23 MR. KRONENTHAL: Okay. So just so I 24 understand, so you're complete with your examination?

And Counsel for petitioner has no further questions as

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16 (Pages 58 to 61)

	Page 62		Page 63
1	well.	1	DECLARATION
2	MR. HENDIFAR: Thank you very much.	2	
3	THE WITNESS: Thank you.	3	I hereby declare I am the deponent in the within matter; that I have read the foregoing deposition and
4	THE COURT REPORTER: Do you need a copy,	4	know the contents thereof; and I declare that the same
5 6	Counsel?	_	is true of my knowledge except as to the matters which
6 7	MR. KRONENTHAL: We can wait for the copy standard delivery.	5	are therein stated upon my information or belief, and as to those matters, I believe them to be true.
8	(Deposition concluded at 10:44 a.m. PT.)	6	as to those matters, I believe them to be true.
9	(2 specimen ventuals at 10111 and 111)	7	I declare under the penalties of perjury that the
10		8	foregoing is true and correct.
11		9	Executed this day of,
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	Page 64		
1	CERTIFICATE		
2	I, the undersigned Certified Shorthand Reporter,		
3	holding a valid and current license issued by the		
4 5	State of California, do hereby certify:  I do hereby certify that the above and foregoing		
6	transcript of proceedings in the matter aforementioned		
7	was taken down by me in machine shorthand, and the		
8	questions and answers thereto were reduced to writing		
9	under my personal supervision, and that the foregoing		
10 11	represents a true and correct transcript of the proceedings given by said witness upon said hearing.		
12	I further certify that I am neither of counsel nor		
13	of kin to the parties to the action, nor am I in		
14	anywise interested in the result of said cause.		
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A	agree	33:8,14 34:8 36:5	7:23 23:23 24:4
ABC	59:22	37:4 38:6,10 39:15	Approximately
27:12 28:10,14	ahead	52:16 54:5,15	6:19
able	5:2	analog	are
6:1 13:16 18:18	air	38:9 56:17	4:15 5:18,18 7:19 8:9
54:20	14:10 15:11,12 27:14	analysis	9:8,20 10:9 11:2,9
about	28:4,11 31:23 32:2	9:4	12:14,17 13:7,20
5:12,23 6:24 15:1	32:5	another	14:10 15:1 16:24,25
21:23 22:2,21,25	all	30:11	17:8,11,11,24 18:1
23:4 24:25 25:12,13	7:25 11:8,11 13:15	answer	18:23 19:4,19 20:21
25:14 27:8,8,11,19	16:23 17:1 25:13	13:25 16:3 32:10	21:3,13 22:15 23:5
28:8 30:5 31:17	28:22 29:24 31:25	38:20 50:3 58:11	23:15 24:1,20,25
32:6,22,23 33:5,10	35:19,22 43:23,25	answered	25:1,6 26:4,24 27:2
36:10 37:4 44:12	44:15,15 48:22 49:1	15:14	27:6 31:25 33:5,17
46:16 47:3 51:21	58:13 60:16,18,22	answers	34:2,4 35:20,21
60:21	60:25	64:8	36:2,11,15 39:19
above	allocating	antenna	43:4,8,10,12 44:2,3
41:19 64:5	24:21	28:2,12	44:4,5,19 45:24
accordingly	allocation	any	46:3,10,13,20 47:14
35:7	23:16,24 31:2	5:12,23 6:1 7:6,9,11	47:18,19,22 48:1,5
accurate	allowed	8:9 9:20 10:24	48:5,13 52:7,9 53:2
18:8 19:1 20:16,20	5:19 30:16,18 31:3	13:20,24,25 17:12	53:7,12 57:10,10,17
across	32:8	17:23 18:2,24 19:16	57:17,20,22 59:15
14:11	allows	21:17 22:15 23:6	59:20 60:7,8,9,16
action	50:9 52:17 55:11	30:22 31:8 44:2,3,4	60:22 61:4,9,10,18
64:13	56:16	45:11,11,12,18,18	63:5
actually	along	45:24 46:2,9,15,21	area
23:21 24:24 28:7	19:19	47:5 48:8,20 53:6	25:12
29:8 37:4 42:13,13	also	53:12 57:22,24	areas
45:3	5:18 6:10 7:19,24 8:2	59:15	21:5
added	19:11 26:24 27:13	anyone	around
12:1 24:8	28:5,13 41:16 43:19	5:19 37:23	6:22 61:15
additional	48:1 49:7 51:21,22	anything	art
4:12 13:24 51:23	56:16 60:24	11:2 30:16 32:22	9:6
adjacent	always	53:21	as
14:12	21:14,15 25:14	Anyway	4:6 8:23 9:10,22
aeronautical	am	22:12	10:24,25 11:17
21:4 26:5 30:24	11:16 15:16 40:13	anywhere	12:10 13:5,6,7,9,13
31:15,22	63:3 64:12,13	50:13	14:22 16:13 19:18
aforementioned	America	anywise	21:5,5,10 22:7,13
64:6	20:23 22:2 26:20	64:14	22:15,17 26:10,10
again	an	apologize	27:15 28:1,15 31:3
5:9 16:3,25 17:2,8	17:13,17 18:4 20:16	23:25 41:15 54:1	32:18,18,20 33:21
21:25 29:3 47:16	21:4,11,13 23:9,13	APPEAL	33:21 35:17 38:14
55:24 57:13	27:12 28:2,11,17,23	1:2	38:15 39:15,20
33.27 37.13	31:14 32:13,18 33:7	appendix	40:15 41:5 50:11
	51.11.52.13,10.33.7	- Proman	

51 21 52 20 54 10	<sub>D</sub>	24.0.25.0.27.6.12	15 22 17 16 17 10 6
51:21 53:20 54:10 55:20 56:6 57:2	<b>B</b> 1:14 3:4 4:4	24:8 25:8 27:6,13 28:3,7,20,24 29:16	15:23 17:16,17 19:6 19:10 22:8,18 29:18
		31:12,19 35:8,18,18	block
58:4,6,8 59:22	back	36:13,19,25 37:6	38:9 50:18 53:19
60:14,14,18,22 61:2 61:25 63:4,5	9:15 29:1,3 37:15,20	40:3,5 42:4,6 45:17	
ask	37:22 52:23,24	46:14,16,21 47:11	56:1,2,14,20 57:5 <b>BOARD</b>
10:24 12:5 16:3 22:5	background 34:20	48:16,25 49:4,6,18	1:2
30:8 41:22 47:16	ballpark	49:25 50:6,25 51:3	book
59:21	6:22	51:7,18 52:4,13	26:17
asking	band	54:20 55:15 58:17	books
44:12	20:9,10,14,21,25	58:18 59:10,25 60:2	23:15
assume	21:4 22:7,8,17,18	60:2,18,23 63:5	both
13:5 39:22 41:23	24:22,22 25:25	because	21:12,22 31:21 60:4
at	26:12 30:9,16 31:15	23:8 29:10 30:14,23	bottom
1:16 8:5 10:1,4 11:8	31:21 35:1 42:18	48:4 57:21 58:1	12:1,15 24:7,9,16,22
12:1,15 13:1,23	45:1 59:7	been	Boulevard
16:4 20:21,24 22:9	bands	4:5 10:3 22:6 37:4	2:7
22:10 23:19 24:2,9	21:7 30:18 31:4,9	57:7	box
25:7,7,14,19,22	32:4,5	before	11:16,25 28:23 30:3
26:17 29:3 33:11	bandwidth	1:2,17	50:12 51:15 61:15
37:15,16,18,19 39:4	21:15,17 22:3 25:17	beginning	61:16
39:6,11 41:8 42:5	34:4 39:20 40:16	32:21	boxes
42:13,14 45:12,18	41:25 42:20 43:9,13	behalf	30:6
45:24 46:2,9,15,21	43:16,20	1:14	break
47:5 48:12 51:16,19	bandwidths	being	18:11 37:5,6,9,11,22
52:12 53:6,12 54:20	22:1	17:19 18:2,5 33:3	58:22
55:2,16 59:2 62:8	Banner	35:5	breaks
attorneys	2:3 6:12	belief	5:20
6:11,13,20 9:13	baseband	63:5	broad
authorized	35:5,11,14,23 36:14	believe 5:7 41:14 42:24 63:5	14:11
19:14,15 35:24 36:3 49:13	41:8		broadcast
available	<b>based</b> 12:22 20:16,20 24:16	<b>best</b> 6:2 11:1	14:24 15:5,12,17,18 15:19,21 16:5,5,7
7:15	25:11 47:19,23	better	16:18,23 17:6,7,9
avoided	baseline	24:13	17:19 18:2,6,16,18
31:16	29:2	between	18:21,24 19:3,5,10
aware	basically	5:6 9:12 21:1,2 25:25	19:12,17,21 26:11
5:18 7:8 9:20 13:20	15:18 16:6 22:13	26:4,13 29:5,5,17	27:3,4,6,15 28:2,4
13:25 17:11,11 18:2	26:21,22 27:2 36:2	29:18 30:9 34:23	28:16,20,21,24 29:4
18:23	be	39:20,24 40:16,17	29:13,15,15,16,21
A-I-R	4:24 6:1 8:19 9:25	45:14 47:4 48:19	30:5,10 33:5,7,22
27:23	10:14 11:5,14 13:8	49:1 51:3	broadcasted
a.m	14:12 15:23 16:15	bit	14:9
1:17 37:18,19 62:8	16:22,23 17:4,13,17	4:19 18:12 22:5	broadcaster
	18:4,19,25 19:7,14	58:23	16:18
<u> </u>	21:8,19 23:7,13	blank	broadcasting
	I	I	I

