

# EXHIBIT 14

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES OF THE  
LELAND STANFORD JUNIOR  
UNIVERSITY

Plaintiff,

No. 05-04158-MHP

VS  
ROCHE MOLECULAR SYSTEMS, INC.  
et al.

Defendants.

CERTIFIED  
COPY

AND RELATED COUNTERCLAIM

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(B) (5) (7) DEPOSITION OF THE BOARD OF TRUSTEES OF THE  
LELAND STANFORD JUNIOR UNIVERSITY

Through MARY ALBERTSON

Palmdale, California

Friday, August 25, 2006

Reported by  
ETNA GLANTZ  
CSR No. 9795 RPR RMR  
JOB No. 3-52393

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES OF THE  
LELAND STANFORD JUNIOR  
UNIVERSITY,

Plaintiff,

vs.

No. C-05-04158-MHP

ROCHE MOLECULAR SYSTEMS, INC.;  
ROCHE DIAGNOSTICS CORPORATION;  
ROCHE DIAGNOSTICS OPERATIONS, INC.,

Defendants.

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AND RELATED COUNTERCLAIM.

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30 (b) (6) Deposition of The Board of Trustees of the  
Leland Stanford Junior University through MARY  
ALBERTSON, taken on behalf of the Defendants and  
Counterclaimants Roche Molecular Systems, Inc.; Roche  
Diagnostics Corporation; and Roche Diagnostics  
Operations, Inc., at Five Palo Alto Square, 3000 El  
Camino Real, Palo Alto, California, beginning at 9:07  
a.m. and ending at 5:28 p.m., on Friday, August 25,  
2006, before GINA GLANTZ, Certified Shorthand Reporter  
No. 9795.

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1 **APPEARANCES:**

2

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4 **Stanford Junior University and Counterclaim Defendants:**

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9 **Systems, Inc., et al.:**

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12:17:28 1 example, one possibility.

12:17:30 2 BY MR. BOOZELL:

12:17:31 3 Q That the original assignment was lost?

12:17:33 4 A It's always a possibility.

12:17:34 5 Q But you don't know that that happened here?

12:17:38 6 A I don't.

12:17:38 7 Q You have no information one way or the other as  
12:17:40 8 to why the only assignment that was produced to the PTO  
12:17:44 9 was in 1995?

12:17:45 10 A I don't.

12:17:46 11 Q But you can't say that there was an assignment  
12:17:50 12 prior to 1995 either; correct?

12:17:52 13 A I have no information one way or the other.

12:17:55 14 Q If you look at the assignment on PENNIE 000128,  
12:18:11 15 I would describe this as paragraphs, but it's an odd  
12:18:15 16 formatting. You see the -- the paragraph that begins  
12:18:17 17 "Now, therefore"?

12:18:17 18 A I see that.

12:18:18 19 Q It says, "Now, therefore, in consideration of  
12:18:20 20 the sum of One Dollar and other good and valuable  
12:18:22 21 consideration"?

12:18:23 22 A Yes.

12:18:23 23 Q Do you know whether Kozal, Merigan, Holodniy  
12:18:27 24 and Katzenstein were paid a dollar?

12:18:29 25 A I don't know that.

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12:18:30 1 Q You don't know one way or the other?

12:18:31 2 A I don't know one way or the other.

12:18:33 3 Q Do you know whether they received any other

12:18:36 4 good and valuable consideration in -- in exchange for

12:18:39 5 this assignment?

12:18:40 6 A I don't know if they did.

12:18:41 7 Q One way or the other, you don't know?

12:18:43 8 A I don't know one way or the other.

12:18:44 9 Q I'm going to show you a document Bates-labeled

12:18:58 10 PENNIE 001373 that I'll have the court reporter mark as

12:19:06 11 Exhibit 119.

12:19:23 12 (Deposition Exhibit 119 marked.)

12:19:24 13 BY MR. BOOZELL:

12:19:29 14 Q I'll just ask you if you've ever seen this

12:19:31 15 document before.

12:19:31 16 A Yes.

12:19:32 17 Q When was the first time you saw this document?

12:19:36 18 A In preparing for this deposition.

12:19:38 19 Q You don't believe you saw this in 1994?

12:19:42 20 A I did not.

12:19:43 21 Q What is this letter?

12:19:46 22 A It's a copy of the decision to correct

12:19:50 23 inventorship.

12:19:51 24 Q It's a cover letter for that?

12:19:54 25 A Yes, it's a cover letter for that.

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4:39 1 of the policy that was still in effect in 1990?

4:42 2 A Correct.

4:43 3 Q Under this policy, does the university require  
4:50 4 employees to sign any sorts of agreements?

4:53 5 MR. RODRIGUEZ: Objection. Vague.

4:55 6 THE WITNESS: At this time?

4:57 7 BY MR. BOOZELL:

4:58 8 Q Yes.

5:03 9 MR. RODRIGUEZ: Same objection.

5:04 10 THE WITNESS: There were different forms that  
5:15 11 the inventors were required to sign in the course of  
5:21 12 disclosing inventions, so I'm not sure if that's the  
5:25 13 question you're asking.

5:26 14 BY MR. BOOZELL:

5:26 15 Q Was there a general form -- prior to any  
5:29 16 inventions being made, was there a general form that  
5:34 17 anybody who worked at Stanford in a research capacity  
5:38 18 would have to sign, consistent with this policy?

5:43 19 MR. RODRIGUEZ: Objection. Vague.

5:47 20 THE WITNESS: I don't think -- excuse me. I  
5:53 21 don't think at that time there was a specific  
5:55 22 requirement, but they were supposed to sign an SU-18,  
36:03 23 which is a patent and copyright agreement -- actually,  
36:05 24 anybody, whether they were doing research or not -- but  
36:10 25 it wasn't tied to the paycheck or anything, so

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"requirement" is a strong word.

BY MR. BOOZELL:

Q But they were given -- were they given the  
SU- --

A 18.

Q -- 18 at the time of their hire?

A Not necessarily.

Q Was there anybody in charge with policing  
whether employees had signed an SU-18?

A Absolutely not.

Q I'm going to introduce what's not been  
previously marked, so we're on 122 -- 3, 123. It's a  
multipage document Bates-numbered STANFORD -- STAN  
010209 through 010210?

(Deposition Exhibit 123 marked.)

BY MR. BOOZELL:

Q Do you recognize this document?

A Yes.

Q What is this?

A This is an SU-18.

Q Okay. It's little bit blurry, but if you can  
look in the lower left-hand corner, there appears to be  
a date related to the version of this. Do you see that?

A I wouldn't have recognized it as a date.

Q Okay. You don't know whether that -- whether



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I, MARY ALBERTSON, do hereby declare under penalty of perjury that I have read the foregoing transcript; that I have made any corrections as appear noted, in ink, initialed by me, or attached hereto; that my testimony as contained herein, as corrected, is true and correct.

EXECUTED this 3<sup>rd</sup> day of October,  
2006, at Palo Alto, CA  
(City) (State)

Mary Albertson  
MARY ALBERTSON