

EXHIBIT D

Jacob_Karl

 Jacob, Karl A., III. (Vol. 01) - 10/04/2001

1 CLIP (RUNNING 00:08:09.352)

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KJ01 23 SEGMENTS (RUNNING 00:08:09.352)



1. PAGE 4:11 TO 4:12 (RUNNING 00:00:03.382)

11 Q. Please state your name for the record.
12 A. Karl A. Jacob III.

2. PAGE 6:02 TO 6:09 (RUNNING 00:00:15.912)

02 Q. I see. When you graduated in 1992, did you
03 go to work immediately?
04 A. Pretty much immediately for Sun
05 Microsystems.
06 Q. So you -- you joined Sun around the spring
07 or early summer of 1992?
08 A. Right. Actually I was a summer intern for
09 them the year before as well.

3. PAGE 10:17 TO 10:22 (RUNNING 00:00:11.543)

17 Q. Did you work with James Kempf at all --
18 A. Yes.
19 Q. -- at Sun?
20 A. Yes.
21 Q. Where did he fit in the hierarchy?
22 A. He spent a lot of his -- in the hierarchy?

4. PAGE 10:23 TO 11:06 (RUNNING 00:00:28.322)

23 He was a relatively recent addition to the team
24 when -- when I was there, but I think that -- I don't
25 remember his exact responsibilities. He -- he was
00011:01 doing software work mostly on -- on more futuristic
02 types of applications.
03 Q. Did you work with him --
04 A. Yes. I mean --
05 Q. -- at all on any projects?
06 A. Yes.

5. PAGE 12:17 TO 13:03 (RUNNING 00:00:32.336)

17 Q. As part of your efforts in the Nomadic
18 Computing Group, did you have an interest in -- in
19 Web browsers in 1993?
20 A. Yes.
21 Q. Can you describe that in general terms.
22 A. Given that -- that the main goal of -- of
23 my group was to figure out how to build applications
24 that would work in low-bandwidth environments like
25 phone lines and satellite connections, Web browsing
00013:01 was one of the things that we wanted to make sure
02 that people could do in a -- in a speedy way over --
03 over slow connections.

6. PAGE 13:04 TO 13:06 (RUNNING 00:00:03.472)

04 Q. Have you ever heard of the Viola Web
05 browser?
06 A. Yes.

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7. PAGE 13:15 TO 13:24 (RUNNING 00:00:35.556)

15 Q. Have you ever seen the Viola Web browser in
16 operation?
17 A. Yes.
18 Q. Can you recall specifically any instances
19 where you saw it in operation?
20 A. Like most people at the time, I had seen it
21 demoed in different environments and at different
22 times. I've seen it on UNIX machines and -- and
23 at -- at gatherings. I saw it -- I did see it once
24 when I was at Sun. James showed me a version of it.

8. PAGE 14:03 TO 14:13 (RUNNING 00:00:39.817)

03 Q. Let me refer you to one of the exhibits
04 that's in front of you, Mr. Jacob, and it's Number
05 26. I'll help you there. It's this one right here.
06 A. Okay.
07 Q. And this is an E-mail that Dale Dougherty
08 wrote and sent on May 8th, 1993, but what I'd like
09 you to look at is on the second page.
10 A. Okay.
11 Q. Near the bottom there's a paragraph
12 numbered 6. Do you see that?
13 A. Yes.

9. PAGE 14:20 TO 15:05 (RUNNING 00:00:41.911)

20 Q. Do you recall a meeting with Pei, Scott and
21 Dale Dougherty as described in that paragraph?
22 A. I do -- I do remember meeting with a group
23 from O'Reilly. I -- I didn't remember specifically
24 the members, but yes.
00015:01 Q. Do you recall during that meeting having
02 seen a demonstration of the Viola Web browser?
03 A. Yes.
04 Q. Do you recall as part of that demonstration
05 seeing an interactive program object embedded in a
06 Web page?

10. PAGE 15:08 TO 15:11 (RUNNING 00:00:11.767)

08 A. I remember seeing an animated object in the
09 Web page, yes.
10 Q. Take a look at another document that's in
11 front of you, and it's Exhibit 604.