14:19 15:5,9,23	2:8 64:4	16:25 17:8 19:11,19	39:2 47:2 50:16
17:16	call	19:20	51:17,19 56:23
bunch	15:25 27:14 28:16	catch	cited
9:16	29:22 30:2 33:14	8:16	7:7
bus	40:8,22,24 41:2	CATV	Ckronenthal@ban
52:4 53:14	49:10	14:20	2:5
<b>but</b>	called	cause	claims
4:17 5:10 7:20 8:5	8:6 19:20 20:14	64:14	7:22
9:24 10:2 13:18	29:25 34:19 42:8	caused	clarify
15:9,14 19:19 22:1	calling	31:8	33:24
24:5 26:6,10 28:8	36:9	causes	clear
28:13 29:25 30:4,15	came	58:10,14	22:6 49:14 52:11
30:20,25 31:3,5,6	34:16 58:4	causing	clearly
32:10,16 33:4,23	can	31:13	23:1 44:10 52:10
35:21 36:5 41:19	8:7 9:24 10:16,17	CBS	Click
43:10,12 44:10	12:4 16:22 17:4	27:12	11:23
48:18 52:19,19 58:6	18:11 21:19 23:11	CEA	closed
by	23:20 24:12 28:12	26:18	30:14 31:25
2:4,8 3:4 4:8 5:3 8:22	28:20,24 33:1,2,24	certain	Cn
10:4 11:21 12:3,9	35:8 45:11,13,17	34:18	11:9,12 38:14,22
18:13 24:8 26:18	46:16 49:6,21 51:2	Certified	40:21 51:4 52:7,13
30:7,10 31:8,24	51:14 52:8,23 57:21	64:2,19	52:19 57:21 59:13
35:16 36:6,11,11,16	57:24 59:25 60:2,2	certify	coaxial
37:21 38:21 39:11	60:18 62:6	64:4,5,12	31:12
41:5 44:6 45:14	cannot	chain	collaborative
47:6 48:11,13,16	58:6 59:9	39:23 40:14,17,25	9:12
49:6,7,16,22,24	can't	challenged	column
55:13,20 56:22	9:17 27:18 30:25	14:2	14:7,16 32:13 33:17
58:19,24 59:8 61:2	capabilities	change	combination
61:17,20 64:3,7,11	51:23	45:10 48:19 52:18,22	58:9,13
	capability	55:12,18,21 60:25	Comcast
C	51:3 52:17,21 55:6	Charlie	1:4 12:9 24:8
$\overline{\mathbf{C}}$	55:10,12,19 61:1,17	38:14	come
2:1 38:14 41:1 43:15	capital	chart	37:15
48:4,4,4 59:19,20	41:1	31:2	comes
60:6,10,12,22 61:5	careful	chat	40:9,11 41:8
61:7 64:1,1	30:22 31:7,7,17,17	11:16,24,25	coming
cable	carefully	chooses	28:17,18 31:12
1:4 12:9 14:10,21	13:11	41:7	command
15:1,8,9,11 23:18	case	chose	30:2
27:8 28:1,6,14,15	1:10 8:6 14:25 15:10	33:22	commencing
28:17,18,22 29:13	16:10,12,15,16,17	chunks	1:16
29:20 30:5,6,10,12	16:23 17:5 23:3	24:23	Communications
31:4,5,11,12,17,21	31:20 57:23 59:13	circuit	1:4,7 12:10
31:24 32:3,4 33:21	cases	51:11	company
California	4:17 5:6 12:11 16:8,9	circuitry	15:11 31:21,22,24
	12. 2.0 12.11 10.0,9	J J	

		1	
32:3	15:7,17 16:5,24 17:6	could	40:21 42:25 43:22
compile	22:19 23:3 28:21	15:8 19:6 21:19,20	44:14,19 45:8,16,18
13:2,12	29:4 33:2,6 36:23	29:22 30:13 33:14	46:14,20 47:4,13
complete	control	33:20,21 41:18	48:13,16,19,22 50:5
61:24	29:22 30:2 51:14	45:25 48:25 51:9	50:10 51:4 52:7,13
complex	controlled	52:18,18 54:24	52:19 57:2,21 58:3
56:16	39:8 40:3	57:13 58:17,18,22	58:4,8 59:5,12,13
computer	controlling	60:24	59:23 60:13 61:10
7:24	22:16	counsel	C2
concerned	converter	37:10 61:25 62:5	45:16 60:14
26:11	38:10 56:18	64:12	C30
concluded	copies	couple	57:5
62:8	7:16	9:23 10:10	C35
configured	copy	course	43:23 44:14,19 45:8
60:18	62:4,6	10:23 17:3 18:14	45:18 46:21 47:4,13
confused	corner	49:23 54:25 57:15	48:13,20,22 50:6,10
61:17	16:8,10,12,15,17,25	58:15	57:2 58:8 59:5,13
confusion	17:8 18:16 19:20	COURT	59:23 61:10
31:19	correct	2:18 4:1 37:17,20	
connection	5:16 8:14 13:5 20:5	62:4	D
4:11 5:5 7:1,5 9:3	24:17,18 25:20,23	Craig	D
12:10	26:2,3,6,13 34:2	2:4	3:1 45:16,23 46:3,10
consider	35:6,11,15 36:20	create	46:13 48:5 59:16,22
15:19 16:15 61:3	38:11,15,22,25 39:3	9:8	59:25 60:8,12,12,23
considered	39:9 41:13,15 42:1	criteria	61:4,7
6:10 7:21,25 9:7	42:5,21 43:1,5,9,13	22:17	data
16:22 17:5 23:7	43:17,20,24 44:16	CRR	34:23 54:16,21
33:13 36:25	44:20,23 45:2,5,8	2:18	David
constitute	45:24 46:4,7 47:19	Cs	1:14 3:4 4:4 59:22
43:23	47:24 48:2,8 49:4	48:3 60:19,25	day
contain	50:6,17 52:14 53:3	CSR	1:16 63:9
19:3,22	54:3 55:17 57:3,12	1:17	days
contained	57:19 58:8,20 59:5	CTA	6:17
19:12	59:11 60:23 63:7	26:19	DC 2.4
contains	64:10	current	2:4
16:8 19:3 51:22	correction	64:3	declaration
content	34:14	C-chain	6:6,8,9 7:1,7,17,19
15:18,20,22,25 16:6	corrections	41:1,1,7,8	7:23 8:12,22 9:1,4,9
16:8,23,24 17:1,5,7	12:25 13:2	C-chains	9:10,21 10:18 11:6 34:11 51:22 56:3
17:10,20 18:3,4,6	correctly	42:8,8 49:12,12 52:8	63:1
18:17,19,22,25 19:3	14:21 15:16 16:20	52:8 57:4 58:1	declare
19:4,12,14,15,16,16	36:1 40:13	59:14,15	63:3,4,7
19:22 32:14,19,22	corresponding	C-elements	defined
contents	26:20	42:8 45:12 60:1	22:13 23:8,12 26:2,6
37:23 63:4	corresponds	C1	26:7,8,13 32:23
context	42:24 45:16,16	11:9,11 38:22 40:17	20.1,0,13 32.23

