EXHIBIT J

From:	Josh Thane <jthane@haltomdoan.com>
Sent:	Saturday, February 04, 2012 6:15 PM
To:	Eolas (Eolas@McKoolSmith.com)
Cc:	Defendants-Eolas (Defendants-Eolas@ropesgray.com)
Subject:	Eolas - Deposition Designations
Attachments:	Martin_Defendant_2012-02-04-1753.pdf; McRae_Defendants_2012-02-04-1734.pdf; Rajdev_Defendant_2012-02-04-0953.pdf; Jacob_Defendant_2012-02-04-1053.pdf

Attached are Defendants' current deposition designations for Martin, McRae, Rajdev, and Jacob.

Regards,
Josh

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📁 **McRae, Christopher (Vol. 01) - 09/19/2011**

🎬 McRae_Defendants

CM01   **34 SEGMENTS (RUNNING 00:11:03.662)**   ┃┃┃┃┃┃┃┃┃┃

1. PAGE 13:07 TO 13:07 (RUNNING 00:00:01.407)

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07       Q.   Good morning, Mr. McRae.  We meet off the
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2. PAGE 13:12 TO 13:13 (RUNNING 00:00:02.263)

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12            Have you ever been deposed before?
13       A.   No.
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3. PAGE 80:06 TO 80:20 (RUNNING 00:00:33.640)

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06       Q.   (By Mr. Wolff)  Do you recognize what's been
07  marked as Exhibit 26?
08       A.   Yes.
09       Q.   What is it?
10       A.   It seems to be an e-mail from me to David
11  Martin.
12       Q.   From September 8th, 1993?
13       A.   Yes.  That's what it says.
14       Q.   You state in this message, "I know I have
15  seen this page before, but I don't know if you have.
16  At any rate, take a look at" -- and it provides a URL.
17  Then it continues, "In particular, see the MediaView
18  notes."
19            Does this refresh your recollection about
20  ever looking at the MediaView system?
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4. PAGE 80:22 TO 80:23 (RUNNING 00:00:04.357)

```
22            THE DEPONENT:  I don't recall ever seeing the
23  MediaView system.  Apparently, I did.
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5. PAGE 80:24 TO 81:01 (RUNNING 00:00:05.511)

```
24       Q.   (By Mr. Wolff)  Do you have any reason -- do
25  you know why you would have told Mr. Martin to go look
00081:01  at the MediaView system?
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6. PAGE 81:03 TO 81:15 (RUNNING 00:00:45.972)

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03            THE DEPONENT:  I saw it as part of my job.
04       Q.   (By Mr. Wolff)  Why was it part of your job?
05       A.   I -- we were crafting information systems for
06  the library, and I often found things that I thought
07  were of interest and shared them with David or others.
08       Q.   And why would MediaView have been of
09  interest?
10       A.   Well, I can only respond from what I have
11  seen today, that it was an information system, and
12  that's why it would have been of interest.
13       Q.   It would have been of interest for particular
14  projects you were working at at UCSF?
15       A.   I say, "In particular."  Apparently, so.
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7. PAGE 81:19 TO 82:05 (RUNNING 00:00:45.325)

```
19       Q.   And so you would have come across this link
20  at least by September 8th, 1993, but in this message
21  you say that you have seen this page before.
22       A.   Yes.
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23      Q.   Do you know how far before?
24      A.   I have no way of knowing when it was
25  published, but I did scan through the CERN Website when
00082:01  I first discovered the WWW software.
02      Q.   And what was the purpose of scanning through
03  the CERN Website?
04      A.   To educate myself and discover whether
05  there's anything useful.
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8. PAGE 87:14 TO 87:19 (RUNNING 00:00:18.169)

```
14      Q.   Did you attend the WorldWideWeb Wizards
15  Workshop in July in Cambridge in 1993?
16      A.   Yes.
17      Q.   Did you see the Viola system at that
18  conference?
19      A.   Yes, I think.
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9. PAGE 87:23 TO 88:04 (RUNNING 00:00:19.656)

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23      Q.   (By Mr. Wolff)  Okay.  What is your
24  understanding of the Viola system?
25      A.   It's a Web browser.
00088:01  Q.   And what did it do?
02      A.   It displayed Web pages.
03      Q.   What kind of Web pages?
04      A.   HTML Web pages.
```

10. PAGE 88:16 TO 89:08 (RUNNING 00:00:39.567)

```
16      Q.   (By Mr. Wolff)  Was it interesting to you to
17  see the Viola system?
18      A.   Yes.
19      Q.   What was interesting about it?
20      A.   I -- let me correct myself, actually.  I'm
21  not sure that I actually saw a demo.  I did get
22  explanations or a description of what it does from Pei
23  Wei.
24      Q.   Anyone else?
25      A.   Possibly.
00089:01  Q.   Who else would have been there that could
02  have described it to you?
03      A.   Scott Silvi.
04      Q.   Anyone else?
05      A.   Yes.  I'm sure others were aware of it, and I
06  spoke to quite a few people.
07      Q.   Did you meet Dale Dougherty there?
08      A.   Yes.
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11. PAGE 89:11 TO 89:16 (RUNNING 00:00:13.277)