11. PAGE 15:14 TO 15:22 (RUNNING 00:00:45.328)

14 Q. You can take a quick look through it if
15 you want, but my main interest is on the
16 second-to-last page of the exhibit. Does that look
17 at all like the Viola Web browser demonstration that
18 you saw?
19 A. It looks like the object in -- in -- in the
20 demonstration. Other than that, it -- it doesn't --
21 it doesn't look familiar other than the -- the object
22 itself.

12. PAGE 16:02 TO 16:04 (RUNNING 00:00:02.936)

02 Q. Do you remember the object being
03 manipulated?
04 A. Yes.

13. PAGE 16:10 TO 16:17 (RUNNING 00:00:18.724)

10 Q. Do you recall yourself actually
11 manipulating and -- and interacting with the object?

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12 A. I don't believe so. I do remember --
13 remember James interacting with it, but I -- I don't
14 remember doing it myself, no.
15 Q. But you attended the meeting where that
16 happened?
17 A. Yes, yes.

14. PAGE 17:02 TO 17:06 (RUNNING 00:00:05.593)

02 Q. Is there anything in your memory that would
03 be inconsistent with that having --
04 A. No.
05 Q. -- occurred on May 7th, 1993?
06 A. No.

15. PAGE 17:20 TO 17:24 (RUNNING 00:00:09.873)

20 Q. I just placed in front of you, Mr. Jacob,
21 Exhibit 605, which is a notebook computer that is
22 running a demonstration of the Viola Web browser. Do
23 you see that?
24 A. Uh-huh.

16. PAGE 18:03 TO 18:09 (RUNNING 00:00:14.918)

03 Q. Do you see the Viola Web browser display on
04 the screen of the laptop in front of you?
05 A. Yes.
06 Q. Does that look to you like it has the
07 characteristics of the demonstration that you saw --
08 MR. LUECK: Go ahead.
09 Q. -- on May 7th, 1993?

17. PAGE 18:16 TO 18:17 (RUNNING 00:00:03.099)

16 A. It -- it looks similar to -- to what I saw
17 on that day.

18. PAGE 18:22 TO 18:25 (RUNNING 00:00:15.024)

22 Q. If you would, if you don't mind, why don't
23 you use the touch pad to interact with the slider
24 bars on the side and see if you can manipulate the
25 object that's displayed.

19. PAGE 19:06 TO 19:09 (RUNNING 00:00:11.947)

06 Are you able to manipulate the object?
07 A. Yep.
08 Q. Now if you would, pull the drop-down menu
09 Ops at the top right-hand corner.

20. PAGE 19:11 TO 19:16 (RUNNING 00:00:28.547)

11 Q. And select the -- either one of those first
12 two demonstrations, and then if you would, manipulate
13 the slider bars again and see if that looks to you
14 like the demonstration you saw on May 7th, 1993.
15 A. It looks similar, yes.
16 Q. Do you notice any differences?

21. PAGE 19:18 TO 20:06 (RUNNING 00:00:47.036)

18 A. Not -- not that I recall.
19 Q. Now I believe you testified that you also
20 recalled seeing a demonstration of the Viola Web
21 browser at Sun; is that correct?
22 A. That's correct.
23 Q. Can you describe your memory of that event.
24 A. My memory was that James had set it up on
25 his computer somehow -- I think it was his

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00020:01 computer -- and, you know, said, "Come look at this"
02 or "Check it out."
03 Q. And did you see a demonstration that
04 included wire-frame airplanes of the type that you
05 just saw in the demonstration of Exhibit 605?
06 A. Yes.

22. PAGE 20:10 TO 20:12 (RUNNING 00:00:08.605)

10 Q. Can you say for certain that it was
11 sometime in 1993?
12 A. Yeah. Yeah, yeah. Yes.

23. PAGE 24:08 TO 24:22 (RUNNING 00:00:53.704)

08 Q. When you -- you mentioned before that you
09 saw another demonstration. Do you recall that?
10 A. Of Viola or --
11 Q. Yeah, at Sun.
12 A. Well I -- I -- I have seen demonstrations
13 of Viola outside of Sun, inside of Sun, but
14 specifically the demonstrations that I remember other
15 than the one that I saw at Sun were outside of Sun.
16 Q. Okay. But you -- you saw one that was done
17 by Mr. Kempf; is that right?
18 A. Correct.
19 Q. Is it possible that you're in error about
20 having seen the wire-frame aircraft in that
21 demonstration?
22 A. No.

TOTAL: 1 CLIP FROM 1 DEPOSITION (RUNNING 00:08:09.352)