	1	i	-
39:20 40:15	1:14,18 5:13,20,24	9:16 15:13 22:1 28:7	51:23 52:5 53:15
defines	6:5,14,21 7:2,6	28:21,25 40:21 51:9	Dm
23:14 36:4	11:18 12:11,24 13:1	51:15 57:1 59:4	38:22,24 50:25 51:6
definition	13:12,17,21 29:10	differently	52:4,12
22:16 23:13	37:24 62:8 63:3	22:6 30:8	Dn
definitions	describe	difficult	58:10
33:18 34:2	30:15 55:18	31:10,15	do
delivery	described	digital	4:14,19,19,23 5:8,12
62:7	33:21 34:6 41:5 52:1	38:10,13 39:3 45:6,9	5:17,21,22,23 6:4
demodulate	61:4	47:6,8 48:7,14,23	7:3,11,13 8:24 9:3
36:22	describes	50:8 51:17,19 52:16	10:18 11:23,23
demodulated	45:13 51:2 52:20	53:8 54:9,15,20,22	12:13 14:13,22,23
36:20,24 49:4,18,25	53:18 55:5,10	55:2,3,16,17,19,22	16:11,13 19:6 24:9
demodulator	describing	56:18 58:1 60:17	25:19 28:12 29:7
48:12 54:16	48:19	61:1	30:13,21 31:5 35:2
demodulators	description	digitize	36:1 37:13 39:13,13
11:10,12 38:25 45:24	8:2 20:17 39:18	56:17	39:25 42:17,19 43:7
46:3,10,14,21 47:11	desired	digitized	51:9 52:17 53:1,5,9
47:19 48:17,20 50:6	36:2,5,6,9,25 41:5,7	38:10	54:7,10,17,19 55:14
53:3,7,13 55:4	43:25 47:3,5,12	directly	59:1,14,22 62:4
57:10,17 59:10	48:11,11,13 51:4	52:19	64:4,5
60:23	52:9 55:3 57:6	disclosed	Doctor
demultiplex	detailed	50:3 55:20 61:2	1:17 2:18 4:2 64:18
39:23 40:14 52:5	50:14	discloses	64:18
demultiplexed	determine	44:10 45:10 48:21	document
43:4 44:6,15 45:8	46:19	49:5 52:10 53:17	10:24 11:16 12:1,14
demultiplexer	determines	59:24 60:4	12:18,21,22 13:7
38:13 39:3 42:23,24	46:13 47:18 53:6	disclosing	documents
44:6,13,19,25 53:15	developed	20:15	7:1,6,11,15 8:4,9
57:1,12,19 58:19	26:18	discuss	does
59:2,3,8 61:12	devices	39:21	13:15 14:24 15:5
demultiplexes	34:23	discussed	16:10 19:3 20:9
38:14,19 44:14	diagram	39:14 43:7 52:14	21:11 25:9,15 32:25
demultiplexing	36:7 50:7,12,19	53:1	33:7 34:9 46:19
44:9	51:12 53:4,19	discussing	48:7 49:3,17 50:13
denote	did	34:24	55:20,22
25:9,15	4:17 6:4,13,17,19 7:6	discussion	doesn't
depending	7:9 9:1,2,3,10,18,23	41:6	28:9 44:8 55:15,18
21:22	10:5 13:2,11,14	dispute	doing
depends	16:20,21 20:2 37:23	20:18 45:20 58:12	21:22 30:23
15:7 28:19 30:12	38:18 58:11	60:6	done
deponent	didn't	disputing	48:9,11,13 53:8
63:3	8:15 11:5 22:23	59:19	59:12
deposed	29:11 30:21 41:17	distributed	don't
4:11 5:5	56:10	14:10	4:15,16 5:14,25 8:5
deposition	different	division	15:21,24,25 25:12
	1	1	1

25:13 27:4 30:3,23	45:7 46:20 47:11,18	23:9,13,19 32:21	even
32:6,9,10 35:20	47:22 48:1 50:5,10	54:9,15,22 55:3,17	28:16,17 29:23
36:4 41:2,17,20,21	57:9,16 58:17 61:18	56:4	ever
43:11 50:2 51:1	D30	ends	25:12
53:17 55:5,9,9	58:15	22:10 25:19	exact
58:12 60:6		engineering	60:13,14,14
down	${f E}$	26:19	exactly
11:24 18:12 24:12	E	enhanced	9:17 26:15 29:11
40:8 56:15,22 58:22	2:1,1 3:1 64:1,1	52:17,21 55:5,10	30:4 31:2 53:18
64:7	each	61:17	58:12
downconvert	14:12 24:7,9 34:3	enough	examination
35:22,23	40:22 41:4,6 42:5,9	9:19 10:14 13:10	3:3 4:7 61:24
downconverted	43:8,16 44:22 45:19	41:10	examined
57:11,18	47:14 48:1 57:25	entire	4:6
downconverter	earlier	30:9	
	4:12 13:17,20 29:9		example
56:2,14,20	29:10	entirely 9:15	15:13 17:13,17,21,22
downconverting 36:14	easier		18:2,7 21:5,10
= -	42:14 56:22 61:14	ENTROPIC	23:17 26:5,11 29:20
downconverts	edge	1:7	30:25 33:10,23,25
35:14	25:16	equal	35:21 36:5 39:15,17
downshifted	edits	10:8,8,15,19 11:14	41:9 42:11 43:12
57:7	9:17	60:1,2	44:17 45:21,23 48:6
draft	EIA	equals	49:8,11 50:19 60:24
9:10		11:8 60:12,22	examples
drafted	26:18	equipment	17:12,23 18:17,24
9:15	either	17:14	19:4,18 21:13 43:10
draw	9:20 50:2	equivalent	except
51:12	elaborate	55:22	16:8 63:4
due	51:10	errata	exceptions
19:8	electromagnetic	3:10 12:2,10 13:9,13	34:7
duly	34:15	13:22	excuse
4:5	element	error	6:7 30:17 34:13
during	47:6	10:15,16 12:8 17:18	Executed
5:20 37:22	elements	18:5,20	63:9
<b>D-elements</b>	41:3	errors	exhibit
45:11,19 59:25	else	9:20 13:16,20,25	3:9 7:7,17,18 8:14,23
D1	8:3 31:1	18:21	9:11,22 11:17,18
38:21,24 45:7,16,17	elsewhere	ESPN	13:3,5,6,8,9,13,15
46:20 47:10,18,22	26:8	48:24	13:22 14:1,16 19:24
48:1 50:5,10,24	embodiment	Esquire	20:3 23:18,23 24:1
51:6 52:3,12 57:9	42:12 43:2,3,6,22	2:4,8	24:15 25:1 26:12,16
57:16 58:3,10,15,17	46:2,6 48:6	essentially	26:21 29:2 32:12,17
60:14 61:9,18	encrypted	17:16,18 21:14 40:7	33:17 34:1,25 37:2
D2	19:13	51:12,14 57:4	38:2 39:13,14 53:23
45:17 60:15	end	Europe	53:24 54:5,14 55:1
<b>D20</b>	8:2 11:11 14:21 15:8	21:25	55:15
		l	

exhibits	38:7 39:2,7,21,22	29:20 30:24 33:10	44:23 45:1 56:1,14
3:8 8:1 23:17	40:14,21 41:11,19	34:3,22 35:9,9,13	57:11,18 58:7,18
expect	41:23 42:3,3,12,14	35:21 36:18 37:4	59:3,4,7,10 60:7,9
11:5	42:14,17,25 43:3,15	39:2,9 40:20 41:4,9	61:11
experience	43:19,22 44:2,4,8	45:9,19 48:20 49:8	from
25:11	44:12,13,18 45:4,7	50:17,24 51:6,19	6:11 7:23 15:8,12
expertise	45:22,23 46:2,9,12	52:3,7,23 55:19	28:22 30:5 31:12
20:16,20	47:1,7,9 48:15 50:4	56:19 61:1,25 62:6	32:7,21,24 34:12,17
explain	50:8,16,21,24 51:6	foregoing	34:20 35:5 38:15,22
50:13	51:13,22 52:4,6,24	63:3,7 64:5,9	43:4 45:7 46:14,20
explains	53:20,23 54:2,5,14	forget	47:3 48:2 50:5,10
30:20	54:20 55:1,14,24	21:1	52:9,13 53:13 54:21
explanation	56:13,24 57:9,16	Form	55:23 57:1,6,10,17
50:15	58:14,16 59:2,9	18:9 29:19 49:20	57:20,25 58:4 59:4
extract	61:4,9	58:21 61:13	59:14,16,17,20 60:7
40:3 42:4	file	formation	60:9,10,16 61:10,11
extracted	13:4	22:16	61:18
58:7,19 59:8	filed	forth	front
extraction	8:23 9:10,22	9:16 60:15	4:16 7:11,15 8:9 54:9
48:8,9	filter	forward	54:15,22 55:3,17
	40:23	8:18	56:4
F	find	found	full
F	9:24 10:17 23:20	11:4 23:21	36:15 57:6,11,18,20
64:1	31:11,15	four	57:22 58:4,10 59:16
fair	first	36:8	59:17,20
8:20 9:19 13:10 16:4	4:5 10:11 25:5 32:13	frayed	fully
33:16,25 35:12	33:17 39:22	31:12	24:25 39:18
36:23 49:19 50:1	five	free	functional
far	37:12,12,13	10:23 11:1	50:18
13:5 26:10	flexible	frequencies	functionality
Farmer	30:13	14:12 21:4 23:4	51:2 53:18,20 56:4
30:20	focusing	24:21 26:9,20 29:24	60:11
fast	58:16	31:18 32:1,8 34:3	further
45:10,15 48:19 52:17	folder	34:19,19,22 41:13	61:21,25 64:12
52:22 55:11,18,21	7:24	56:25 57:2,21,22	
60:25	follows	58:4 60:17	G
favorite	4:6 8:14	frequency	gap
48:23 49:1	for	14:11 21:17 22:7,8	21:3
feature	2:2,6 3:8 5:10 6:4,14	22:10,10,17,18 23:2	gaps
52:22 55:21 61:17	6:20 7:2,5 10:18	23:6 25:25 26:12	20:25 21:7 34:7
feel	11:8,10,19 13:24	28:7 29:5,17,18	general
10:23 11:1	15:5,12 16:8,18	30:9 31:2,20 32:4	14:9 22:19 59:13
field	18:18 19:9 21:4	32:15,20 33:12,13	generally
33:4	22:18 23:17,25	34:9,12 35:6,10	16:7 20:24 21:6 22:2
figure	24:10 26:3,3,5,9,11	39:8,10,11,12,24	28:14 30:21 34:21
10:2 27:18 36:7 38:4	26:20 27:5 28:1	40:2,17 42:5,18	35:4,15 36:12,21
I	•	•	•

