

DAVID GELERNTER

June 18, 2009

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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MIRROR WORLDS, LLC)	
Plaintiff)	Civil Action No.
VS)	6:08-CV-88 (LED)
)	
APPLE, INC.)	
Defendant)	
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DEPOSITION OF: DAVID GELERNTER
DATE: JUNE 18, 2009
HELD AT: OMNI HOTEL
155 TEMPLE STREET
NEW HAVEN, CONNECTICUT

Reporter: WENDY J. ALLEN, RPR, CRR, LSR #00221

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I N D E X

WITNESS:

PAGE:

David Gelernter
Direct Examination by Mr. Cherensky

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EXHIBITS:

- Exhibit 1, US Patent 6,006,227
- Exhibit 2, US Patent 6,638,313 B1
- Exhibit 3, US Patent 6,725,427 B2
- Exhibit 4, US Patent 6,768,999 B2
- Exhibit 5, Washington Post article
- Exhibit 6, April 1995 Yale technical report
- Exhibit 7, August 1995 Yale technical report
- Exhibit 8, dissertation
- Exhibit 9, April 1995 Yale technical report
- Exhibit 10, grant request
- Exhibit 11, thesis by Nancy Silver
- Exhibit 12, file history
- Exhibit 13, paper authored by Scott Fertig, Eric Freeman and David Gelernter
- Exhibit 14, paper authored by Richard Mander, Gitta Salomon and Yin Yin Wong
- Exhibit 15, subpoena
- Exhibit 16, CoverFlow display screen shot
- Exhibit 17, email stream from 11/23/08
- Exhibit 18, statement of David Gelernter to US Patent and Trademark Office
- Exhibit 19, patent purchase agreement

1 the 999 patent?

2 A No.

3 Q Why not?

09:02

4 A It deals with a topic and proposes a
5 technology which is not my topic and not my imagine.

6 Q And what do you consider to be the topic of
7 the 999 patent?

09:02

8 A Well, insofar as I didn't write the patent and
9 wasn't involved in the work that went up to it, I
10 can't say a lot about it, but it deals with
11 information management in a so-called enterprise
12 environment or enterprise computing environment.

09:02

13 Q What do you understand an enterprise computing
14 environment to be?

09:03

15 A It's an environment in which several things
16 hold. Information services are provided by server
17 client models, because two important aspects of the
18 enterprise, as I understand it. I really think that
19 more of it is a commercial term than technical term,
20 although it has technical implications. A large
21 number of users may be involved, therefore issues of
22 efficiently storing, indexing, searching, maybe I
23 should say very large numbers of documents become
24 important, and it is a dynamic environment in the
25 sense that I don't know beforehand, I can't say

1 statistically how many computers are encompassed, how
2 many users there are, what types of computers,
3 computer sets in the door at any time.

09:04

4 Q Now, you've said in that answer that you
5 didn't, or maybe the previous answer, you didn't write
6 the 999 patent. Did you write the specification for
7 the other three patents, Exhibits 1 through 3?

8 MR. AN: Objection to form.

09:04

9 THE WITNESS: I did not write but was
10 involved in the process.

11 MR. AN: Before you continue, without
12 getting into the substance of any communications
13 you've had with any of your counsel, whether it be
14 prosecuting counsel or other counsel, go ahead and
15 answer.

09:04

16 MR. CHERENSKY: He can answer what he
17 did.

09:04

18 MR. AN: Well, I'm still giving him that
19 instruction.

20 THE WITNESS: I was involved, I was
21 involved in the process of writing these three
22 patents, I guess they're 1, Exhibit 1, 2 and 3. I was
23 not involved in the process of writing Exhibit 4.

09:05

24 BY MR. CHERENSKY:

25 Q When you say involved in the process, did you

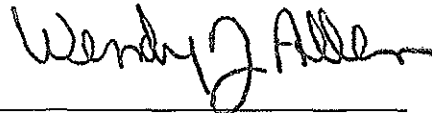
CERTIFICATE OF REPORTER

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I, WENDY J. ALLEN, a Registered Professional Reporter/Commissioner within and for the State of Connecticut, do hereby certify that I took the deposition of DAVID GELERNTER, on June 18, 2009, who was by me duly sworn to testify to the truth and nothing but the truth; that he was thereupon carefully examined upon his oath and his examination reduced to writing under my direction by means of Computer Assisted Transcription, and that this deposition is a true record of the testimony given by the witness.

I further certify that I am neither attorney nor counsel for, nor related to, nor employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially interested in the outcome of the action.

WITNESS my hand and seal this 7TH day of July, 2009.



Wendy J. Allen, RPR

My commission expires:
April 30, 2010