

EXHIBIT D

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

Case No. 2:07-CV-480-DF 10:15:59AM

-----x

PA ADVISORS, LLC,
Plaintiff,

- against -

GOOGLE, INC., et al.,
Defendants.

-----x

December 16, 2009
10:15 a.m.

HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY

Continued videotaped deposition
of ILYA GELLER, taken by Defendants,
pursuant to Subpoena, held at the offices
of Stroock Stroock and Lavan, Esqs., 767
Third Avenue, New York, New York, before
Jineen Pavesi, a Registered Professional
Reporter, Registered Merit Reporter,
Certified Realtime Reporter and Notary
Public of the State of New York.

Job No: 231094

HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY

313	<p>1 GELLER - ATTORNEYS' EYES ONLY</p> <p>2 A. December or November, it 03:39:59PM</p> <p>3 depends, I published three articles, I 03:40:02PM</p> <p>4 don't remember which one in particular is 03:40:04PM</p> <p>5 this one. 03:40:08PM</p> <p>6 Articles were published at the 03:40:08PM</p> <p>7 end of 1999 and at the beginning of 2000. 03:40:10PM</p> <p>8 Q. What's described in Exhibit 54? 03:40:18PM</p> <p>9 A. Pardon me? 03:40:22PM</p> <p>10 Q. What is described in this 03:40:23PM</p> <p>11 exhibit. 03:40:24PM</p> <p>12 MR. FENSTER: Object to form. 03:40:25PM</p> <p>13 A. The same general approach, 03:40:26PM</p> <p>14 without the details, just the idea. 03:40:32PM</p> <p>15 Q. And again, that's the idea of 03:40:33PM</p> <p>16 the '067 patent? 03:40:36PM</p> <p>17 A. Yes, the general idea. 03:40:37PM</p> <p>18 MR. FENSTER: Object to form. 03:40:40PM</p> <p>19 Q. Can you tell me what a triad 03:40:41PM</p> <p>20 is? 03:40:43PM</p> <p>21 A. Segment. 03:40:43PM</p> <p>22 THE WITNESS: I'm tired. 03:41:00PM</p> <p>23 MR. FENSTER: Do you need a 03:41:03PM</p> <p>24 break? 03:41:03PM</p> <p>25 THE WITNESS: Can we finish 03:41:04PM</p>	315	<p>1 GELLER - ATTORNEYS' EYES ONLY</p> <p>2 it, I don't remember and I am not sure. 03:43:01PM</p> <p>3 Q. What was the purpose for 03:43:05PM</p> <p>4 preparing Exhibit 55? 03:43:06PM</p> <p>5 MR. FENSTER: Object to form. 03:43:08PM</p> <p>6 A. I tried to raise money and I 03:43:10PM</p> <p>7 asked Etkin to write what I could put at 03:43:14PM</p> <p>8 the site so people would come and be able 03:43:21PM</p> <p>9 to read and decide to invest. 03:43:24PM</p> <p>10 Q. Did you review Exhibit 55 after 03:43:27PM</p> <p>11 Mr. Etkin prepared it? 03:43:29PM</p> <p>12 A. It was a long time ago, I don't 03:43:34PM</p> <p>13 remember. 03:43:35PM</p> <p>14 Q. Would it have been important at 03:43:35PM</p> <p>15 the time that this was created for it to 03:43:37PM</p> <p>16 be accurate in terms of describing what's 03:43:38PM</p> <p>17 in the '067 patent? 03:43:41PM</p> <p>18 MR. FENSTER: Object to form. 03:43:44PM</p> <p>19 A. Not at all. 03:43:45PM</p> <p>20 Q. That would not have been 03:43:47PM</p> <p>21 important for it to be accurate? 03:43:48PM</p> <p>22 MR. FENSTER: Object to form. 03:43:51PM</p> <p>23 A. No. 03:43:52PM</p> <p>24 Q. Why not? 03:43:52PM</p> <p>25 A. Because I asked him to write 03:43:55PM</p>
314	<p>1 GELLER - ATTORNEYS' EYES ONLY</p> <p>2 this. 03:41:05PM</p> <p>3 MR. FENSTER: Jason, how much 03:41:08PM</p> <p>4 longer do you have? 03:41:09PM</p> <p>5 MR. WHITE: I said I would try 03:41:13PM</p> <p>6 to get it in 30 minutes. 03:41:15PM</p> <p>7 THE WITNESS: Okay, let's go 03:41:18PM</p> <p>8 on. 03:41:19PM</p> <p>9 I will try to answer your 03:41:28PM</p> <p>10 questions. 03:41:29PM</p> <p>11 Q. I am showing you what we marked 03:41:51PM</p> <p>12 as Defendants' Exhibit 55, Geller 03:41:53PM</p> <p>13 Production Nos. 33540 through 33543. 03:42:04PM</p> <p>14 (Defendants' Exhibit 55, Geller 03:42:18PM</p> <p>15 Production Nos. 33540 through 33543, was 03:42:18PM</p> <p>16 marked for identification, as of this 03:42:18PM</p> <p>17 date.) 03:42:19PM</p> <p>18 A. Ask. 03:42:19PM</p> <p>19 Q. What is this? 03:42:19PM</p> <p>20 A. Etkin wrote it for his site 03:42:20PM</p> <p>21 Lexiclone. 03:42:24PM</p> <p>22 Q. Does Exhibit 55 describe the 03:42:34PM</p> <p>23 technology that is in the '067 patent? 03:42:36PM</p> <p>24 MR. FENSTER: Object to form. 03:42:53PM</p> <p>25 A. I am not sure, I need to read 03:42:59PM</p>	316	<p>1 GELLER - ATTORNEYS' EYES ONLY</p> <p>2 something in general terms so people 03:44:02PM</p> <p>3 without special knowledge could 03:44:07PM</p> <p>4 understand, so something rough, something 03:44:12PM</p> <p>5 like a sketch, a sketch, general 03:44:15PM</p> <p>6 description. 03:44:20PM</p> <p>7 I don't remember what he wrote; 03:44:20PM</p> <p>8 Edward is a lawyer, right, I ask him to do 03:44:27PM</p> <p>9 his job, to write something with these, 03:44:30PM</p> <p>10 what is the word, flawless from a legal 03:44:40PM</p> <p>11 point of view. 03:44:48PM</p> <p>12 Q. So when you asked Mr. Etkin to 03:44:49PM</p> <p>13 prepare Exhibit 55, did you expect he 03:44:50PM</p> <p>14 would accurately describe what was in the 03:44:54PM</p> <p>15 '067 patent? 03:44:56PM</p> <p>16 A. No. 03:44:56PM</p> <p>17 MR. FENSTER: Object to form. 03:44:57PM</p> <p>18 A. No, I didn't. 03:44:58PM</p> <p>19 Q. You expected his description 03:45:01PM</p> <p>20 would not be accurate, is that what you're 03:45:03PM</p> <p>21 telling me? 03:45:04PM</p> <p>22 MR. FENSTER: Object to form. 03:45:05PM</p> <p>23 A. I didn't expect, but I didn't 03:45:06PM</p> <p>24 ask him; I paid for this, I paid him to 03:45:08PM</p> <p>25 write this. 03:45:13PM</p>