43:8	28:5	62:2	16.12 22 17.4 10.5
43:8 get	28:5   <b>hard</b>	62:2 Hendifar@lowenst	16:13,22 17:4 19:5 23:19,20 24:4 27:5
4:20 32:1 33:2 40:8	9:13	2:9	28:10 29:13 31:8
56:21	has	here	33:7,22 35:16,17,19
			37:7 41:9 42:3
getting 61:16	12:15 18:5 22:13,22	4:20,21 8:3 9:4 13:8	
	24:7 32:3 34:22	18:1,7,23 21:20,20	43:11 45:3 49:3,8,8
gigahertz	36:19 40:15 44:14	21:21 33:11 41:19	49:15,17,24 55:24
20:11,13	56:6,16 61:25	48:19	58:2,3 59:1,7 60:11 61:14
given	hash	hereby	-
21:13 45:24 46:2,9	36:8	63:3 64:4,5	implemented
46:15,21 53:6,12	have	he's	47:2
.64:11	4:16 5:12,23 7:11,15	20:18 36:9 45:3	implements
gives	7:16,18,20,22,24	48:18,18	47:9,22
29:2 36:5	8:9,24 9:13 10:3,11	high	include
giving	11:22 12:4,6 14:5,6	25:7 39:4,6	14:18
24:21	15:20 17:10,21 18:6	high-level	includes
go	20:7,8,18 21:16	53:19	7:25
4:25 5:2 19:18 31:10	22:6 23:18 24:11	high-speed	including
37:2 40:6,8 48:12	28:10,14 29:9,13	38:9	30:16
48:17 52:23	31:1 32:5 33:4,8,20	holding	Inclusive
goes	36:8 39:7 40:6 41:2	64:3	42:7
32:20	51:6,8,11,16,16	honestly	indicating
going	52:13,15 54:19,19	9:17	32:15
4:24 8:18 10:18	55:21,22 61:21 63:3	Hopefully	industries
11:16 13:7 29:1	haven't	22:11	32:5
37:4 39:17,19 42:3	5:9 8:5 13:23,24	hour	industry
42:11 52:1 55:24	having	1:16 37:5,15,16	29:25
57:24	4:5 52:21 54:13	hours	information
good	HBO	6:19,22,23	30:2 35:8 63:5
4:1,9,10 37:12 51:8	48:24 49:9,11	how	initially
got	he	6:17,19,23 22:25	31:24
22:11 48:22 60:20	11:25 19:15,16 20:10	35:20 37:9,10 46:19	input
Great	36:6 37:1 43:10	56:12	14:18 38:7,10,15
25:18	44:8,10 45:10,13	However	39:11 41:12,12,24
guess	46:23 48:21 49:7	20:25	41:25 42:18 43:4,23
33:14	51:1,2 53:18 55:18	т	44:5,9,16 45:4
guys	60:4	1	48:23 52:9 53:2,13
37:11,16	head	idea	54:6 56:25 57:12,19
Н	15:8 17:25	51:8	58:7,18 59:3,14,16
<del></del>	hearing	IDENTIFICATION	59:17,20 60:7,9,16
had	54:13 64:11	3:8 11:19	61:11,18
6:11 12:11 35:19	Hendifar	identify	inputs
41:6,9 49:8	2:8 3:4 4:8 5:3 11:21	13:16	43:19 44:25
hand	12:3 18:13 30:7	if	instance
4:3	37:10,14,21 49:22	4:15 9:23 10:17,22	16:17 18:4 22:18
happen	55:13 58:24 61:20	14:20 15:24 16:2,11	24:10 28:2 35:9,14
	•	•	•

instances	14:25 15:3 16:12	10:25 11:2,25 13:5	label
18:16	19:12 20:12 21:1	17:16,24 20:12	54:15
instead	23:8,11,12 24:3,4	21:19 22:8,18 26:7	labeled
10:7 28:1	24:11 26:6,7 28:17	28:18 29:10 32:7	8:4 13:4
intention	28:18,23 29:23	33:10 34:6,10 35:18	last
13:19	30:14 31:10,15,23	35:21 39:17 40:10	4:13 5:7 6:15 8:15
intentionally	31:25,25 32:15,20	41:2,17,20 45:15	10:10 22:24 37:6
19:5 31:24	32:21,22,23,23	48:3 50:11 52:18,18	late
interested	34:18,20 35:5,16	58:2,17 60:18 61:15	4:13 5:7
35:17,24,25 36:3,14	36:13 40:11 41:16	61:23	leakage
64:14	43:11,25 45:15,17		31:8,11
interface	48:18,23 50:11,11	K	least
54:16	50:18,18 52:16	keep	16:4 29:3
interfaces	53:20 56:6,22 57:24	41:2	left-hand
51:25,25 54:21	58:3 60:13 61:14	kilohertz	27:2 38:6
interfere	I'll	34:13,21	less
30:24	5:10 22:5 47:16	kin	10:6,7,7,8,15,19,19
interference	I'm	64:13	11:10,13,14 37:7
31:8	5:2 7:8 8:15 10:11,17	kind	44:9 45:21 46:7,9
interfering	13:25 14:20 16:2,2	10:14 27:8 31:16	59:25 60:2
31:14	17:1 18:10 20:13	33:12,19 45:17	let
interrupting	22:9,23 23:22,25	52:16	7:14 10:17,25 11:2
23:25	24:2,3,4 27:7,10,17	know	11:22 12:4,21 14:5
intervals	27:18,22,23 29:13	4:16 7:14 8:1 9:18	16:3 20:7 22:25
20:22	31:3 32:2,6 33:4,10	10:7,10,25 11:2,22	23:19 24:11,12 30:8
into	37:3,7 38:18 39:5	12:4 13:24 14:5	32:1 33:24 41:15,21
32:1 57:19 59:3	39:17 41:18 44:12	15:2,10,20,21,22,24	59:21
involved	45:25 47:14 52:15	16:1,11,14 19:7,11	Lett
51:18	54:12,23 55:8,8	19:12,20 20:7 21:1	1:14 3:4,10 4:4,9
in-band	56:8 57:13 59:19	21:3,7,14,20,22,25	12:2 37:22
29:23	I've	22:1,10,13 23:16	let's
IPR	48:22 51:21	25:11 26:25 27:4,6	4:25 5:1 16:13 24:24
8:12,13,18,19,23	J	28:18,22 30:21 32:6 32:6,7,9,10,23	29:14 30:1 31:14,16
9:22 12:11 14:3	Jill	33:10 34:5 35:19,20	34:25 37:2,13,14
IPRs	4:2	41:4 43:11 45:16	38:4 39:22 40:8,22
4:12 5:6 13:12	Jillian	48:21,24 51:21	40:24 41:1,11,23
IPR2025-00180	1:17 2:18 64:18,18	52:19 63:4	42:10,11,13,14
1:10	Jim	knowledge	52:23 60:12,12 61:3
issued	30:20	63:4	level
64:3	joint	Kronenthal	39:4,6
its	26:18	2:4 4:22 11:24 18:9	license 4:2 32:5,9 64:3
41:8	July	29:19 37:12 49:20	4:2 32:3,9 04:3 licensed
itself 42:15 48:7	1:16	58:21 61:13,23 62:6	31:21 32:3
it's	just		licensing
4:21 10:4,4 12:24,25	4:18,23 7:20 10:16	L	32:6
7.21 10.4,4 12.24,23	110,20 , 120 10.10		32.0

	<u></u> _	<u></u> _	
like	28:24	may	34:13,14,22 35:1
9:24 10:11 15:10	lots	6:1 11:11 14:1,7,12	39:20,21 40:6,7,8,9
19:5 21:4 22:10	51:25	14:15,18 15:23	40:12,16,18 41:13
23:15,16,17,19 26:5	loud	16:18 17:9 18:4,4	41:25,25 42:5,9,18
26:8,8 27:8,11,12	4:24,25	18:18,24 19:8,18,22	42:20 43:9,11,13,16
28:6 29:21 30:24	low	19:23 21:8 22:6	43:16,20 44:23 45:5
31:11,12,13 33:10	25:6,16	29:9 31:12,19 35:16	48:2,5,6 57:23,25
33:19 35:19 36:6	LOWENSTEIN	35:17,18 38:1 42:12	58:5
37:5,11 48:24,24	2:7	53:22	megahertz-wide
49:8 51:23,23 53:20	low-pass	maybe	22:3 34:4
61:15	40:23	10:20 15:21,25 22:5	microprocessor
line	LTD	27:6 30:14 33:2,24	51:18
11:14 25:5	2:3	47:14,16 48:23	middle
lines		49:14 52:11 56:10	40:6
14:7,16	M	me	might
list	m	4:17 6:7 7:14 10:14	27:14 28:16 36:13
6:10 13:2 48:24	11:8,10 38:21 59:24	10:17,25 11:2,22	37:6 42:6
listing	60:22	12:4,21 14:5 16:3	military
7:22	machine	20:7 22:25 23:20	30:25 31:22
little	64:7	24:11,12 29:2 30:8	minutes
4:18 18:12 54:12,13	made	30:17 31:5 33:2,24	37:8,12
58:23	47:6 49:6	34:13 41:15,21	missed
LLC	make	59:21 64:7	10:11 13:18 45:25
1:4,7	10:16 19:9 22:17	mean	mistaken
LLP	30:23 37:14 41:24	8:13 14:24 15:7	17:19
2:7	60:12,12	16:10 20:9 21:11,19	mistakenly
local	makes	22:9 28:21 32:25	18:21
28:10	22:7 46:25	33:7 34:9 36:12	mixer
located	many	51:11 52:15	56:16
50:25 51:7 52:4	6:17,19,23 35:20	means	modern
logic	mapping	28:22 32:24 36:6	23:18
46:12,17 47:2,8,21	56:4	meant	modulated
50:9,22,24 51:1,5	mark	6:8	35:7
52:3,7 53:11	11:17 13:7	measurements	moment
long	marked	19:9	52:23
10:25 18:11	8:10 11:19 13:13	meet	Monica
look	markings	6:13,17	2:8
9:25 23:19 31:1	36:8	meeting	more
42:13,14 51:16 59:2	materials	6:20	11:10 17:24 19:18
looked	6:7,9,10 7:21,25 9:7	megahertz	22:25 30:22 46:16
8:5 13:23,24	mathematical	20:10,13,22,24 21:6	50:14 59:13
looking	10:7	21:15,21,21 22:1,11	morning
10:4 24:1 33:11	matter	22:20 23:4,6 24:23	4:1,9,10
lost	28:8,9 63:3 64:6	25:6,7,8,14,16,20	most
18:11	matters	25:22 26:1,1 30:17	16:8
lot	63:4,5	32:24 33:12,14	Mr
100	,-	32.27 33.12,17	TATE