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11      Q.   Okay.  Was he also explaining the Viola
12  system?
13      A.   I believe so.
14      Q.   Were there a lot of people getting
15  explanations about the Viola system while you were
16  standing around it?
```

12. PAGE 89:18 TO 89:24 (RUNNING 00:00:15.755)

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18           THE DEPONENT:  That was the purpose of the
19  conference.
20      Q.   (By Mr. Wolff)  To demonstrate Viola?
21      A.   Demonstrate WorldWideWeb tools or discuss
22  WorldWideWeb-related technologies, including Viola.
23      Q.   Did you get a technical description of how
24  Viola operated at the conference?
```

13. PAGE 90:01 TO 90:02 (RUNNING 00:00:01.965)

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00090:01              THE DEPONENT:  There were technical
      02  discussions.
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14. PAGE 91:02 TO 91:06 (RUNNING 00:00:09.280)

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      02      Q.   Had you used Mosaic at the time you attended
      03  the conference?
      04      A.   Yes.
      05      Q.   Was there anything different about Mosaic
      06  versus Viola?
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15. PAGE 91:08 TO 91:16 (RUNNING 00:00:37.603)

```
      08              THE DEPONENT:  Yes.  There are differences.
      09      Q.   (By Mr. Wolff)  Like what?
      10      A.   I believe Viola had a broader range of image
      11  types that it supported as inlined embedded images.
      12      Q.   What kind of image types?
      13      A.   At that time I believe Mosaic still only
      14  displayed GIF format images inline, whereas Viola had a
      15  broader range of image types that it understood or
      16  supported.
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16. PAGE 93:01 TO 93:02 (RUNNING 00:00:05.955)

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00093:01      Q.   Do you recall a drawing widget or object with
      02  Viola?
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17. PAGE 93:04 TO 93:12 (RUNNING 00:00:20.046)

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      04              THE DEPONENT:  Yes.
      05      Q.   (By Mr. Wolff)  What did that do?
      06      A.   Let you scribble.
      07      Q.   What do you mean, it let you scribble?
      08      A.   Pick a pen, pick a color.  Drag your mouse
      09  across the screen and you see a line where you dragged
      10  the mouse pointer.
      11      Q.   Was it inline with the Web page that you were
      12  viewing?
```

18. PAGE 93:14 TO 93:16 (RUNNING 00:00:06.129)

```
      14              THE DEPONENT:  It was in the browser window.
      15      Q.   (By Mr. Wolff)  It wasn't in a separate
      16  window apart from the browser window?
```

19. PAGE 93:18 TO 93:22 (RUNNING 00:00:15.347)

```
      18              THE DEPONENT:  No, I don't think so.
      19      Q.   (By Mr. Wolff)  Did you ever use the drawing
      20  widget?
      21      A.   I don't recall whether I used it myself.  I
      22  saw it.
```

20. PAGE 138:23 TO 139:08 (RUNNING 00:00:43.167)

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      23      Q.   (By Mr. Wolff)  Do you know whether before
      24  March -- sorry -- before April of 1993 the community
      25  had discussed embedding video in Web pages?
00139:01      A.   Yes, I do know --
      02      Q.   And what --
      03      A.   -- that it did.
      04      Q.   And why was that?
      05      A.   Well, I think there's more than one example,
      06  but the README file for XMosaic, I think released in
      07  March, specifically mentions their intention to do
      08  that.
```

21. PAGE 146:20 TO 147:14 (RUNNING 00:01:13.558)

```
     20       Q.   (By Mr. Wolff)  So what was exactly that idea
     21  that you communicated to Mr. Doyle?
     22       A.    The idea of using external application --
     23  using the browser as a front end for external
     24  applications with bidirectional communication between
     25  the two programs.
  00147:01       Q.   And you didn't think that that's disclosed in
     02  any of the prior discussions about XMosaic and
     03  incorporating Xv and Ghostscript functionality?
     04       A.    On the contrary, actually.  I -- I took
     05  inspiration from these discussions.  And, you know, I
     06  mentioned earlier that I was skeptical of the patent or
     07  the claim of patentability in that first conversation
     08  with Mike Doyle because I knew where -- you know, where
     09  I was coming from.
     10            But at the same time I felt that I had, you
     11  know, a unique twist that I had put on it.  But I
     12  didn't -- I guess maybe I was naive.  I didn't believe
     13  that was patentable, and honestly I have been
     14  surprised, you know, at the history.
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22. PAGE 148:04 TO 148:10 (RUNNING 00:00:11.047)