ſ				
	3:4 4:8,9,22 5:3	54:19 55:2,15	57:10,17 58:7,12,17	OFFICE
	11:21,24 12:3 18:9	need	58:18,19 59:7,19	1:1
	18:13 29:19 30:7	4:18,19 8:6 10:24	notes	off-air
	37:10,12,14,21,22	19:14 40:7 55:15	7:9	27:7,9,11,15,21,24
	49:20,22 55:13	56:19 62:4	notice	28:1,3,17,23
	58:21,24 61:13,20	neither	1:18 9:23	Oh
	61:23 62:2,6	9:14 64:12	November	4:24 11:4 23:21 42:7
	MSOs	network	38:15	okay
	31:17	15:2 28:6 29:4 30:5	now	4:23,24 5:1,2 6:4
	much	31:11	7:12 14:1,15 18:1,7	7:14 9:1 10:17,22
	8:8 11:15 36:17 37:9	networks	18:23 19:23 25:5	11:4,7,20 12:2,6,20
	37:10 62:2	14:10,21 15:17	26:18 29:13 34:8,24	13:10,15 14:4,6
	multiplexing	never	35:9 38:1 39:2 40:2	16:22 17:23 18:1
	51:24	36:24 48:16 49:10	41:4 42:10,11 43:3	19:23,25 20:6,12
	multiplied	next	43:7 50:4 52:3	21:11,20 22:15
	39:10 40:11	56:17	53:22 61:3	24:14,15,19,20
	multiplier	no	number	25:15,18 26:10 27:1
	39:9 40:23	1:17 5:4,14 6:3 8:11	4:2 11:18 13:6 24:8	32:12 34:18 37:3,7
	multisystem	13:25 18:6 20:18	26:19 28:20 32:15	38:3,5 39:13 42:2,7
	31:5	26:1,14 29:12 37:25	34:4 44:10 50:19	42:10,11,16 46:19
	must	44:8 45:20 61:21,25	52:8 57:5 59:25	46:25 50:4,16,21
	10:11	nomenclature	60:1	51:10 52:25 53:25
	my	20:12 34:18	numbers	54:4,14 55:14,25
	4:1 6:6,9 7:16,19,19	nor	4:15,16 5:9 24:16	56:24 58:6 61:6,7,8
	7:23,24 10:10,18	64:12,13	25:6 29:10,11	61:22,23
	11:6 12:5,25 13:19	normal	numeric	on
	16:3 17:25 22:5	33:20 34:5	39:7 40:2	1:14,16 4:19 7:24 8:3
	25:11 31:3,19 33:24	North	numerical	9:16 11:23 12:13,17
	34:11 38:20 45:14	20:23 22:2 26:20	29:2	12:22 15:7,20,22
	48:23 49:1,14 52:11	not	NW	19:16 20:16,20
	53:11 56:3,12,13	4:25 5:18 6:1 7:7,8	2:3	21:16,22 24:5,15,16
	58:16 60:8 63:4,5	10:5 13:4,21,25		25:1,11 26:12,15
	64:9	14:12 15:3 16:2,12	0	27:1 28:15,17,18
	myself	17:9 18:1,2,4,19,23	oath	29:1 30:23 32:8,12
	9:13	18:24 19:3,7,16,22	5:16	32:17 33:16,22,23
		22:6,9,22 23:11	<b>Objection</b>	34:1,24 37:19,20
	N	24:4,5 26:6,7,13,14	18:9 29:19 49:20	38:6 44:9 45:14,19
	n	28:8,23 29:14 30:15	58:21 61:13	47:19,23 48:22
	2:1 3:1 11:8,10 38:21	31:5,23,25 32:9,10	obvious	49:13 52:1 56:3
	60:1,22	32:21 33:4 35:18	9:25 10:4	57:25 58:17 59:15
	name	36:25 44:5 45:15	occupy	60:15
	4:1 12:15	48:7 49:3,4,8,10,13	44:22	once
	NCO	49:14,15,17,18,24	off	35:13
	40:10,23	49:25 50:11 52:11	17:25 37:17,18	one
	necessarily	52:15 53:20 54:23	Offer	7:20 9:14 10:2,3,5,6
	19:8 21:17 36:19	55:2,14,20,22 56:12	27:17,20,20	11:10 17:13,22,25
		ı	1	1

10 10 10 12 21 10	l	7 10 01 10 17 04 7	40.0
18:19 19:13 21:10	other	7:19,21 12:17 24:7	48:8
23:17 28:21 30:1,11	6:7,9 7:1 9:7 10:3,6	Paragraph	perhaps
40:22 45:11 47:10	14:12 17:8,15,23	20:1,2,3 34:11 42:13	13:18 34:6 61:14,16
48:2,11,20,21 49:11	18:3,6,15,24 19:4,9	parallel	perjury
49:12 60:24 61:16	21:3,5,8 22:16	51:24,24 54:16,21	63:7
ones	24:12 26:4 27:12	Parham	personal
9:14 35:23 36:13	29:21 30:24 31:9	2:8	64:9
46:23 48:12 49:6	32:4 33:20 34:5	part	personally
only	47:15 50:15,19	7:19 8:15 28:15	31:5
17:25 35:23	60:17	31:19 34:5 45:25	petitioner
oops	otherwise	58:9,13	1:5 2:2 61:25
10:11	15:20 49:16	particular	Phonetic
open	our	14:25 41:7 45:12,18	30:20
11:25	6:20 31:9 37:6	46:5 47:5 48:12	pick
operator	out	51:19,20	40:10
15:9 31:4,6 33:22	7:20,22 27:18 32:1	parties	Pico
opinion	36:15 40:9,11 41:8	5:6 64:13	2:7
32:25 33:8	41:8,19	pass	places
opinions	output	60:18	12:14 15:13 44:10
9:8	11:9,11 39:11 40:5	passed	50:15 51:9
opposed	40:16 42:3,9,23	59:15	please
22:8,18 27:15	44:18 52:19 54:15	past	4:3 7:14 10:23 11:1
· ·		past   47:14	
or	54:20,21 55:3,16		11:22 12:4 14:1,5,7
4:13,23 9:21 10:3,8	57:2 58:10,15 59:4	patent	14:15 17:2 19:23
10:15,19,19 11:10	60:25	1:1,2,8,11,15 2:6 9:5	20:7 38:1 42:12
11:11,14 14:10,20	outputs	9:5 14:2,8,16 21:12	51:10 53:22 57:14
15:3,23,23,24 17:14	45:14 48:4	26:24 36:4,7,24	plenty
17:14,15,17 18:4,21	out-of-band	44:11,11 53:23 55:9	19:19
19:3,9 21:2 22:16	29:23 30:1	55:10 56:5,13	plus
22:22 23:11 24:5,9	over	patents	58:13
27:12,13,13 28:6,17	10:10 14:10,10 15:1	21:23 22:20 23:3	point
28:23 30:10,11,22	15:10,12 27:14 28:4	33:1	10:14 23:9,13 31:3
31:8,12,16 32:9,14	28:11 31:23 41:3,3	pattern	32:7 51:20 52:12
32:18,22 33:2 34:13	Owner	15:24,25 16:19,22	56:22
35:17,24 36:11,14	1:8,15 2:6	17:4 18:3,19	portion
36:16 46:24 49:10		patterns	52:5,6 53:14,15
49:15,16,17,24 50:2	P	17:9	POSITA
50:19,20 51:24 52:2	P	PBS	15:19 16:14 25:11
52:5 53:14,21 54:16	2:1,1	27:13	27:5,14 28:16 50:23
54:21 58:9,13 59:13	page	PDF	51:5
59:25 60:2,9 61:10	3:3 11:6 12:13,13	24:3	possible
63:5	24:1,3,6,15,16 25:1	penalties	48:15,18
order	26:12,15,21 29:1	63:7	practical
9:8 36:18	32:12,17 33:16,23	percent	32:7
oscillator	34:1,24 39:14 56:3	16:12,14,15	prefer
39:8 40:3	pages	perform	29:14
37.0 .0.0	1 - 5	r	-/

11:16 23:11 28:5 ready referred preparation 45:9 61:15 10:2 33:1 6:11,14,20 7:2,5 49:1 prepare puts realize referring 8:19 13:8 25:3 26:23 6:4 7:9 9:4 58:2 5:15 26:24 29:3,8 press really 0 4:24 8:5 11:4 13:24 reflected 4:19,23 quadrature 15:10 18:10 25:13 13:21 pretty 56:16 23:21 51:8 28:18 49:10 regarding question REALTIME 5:19 37:23 previously 15:14 16:3 17:2 64:19 41:6 related 18:11 22:5 32:11 printed 4:17 5:6 reason 33:24 49:14,21 50:3 6:1,3 15:21 16:18 relates 7:16,20,22 24:5 52:11 53:11 54:23 printouts 19:9 20:18 31:7 56:12 56:12,13 58:11,16 remember 7:18 52:20 55:19 61:1 59:21 60:8 prior recall 4:15 9:17 10:9 25:13 questions 9:6 13:12 4:14 5:8 7:3 29:7 29:11 30:3,25 41:18 5:12,23 10:24 12:5 39:13,14 43:7 53:1 41:20 probably 61:21,25 64:8 6:24 17:24 19:4,21 53:5,9 59:1 remembering quick 9:14 28:7 30:19,25 41:18 receive 11:5 49:9 51:17 15:3,11 19:14,16 repeat quickly 17:2 46:1 49:21 problem 28:11 11:4 23:21 45:13 17:14,15,15 19:8 received 57:13 49:1 proceedings 28:14 repeated quite 64:6,11 40:20 receiver 8:15 22:6,23 process 35:13 rephrase quote 5:13,24 9:12 40:20 54:24 receives 14:9,17,21 35:13 56:22 Reporter quoting produce 2:18 4:1 37:17,20 reception 34:16 62:4 64:2,19 39:11 17:14 pronouncing represent record R 14:20 8:3,6 37:17,18,19,20 12:8 13:15 R 46:24 49:17 represents provide 2:1 64:1 6:2 18:18 51:3 64:10 recorded radio provider 49:15,24 requirements 33:13 49:7 reduced 22:15 raise provides 64:8 restricted 4:3 39:10 53:19 refer 43:11 ran PT 8:18 14:1,7,15 19:23 result 27:23 21:14,15 33:2 38:1 64:14 1:17 37:18,19 62:8 range 42:12 53:22 resulted pull 20:13 33:12,13 34:12 8:7 reference 18:5 34:19,22 41:16 30:19 34:16,21 review purpose read 45:10 56:1,7,10,14 referenced 7:6 10:10,23 11:2 41:19 63:3 pursuant 13:1 13:11 reads references reviewed 1:18 14:8,17 9:6 6:25 put

		<u> </u>	<u> </u>
reviewing	16:13 17:1 19:2	selecting	37:14
10:25 11:3	20:2 21:20 22:25	36:14 47:4 49:10	several
RF	23:12 29:15 31:14	50:24 51:6,18 52:3	7:18
14:17 21:11,13 32:13	31:16 33:16,25	52:7 59:14 60:13	sheet
32:18,22,25 33:7,14	34:25 35:21,21	selection	13:9,13,22
33:17,20 34:2,3,8	36:23 41:11 43:25	47:1,2,6,10,12,19,23	shifts
34:12,19,22 38:6	45:4 48:9 61:15	48:10 49:5 53:7	56:15
43:23 44:9,15 54:6	saying	59:12	shorthand
56:4	20:19 32:2,22 41:2	selector	64:2,7
right	says	38:21 45:6,9 47:7,8	should
4:3,21,21 7:12 8:2	11:8 20:10 24:4 49:7	47:24 48:7,14,23	10:3 11:14
10:5 15:8,13,13	schematic	50:4,9,17 52:5,16	show
16:13 19:2,6,13,21	51:12 53:21	53:8,14,14,16 54:20	44:8 56:3
20:25 22:12,20	screen	55:2,16,20,23 58:1	showing
23:16 24:5 25:2,4	15:23 17:17,17	58:6 59:9 60:17	24:23 34:3 45:3 50:7
25:24 28:11,12,24	search	61:2	shown
30:1,12 32:16 33:20	10:18	selects	50:11,11 53:20 55:2
33:23 35:20,22	second	38:21 45:7 46:23	shows
36:22 38:16 39:4	11:13 34:10	50:5	36:7 51:1,2 53:4
40:6,9,19 42:22	section	send	sic
43:6,14,21 44:21,24	7:21	55:4	49:17 53:23
45:15 46:5 47:20,25	sections	sent	side
48:3,25 49:9 53:10	9:16	15:1 28:22 45:24	27:2 38:6
57:8,23 59:6,18	see	46:3,10,14,21 47:11	sign
60:12	10:17 11:25 12:13,16	47:18 50:6 53:7,12	9:1 11:13
route	14:13,22 19:15,16	57:10,17 59:10	signal
51:15	23:20 24:9,11,13,14	60:23	14:18 15:12 17:14
RPR	25:19 27:1,25 31:2	sentence	18:19 22:22 31:9
2:18 64:18	35:2 37:15 38:6	14:8,17,22 22:24	38:7,10,15 40:5
	42:17 51:13 54:7,10	separately	42:9 43:4 44:5,16
S	54:17	7:20	53:2 54:6 56:21
S	seems	serial	58:19
2:1 64:18	24:8 25:8	51:24,25 54:16,21	signals
said	select	service	21:16 26:4 51:15
27:5 29:9 34:8 41:17	11:24 45:11 49:6,11	49:7	signature
60:11 64:11,11,14	50:9 52:8 53:11	services	12:14
same	55:3 57:5,22,24,24	21:3,8 26:5,9 30:24	signatures
5:6 14:16 28:6 31:20	58:3,6 59:9	sessions	12:17,18
36:13 40:20 44:22	selected	6:11	similar
56:6 58:2,3 60:13	11:9 35:16 36:11,15	set	26:25 55:16
60:14,14 63:4	46:13,20 47:23	39:23 40:3,14	similarly
Santa	48:16 52:13 57:10	sets	36:10
2:8	57:17,20 58:18	39:8	Simultaneous
say	59:16,20 60:7,9,10	set-top	55:7
6:8,10,22 8:13 9:14	60:16,22 61:10,11	30:2	since
9:15 10:5 15:8 16:4	61:18	seven	13:23
	I	I	I

sitting	14.17.46.5.16.40.2	6.19 7.10 12.21 44.2	ayyn yigin a
sitting	44:17 46:5,16 49:3 49:11 59:7	6:18 7:10 12:21 44:3	surprising
18:1,7,23		45:22 46:10 49:16	11:5
situation	specifically	50:22	switch
60:21 61:3	20:1 50:8	structure	45:14,15 49:1 58:2
slash	specifying	26:22	switches
50:17	26:19	studied	51:14
slot	spectrum	9:5,6,7	switching
22:13,20 23:2,6,11	14:11 34:15 36:15	studying	51:3
29:21 30:4 32:15,20	52:9 56:15,21,24	6:6	sworn
32:21,24	57:1,6,11,18,21,23	stuff	4:5
slots	58:4,7 59:3,14,16	52:1	symbol
23:4	59:17,20 61:11,19	submitted	10:7,18
softer	speed	8:12,22 12:9	synonymous
54:12	10:20	subscribe	27:7
some	spend	28:13	system
6:6,11 7:1 8:4 9:7	6:19	subscribed	14:20 15:9 17:15
11:11 13:18 16:18	spent	49:9	26:11 27:8 28:15,23
17:15 19:9,9 22:9	6:6	subscriber	29:15,15,16 30:10
22:10 31:6,22 48:15	spread	36:11,12,16,18 41:5	30:14 31:25
51:13 52:12 53:19	25:7	46:23,25 49:6	systems
someone	stage	subscribers	16:5 17:6 29:20
19:5	56:17	15:2,3	30:13 33:6,7
		subset	30.13 33.0,7
something	stand		T
15:24 16:11,13 26:25	41:15	59:23 61:4	$\frac{1}{T}$
27:12,13 28:3 31:13	standard	substance	64:1,1
31:14 49:13	22:16 26:18 62:7	5:19	table
sometimes	start	substantive	
15:22 27:4 29:22	23:8,12 24:22 25:14	9:21	25:2,5,10 26:3,8,12
30:19	38:4 42:11	such	26:14,15 29:1 32:16
somewhere	starting	19:13 22:15	32:17 33:11,16 34:1
30:3,4	8:1 34:12	Suite	34:5,24
sorry	starts	2:3	take
5:2 8:15 16:2 17:1	22:9 25:22	supervision	5:10 37:5 42:10
18:10 20:14 22:23	State	64:9	taken
23:25 24:2,3 27:17	64:4	support	1:14 64:7
27:18,22,23 38:18	stated	52:21 55:11	takes
39:5 41:18 45:25	34:12 63:5	supposed	48:3
47:14 55:8,8 56:8	States	32:1	Taking
57:13	1:1 20:23	sure	1:18
spaced	step	8:17 10:16,21 16:2	talk
20:21,24 21:6	52:23	22:9 24:4 29:14	25:12 27:8 28:8
speak	still	30:23 33:4 37:7,9	talked
5:19 37:23	15:3 34:24	46:18 52:15 54:23	51:21
speaking	Street	56:9 58:25	talking
35:4,15 43:8 55:7	2:3	surprised	15:1 21:23 22:2,21
specific	strike	23:22	23:4 24:25 25:14
specific	SUINC	23.22	