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     04       Q.   (By Mr. Wolff)  Well, you just testified that
     05  you were surprised that Mr. Doyle thought it was
     06  patentable and you expressed your skepticism about
     07  that, right?
     08       A.    That's right.
     09       Q.    And what was it that you told him why it
     10  wasn't patentable?
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23. PAGE 148:12 TO 148:23 (RUNNING 00:00:33.553)

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     12            THE DEPONENT:  At the time, I think I said
     13  there was prior art.
     14       Q.   (By Mr. Wolff)  And what prior art would that
     15  be?
     16       A.    I was thinking of -- well the X Window
     17  system, the ideal Window manager, which is essentially
     18  the role that the browser takes in the invention, and
     19  the description of the EMBED tag and the other
     20  discussions here.
     21       Q.    The discussions about Xv?
     22       A.    Yes.
     23       Q.    And discussions about embedding video?
```

24. PAGE 148:25 TO 148:25 (RUNNING 00:00:00.809)

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     25            THE DEPONENT:  Yes.
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25. PAGE 151:04 TO 151:11 (RUNNING 00:00:18.788)

```
     04       Q.   And you were skeptical back in 1993 when
     05  Mr. Doyle told you that he thought that this was
     06  patentable.
     07       A.    Yes.
     08       Q.    And you were skeptical because you had
     09  basically built on the ideas of others who had done
     10  similar things or proposed similar ideas.
     11       A.    I was skeptical --
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26. PAGE 151:13 TO 151:14 (RUNNING 00:00:02.267)

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     13            THE DEPONENT:  -- because I didn't understand
     14  what was novel.
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27. PAGE 160:11 TO 160:16 (RUNNING 00:00:15.030)

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11        Q.    And, Mr. McRae, you worked at the University
12   of California San Francisco; is that correct?
13        A.    Yes, I did.
14        Q.    And you were there from February 1993 to
15   December of 1993; is that correct?
16        A.    Yes, it is.
```

28. PAGE 186:20 TO 187:04 (RUNNING 00:00:24.451)

```
20        Q.    (By Mr. Budwin)  And Mr. Wolff also asked you
21   questions about Viola and a drawing widget.
22              Do you recall that?
23        A.    Yes.
24        Q.    Needless to say, you don't recall Mr. Wei or
25   anyone else demonstrating Viola with a drawing widget
00187:01   at the Wizards Conference in July of 1993, do you?
02        A.    Actually, I do -- I believe that is what I
03   saw, is that part of the demo or that's what I became
04   aware of.  I saw that -- Viola do that.
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29. PAGE 190:01 TO 190:04 (RUNNING 00:00:11.875)

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00190:01   Q.    (By Mr. Budwin)  Sitting here today, you have
02   no specific recollection of discussing Viola with
03   anybody in your group at UCSF before you left UCSF in
04   December of 1993, right?
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30. PAGE 190:06 TO 190:11 (RUNNING 00:00:12.809)

```
06              THE DEPONENT:  On the contrary, I know that I
07   did discuss Viola with them.
08        Q.    (By Mr. Budwin)  Okay.  Who did you talk
09   about it with?
10        A.    I'm not sure about Mike Doyle, but certainly
11   David Martin, Cheong Ang and Marc Solomon.
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31. PAGE 193:22 TO 194:01 (RUNNING 00:00:16.582)

```
22        Q.    And do you have a specific recollection of
23   telling Martin, Ang, or anyone else at UCSF, about the
24   drawing area widget in Viola?
25        A.    I believe I -- I have recollection of telling
00194:01   David Martin about -- about that.
```

32. PAGE 194:06 TO 194:15 (RUNNING 00:00:22.287)

```
06        Q.    Was it before or after you left UCSF?
07        A.    During my time at UCSF I would have told him.
08        Q.    What specifically did you tell him?
09        A.    "Hey, Viola can do this."
10        Q.    Well, did you tell him they could do it in
11   the browser? outside the browser?
12        A.    It would have been in the browser.
13        Q.    And so you remember specifically having this
14   discussion with David Martin.
15        A.    Yes.
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33. PAGE 196:22 TO 196:24 (RUNNING 00:00:07.587)

```
22        Q.    While you were at UCSF, do you recall using
23   the drawing area widget in Viola?
24        A.    Yes.
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34. PAGE 219:24 TO 220:14 (RUNNING 00:00:28.628)

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24        Q.    Now, Mr. Budwin also asked you questions
25   about what you actually saw when you were at the
00220:01   Wizards or the Web Conference, for example, in
02   Cambridge.
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```
03          Do you recall that?
04      A.  In July 1993, yes.
05      Q.  Correct.
06          And do you -- you did attend the conference,
07 correct?
08      A.  Yes.
09      Q.  And you do recall that Viola was shown at the
10 conference, correct?
11      A.  Yes.
12      Q.  And was it -- was Viola a secret at the
13 conference?
14      A.  No.
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TOTAL: 1 CLIP FROM 1 DEPOSITION (RUNNING 00:11:03.662)