27:7,11,19 30:4	testimony	12:14 15:13,21	22:21,25 23:2 26:5
32:23 33:5,9 47:3	6:2 11:1 12:20	16:25 17:8,13,24	27:5 28:24 29:8
47:14 54:12 60:21	than	19:4,11,19 20:25	32:10 33:9,9 35:12
talks	10:6,7,8,8,8,15,19,19	21:2,3,7,8 22:15	36:4,21 37:1 42:6
36:10	11:10,13,14 17:9	23:15 25:2,6,6,25	43:18 49:7 50:2
target	18:3,15 30:22 37:8	26:4 30:3 31:1,8	51:1,8 52:15,16
39:12	44:9 46:7,10 59:25	32:9 35:20,21,21	53:17 54:12 55:5,9
technical	Thank	37:3 44:2,3,4 47:8	55:9 61:16
17:18 18:5,20,21	4:9 5:11 8:8 10:13	49:1 50:14,14 51:13	this
19:8	11:15 12:7 15:15	51:25 54:5,9,14	4:12 6:16,23 8:12,13
technology	20:6 21:9 22:4	55:1,15 56:19	8:18,23 9:22 12:8
23:19	36:17 37:15 38:20	therefore	12:13,17,20,22 13:4
television	60:3,5 62:2,3	55:21 59:15	13:7,23 14:2,25
14:9,18,19 15:17	that's	therein	15:17 16:24 23:3
16:5 17:6 21:16,23	4:24 10:22 13:5	63:5	24:20,21 25:9,12
22:22 23:18 26:3,10		thereof	26:3,8,14,25 29:10
	17:22,24 19:20	63:4	30:19 33:19 34:5,20
29:4,15,16 30:10 33:5,6	20:15 22:12,12 24:5 24:5,18 25:4,13,16	thereto	43:2,6 44:17 45:17
televisions		64:8	45:21 46:5 48:6
27:14 28:5	25:24 26:3 28:4,8 28:10 30:14 31:13	these	50:11,12 51:3,12,15
tell	31:14 34:16 35:10	21:23 22:19 23:3	51:22 52:17,21,21
		24:20 29:24 35:19	
23:15	35:12 36:22 37:1 38:16 39:4 40:19		53:4 55:11,18,21 57:23 59:21 60:11
ten 6:24 36:7		40:22 45:14 48:20	60:25 61:17 63:9
	41:9,14 42:14,22 43:6,14,16,21 44:21	they 8:2 19:6,8 21:6,14,15	those
tend 32:9	44:24 45:5 46:5	21:25 23:5 29:11	4:15,16 6:23 8:7 9:8
	47:20,25 50:7 52:1	30:13,13,15,15,17	9:24 10:9 15:2 21:4
term 19:21 32:17 58:14	53:4,10 57:7 59:6	31:6,7 32:8 43:12	24:7 26:9 27:2,15
	61:16	48:25 51:8,9 52:20	30:18 31:4,9,15,18
terminology 29:14	them	57:20 60:2,2,9,24	32:1,3,8 33:17 36:9
term's	7:20 8:7 10:1 15:3	61:10	41:2 43:10 44:22
33:3	19:20 21:16 23:5	they're	45:11,12 47:4 57:22
terrestrial	35:22,23 36:8 42:8	8:6 9:25 22:21 26:7,8	57:24 58:17 60:16
14:19	48:22 55:4 63:5	34:3 35:17 57:20	63:5
terrestrially	then	thing	though
28:4	7:18,22,24 9:6 11:25	36:13 45:17 58:2	28:16,17 29:23
test	11:25 13:12 14:15	60:13,14	thought
15:24,25 16:19,22	16:23 17:5 19:6	things	17:25
17:4,9 18:3	21:7 25:19,22 28:5	10:20 23:11 29:21	three
testified	28:13 32:4 35:13	31:4,6 34:6	4:11 5:5 41:3
4:6 6:25 16:18 18:15	37:2,6 38:24 40:20	think	through
47:17,21 53:5 59:1	42:10 45:6 46:25	6:15,15 8:2,5,6 9:24	7:21 8:4 11:9 14:17
testify	50:6 51:17 53:18	9:24 10:2,19 13:18	18:21 24:24 31:10
4:17	54:9	15:14,19 16:7,14,25	34:2,25 38:14,22,22
testifying	there	17:8 18:11 19:2,18	38:24,25 40:21
5:15	6:1 8:4 11:13,24	19:19 21:15 22:19	41:14 43:23 44:6,14
J.13	0.1 0.1 11.13,27	17.17 21.10 22.17	11.11 13.23 11.0,11

United 44:19 45:7,8,18 27:13 31:23 35:5,8 30:21,22 31:7,7,10 31:15.16.17 36:17 46:14,20,21 47:4,11 53:2 1:1 20:23 47:13,18,22 48:1,13 transmitting unless 45:15 62:2 48:16,22 50:5,6,10 15:4 29:17 34:7 VHF 19:15 50:10,24 51:4,6 TRIAL 14:18 up 52:4,7,12,13,19 1:2 4:18 8:7 10:20 27:2 via 57:2,9,16,21 58:8 trouble 31:1 1:15 58:10,15,17 59:5,12 54:13 upconverted videoconference 59:13,23,23 60:18 1:15 true 35:5,11 61:9,10,11,18 view 63:4,5,7 64:10 upon throughout 23:7 32:7 10:10 63:5 64:11 try 52:1 5:1 9:24 upside voice time 24:12 4:19 turn 6:6 9:13 10:12 13:23 4:18 24:11,12 volume us 16:12,14 26:17 9:15 12:9 56:16 4:18 two 41:21 45:12,18,24 10:9 18:17,20 W 46:3,9,15,22 47:5 4:22 26:9 29:14 two-day W 48:12 51:20,23 52:5 12:11 36:18 38:18 39:17 2:4 53:7,12,15 39:19 41:5 52:16 typically wait times 18:17 58:14 62:6 9:16 43:15 typographical used walk titled 9:21 10:15 10:6 28:20,24 30:10 24:24 32:13 33:3 36:11,11,16 typos Walscor 9:23,25 10:9 49:16 51:3 today 30:20 5:13,20,24 6:2,5,14 user U want 6:21 7:2,6 11:11 35:16,24 36:2 UHF 11:1 19:8 28:11 together 47:9,12,19,23 48:17 14:18 20:9,10,14,21 30:23 37:7 40:5 27:24 40:11 49:3,25 undefined 41:21 45:4 48:10 top user-selected 29:5 51:19 52:20 56:21 11:8 13:1 17:25 47:10 wanted under 37:15,16 uses 5:15 63:7 64:9 19:5 30:14 58:3,3 total 32:16 37:1 43:10,12 undersigned wants 6:17 using 64:2 46:24 **TRADEMARK** 32:18,20 understand was 1:1 V 5:21 10:16 16:20 4:6 6:15,15 8:22 9:12 transcript 22:23 24:25 36:1,6 v 11:19 12:9 18:10 12:24,25 13:11,21 1:6 36:12 39:18,25 19:15 26:17,18 64:6,10 50:23 51:5 54:23 valid 27:12 29:8,25 30:5 transmission 56:11 61:24 64:3 31:8,8 32:9 33:19 34:23 35:6,10 understanding value 34:4 35:24 43:19 transmit 12:23 15:16 40:13 40:10 49:8,14 52:11 56:12 30:1,16,18 31:4,6,13 56:13 60:24 64:7 31:18 32:8 understood verified 11:15 16:2 34:20 5:9 Washington transmits unextracted 2:4 38:24 very wasn't 59:10 8:8 11:8,15 26:25 transmitted

13:19	9:15	23:10,11,13 25:5	36:7 37:7,23 38:4
waste	were	26:1 29:22 31:11	49:11 53:19 54:15
41:21 49:12	4:11 5:5 6:7,23 7:7	33:2 46:12,16 47:1	56:17 58:12 59:12
watch	13:16 18:18,19	47:21 50:8,21,23	59:19 60:6,25 61:24
35:25 36:3 46:24	,	51:1,5 53:17 56:22	within
	20:24 21:6,7,25	· · · · · · · · · · · · · · · · · · ·	
47:5 49:3,13,17	27:19 29:11 30:13	60:21,22 61:4	19:12 51:15 63:3
watched	30:15,18,22 31:6,7	wherever	without
49:15,24	31:16,17 32:8 34:6	8:1	15:22 17:19 18:6,22
watching	64:8	whether	34:5
35:24,25 36:3	we'll	15:2 21:1 28:23 32:9	witness
way	28:8	49:9 60:8	3:3 4:23 11:20 12:2
19:2,13 24:12 27:5	we're	which	18:10 29:20 37:13
30:11,15 37:1 47:17	21:23 22:2 23:3 33:9	7:21 9:14 11:4 14:2	49:21 55:8 58:22
51:13 53:6	47:3 49:13 60:13	18:3 21:13 24:1	61:14 62:3 64:11
ways	we've	27:18 29:11 35:10	word
28:21,25 51:15	37:4	39:8,19,23 40:15,15	5:10 27:18 32:18
we	what	41:24 42:24 46:13	38:18
8:6 9:15 11:17 13:7	4:19 6:4 7:14 8:3 9:3	46:19,23 47:18,22	words
19:18 24:25 25:1,12	9:18 10:25 11:2,23	48:10,11,12 49:6	18:16 27:12 60:17
25:13 28:5 29:22	12:22 14:24 16:10	55:11,19 56:17 57:4	work
31:16,16 33:4 36:13	20:2,9,15,18 21:11	58:4 59:4,24 60:1	29:2
37:14 39:14,19 40:5	21:22 22:7 24:25	61:1 63:4	worries
40:6,7 41:6 42:8	25:2,9,13,15 26:15	whichever	5:4 29:12
43:7 47:14 48:10	29:14 31:1,17 32:2	48:4	would
49:12 51:14,19	32:25 33:7,19 34:8	who	4:2 6:10,22 7:14 9:14
52:14,23 53:1 61:14	34:9 36:5 38:18	9:18 15:5 23:13	9:15,25 10:14,20
62:6	40:2 41:18,19 45:10	why	15:11,19 16:15,23
WEATHERWAX	45:13 48:18,18,21	6:1 18:18 56:19,19	17:11,13,17 19:7,14
2:7	50:7 53:4 56:1,6,7	will	19:16 22:17 23:7,13
week	56:10,13	8:19 11:17 13:8	27:5,13 28:3,7,14
6:15,16,23	whatever	wire	29:18,21 30:1,21
weeks	23:5 26:9 30:13	34:23	31:1,6 36:21,24
10:10	35:17 48:25	wireless	37:5,11 40:2 41:24
welcome	what's	34:23	42:4 43:25 48:9,16
37:22	24:5 50:19	wires	48:21 49:4,9,10,18
well	when	31:25	49:25 50:21,23 51:5
14:22,25 15:7 16:11	6:13 8:13,18 9:25	wishes	51:8,10,13,18 52:3
21:5,12 23:15 26:7	10:24 11:22 12:4	41:5	52:13 55:24 56:19
26:17 27:4 30:12,21	14:5 20:7 23:12	Witcoff	wouldn't
31:23 32:22 33:9,19	27:7 28:13 32:16	2:3 6:12	29:16 35:22 49:12
34:20 37:9 40:22	34:8 35:4 40:10	with	writing 64:8
41:9 43:25 45:3	46:25 47:3	4:11 5:5,19 6:11,13	
48:3,9 49:5 50:18	where	6:20 7:2,5 8:1 9:3	written 26:17
54:10 57:4 59:12,24 62:1	10:16 12:14 16:13,17 17:9,18 18:4,20,24	12:10,14 23:8,12 24:22 27:7 28:11	
	19:11,19 21:3,7	29:3,23 30:24 31:14	wrong 29:9
went	17.11,17 41:3,/	47.3,43 30.44 31:14	47.7 
L			

	26.22.26.10.27.2	1002	
X	26:22 36:10 37:2	1002	8:4
X	38:1,4 39:2,7 40:14	7:7 8:14,23 9:11,22	198
3:1	40:21 41:11,23	1013	32:24
	42:11,13,15,17 43:8	7:17 19:24 20:3 37:2	
Y	43:15,19,22 44:2,4	38:2	2
yeah	44:13 45:6,9 46:19	1016	2
4:22 5:9 7:16 17:17	47:1,9,17,17,21	2:7	10:2 12:13,17 14:16
23:8 24:3,11,14	48:15 49:5 50:2,4,9	102	14:16 22:11 25:14
27:23 28:3 29:8	50:13,16,21,23 52:1	11:6	25:15,17 36:7 38:4
30:17 36:21 41:17	52:4,10,20,24 53:6	1033	38:7 41:14,24 42:4
42:7 47:12	53:17 55:5,11,20,23	23:18,23 24:15 25:1	42:25 48:25 53:23
year	55:24 56:13,24	26:12,16,21 29:2	54:2,5,14,20 55:1
4:13,13 5:7	58:14,16 59:2,8,24	32:12,17 33:17 34:1	55:14
yes	61:2,17	34:25 39:14	20
4:17 7:4 8:21,25	Zhang's	11	34:25 35:9,14 39:15
12:16,19 13:4,14	7:17 44:11,18 46:2,9	3:9 32:24	39:19,23 40:4,15
14:14 16:21 17:22	46:12 55:16 56:5	11,785,275	45:7,14,23 46:3,7
20:15 24:18 25:21	57:16 60:17 61:9	1:11	46:13 53:1,6,12
26:24 35:3,7,12	Zoom	1100	59:23 61:10 63:10
37:1 38:8,12,20,23	1:15	2:3	20005
39:1,16 40:1 43:2	1.13	12	2:4
43:18 44:17 46:8	0	7:22	2012
	0	1200	3:9 11:17,18 13:3,5,8
50:7,14,20 53:4	40:5,9,11,17 42:5,9	2:3	13:9,13,15,22
54:8,11,18	44:23 48:2	13th	2024-00432
your	11.23 10.2		12:12
4:3,19 5:10 6:2,14,25	1	2:3	2024-432
7:2,5,7 9:3,4,10,21	1	14603	5:7
11:1 12:15,18,20,22	8:4 14:7 16:14,15	1:17 4:2	2024-435
13:12,16,20 15:14	21:21 25:6,12 34:1	15	
17:2 18:15 20:16,20	38:14 40:14,17	6:22,22 37:8	4:12
22:23 23:7 28:15,15	41:12,16 44:6 53:23	15-minute	2025
32:25 37:24 41:21	53:24 59:22	37:5	1:16
58:11,14 61:24	1,000	150	2025-00180
you'd	34:13	35:22	8:13,19
35:23 51:11,16,16	10	156	204
you'll		34:25 35:9 39:20,24	32:24
11:25	34:13,21 39:13	40:16	210
you're	10:00	159	42:20 43:16,20 56:5
5:15 7:9 10:25 17:16	37:19	40:7	220
21:22 24:15 25:2	10:44	162	38:9
30:4 54:12 60:21	62:8	35:1,10 39:21,24	23rd
61:16,24	100,000	40:16	1:16
	34:14,22	174	230
<b>Z</b>	1001	25:22 26:1,13 29:5	38:13 39:3 42:25
Zhang	7:18 8:1 14:1,16 54:5	29:17 30:17	54:9 55:17
19:23 20:3,15 21:13	54:14 55:1,15	18	234
,	l	l ~~	l

			Page 20
33:11,13 34:8	3:4 12:13,17 21:2	29:18 34:4 40:6,9	25:20 26:1,13 29:5
240	25:8	40:12,18 42:5,9,12	29:17 30:17,17
33:12,14 38:21 50:17	41	42:14,14,17 43:3,9	29.17 30.17,17
	42:13		9
50:19,20 52:2	_	43:11,13,15,16,19	9:00
26	432	43:22 44:2,4,8,12	1:17
33:11,11	4:12	44:13,18,23 45:4,7	
264	435	45:22,23 46:2,9,12	9:53
30:10 41:13,25	5:7 12:12	47:1,7,9 48:2,2,5,6	37:18
275	438	48:15 50:4,8 52:24	90405
9:5 14:2,8,16 21:12	4:12 5:7 12:12	55:24 56:13,24 57:9	2:8
26:24 36:4,7,24	49	57:16 58:14,16 59:2	986
50:2 53:22 55:10,20	34:11	59:9 61:4,9	24:4
56:5,6		6-megahertz	99.9
28	5	57:5,6	16:12
42:6	5	60	
280C	14:17 21:2,2 48:25	22:11	
45:3	50:16,21,24 51:6,13	600	
29	51:22 52:4,6 53:20	20:13	
42:4,6,7	506	610	
72.7,0,7	24:9	56:1,14	
3	507	630	
3	24:10	42:24 44:19 48:11	
20:10,13 39:2,7,21	516		
39:22 40:8,14,21	24:3,14,15 25:1	57:1,12,19 58:9,13	
41:11,23 42:3,3	26:12,15,21 29:1	58:19 59:2,8 61:12	
30	32:12,17 33:16,23	61:15	
		640	
27:2 34:2 41:12,14	34:1,24 39:14	45:6 47:6,9,24 48:7	
41:24 42:4	52	50:4,9,17,20,20	
300	14:7	52:2 53:8 58:6,9,13	
20:10,13	54	61:15	
310	22:11 25:14,15 30:9		
39:8 40:3,23	41:13,25	7	
320	540	7	
39:9 40:23	42:18 44:5 45:1,4	25:22 29:6,18	
321	57:23,25 58:5	72	
39:23	55	25:7,9 41:16	
330	14:8	750	
40:24	59	42:18 44:5 45:1,5	
35	56:3	57:23,25 58:5	
42:25 43:3,15 44:7		76	
45:8,14 46:7,14	6	25:7,9	
48:16 53:1,13 61:7	6		
61:7	10:3 20:1,3,4,5,22,24	8	
	21:2,6,14,15,21	8	
4	22:3,20 23:4,6	7:21 22:1	
4	24:23 25:16,19 29:6	88	