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

Eolas Technologies, )  
Incorporated, )  
)  
Plaintiff, ) Civil Action  
) No. 6:09-cv-446  
vs. )  
)  
Adobe Systems, Inc., )  
Amazon.com, Inc., ) JURY TRIAL  
Apple, Inc., Argosy )  
Publishing, Inc., et al, )  
)  
Defendants. )

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VIDEOTAPED and ORAL DEPOSITION OF  
MICHAEL DOYLE, Ph.D.  
JUNE 30, 2011  
VOLUME 2

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VIDEOTAPED AND ORAL DEPOSITION of  
MICHAEL DOYLE, Ph.D., produced as a witness at the  
instance of the Defendant and duly sworn was taken in  
the above-styled and numbered cause on the 30th of  
June, 2011, from 10:16 a.m. to 8:45 p.m. before  
Gina Oertli, RMR, CSR in and for the State of Texas,  
reported by method of machine shorthand, at the law  
offices of McKool Smith, 300 W. 6th Street,  
Suite 1700, Austin, Texas, pursuant to the Federal  
Rules of Civil Procedure and the provisions stated on  
the record or attached hereto.

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A P P E A R A N C E S

FOR THE PLAINTIFF:

MR. KEVIN L. BURGESS  
McKOOL SMITH  
300 W. 6th Street, Suite 1700  
Austin, Texas 78701  
512.692.8704  
512.692.8744 - Fax  
kburgess@mckoolsmith.com

-and-

MR. MIKE McKOOL  
McKOOL SMITH  
300 Crescent Court  
Dallas, Texas 75201  
214.978.4984  
mmckool@mckoolsmith.com

FOR THE DEFENDANT:

MS. JENNIFER HALTOM DOAN  
HALTOM & DOAN  
Crown Executive Plaza, Suite 100  
6500 Summerhill Road  
Texarkana, Texas 75503  
903.255.1000  
903.255.0800 - Fax  
jdoan@haltomdoan.com

FOR THE DEFENDANT:

MR. EDWARD R. REINES  
WEIL, GOTSHAL & MANGES, LLP  
201 Redwood Shores Parkway  
Redwood Shores, California 94065  
650.802.3022  
650.802.3100 - Fax  
edward.reines@weil.com

1 FOR THE DEFENDANTS:  
2 MS. SASHA G. RAO  
3 ROPES & GRAY LLP  
4 1900 University Avenue, 6th Floor  
5 East Palo Alto, California 94303  
6 650.617.4000  
7 650.617.4090 - Fax  
8 sasha.rao@ropesgray.com  
9 -and-  
10 MR. HAN XU  
11 ROPES & GRAY LLP  
12 Prudential Tower  
13 800 Boylston Street  
14 Boston, Massachusetts 02199  
15 617.951.7000  
16 617.951.7050 - Fax  
17 han.xu@ropesgray.com  
18  
19 FOR THE DEFENDANT:  
20 MR. THOMAS L. DUSTON  
21 MARSHALL GERSTEIN BORUN, LLP  
22 233 South Wacker Drive  
23 6300 Willis Tower  
24 Chicago, Illinois 60606  
25 312.474.6300  
312.474.0448 - Fax  
tduston@marshallip.com  
FOR THE DEFENDANT:  
MR. BRIAN A. CARPENTER  
BUETHER JOE & CARPENTER, LLC  
1700 Pacific Avenue, Suite 2390  
Dallas, Texas 75201  
214.466.1270  
214.635.1829 - Fax  
Brian.Carpenter@BJCIPLaw.com  
ALSO PRESENT: Mr. James Stetson;  
Mr. Patrick Martin, Jr.,  
Videographer

1           A.    Video data can be transferred over the  
2 internet without using the technology laid out in our  
3 patents, correct.

4           Q.    Okay.  And you did not invent the idea of an  
5 interactive media in a web page, correct?

6           A.    I don't quite understand what you mean by  
7 those words, what the range of your definition is.

8           Q.    How would you define "interactive media,"  
9 sir?

10          A.    I define "interactive media" within a web  
11 page as a fully interactive embedded application that  
12 provides interaction with data objects displayed  
13 within the web page, and in that context, we did  
14 invent that.

15          Q.    Right.  That would be covered by your patent,  
16 correct?

17          A.    Yes.

18          Q.    Okay.  Can you think of any type of  
19 interactive media that would not be covered by your  
20 patent?

21          A.    Within the definition that I just laid out,  
22 no, I can't.

23          Q.    Using a broader definition of any other type  
24 of interactive media, whether you click on the media  
25 or that automatically goes ahead and plays, can you

1 Q. If I were to ask you to explain to me what an  
2 embed text format is and what function it performs in  
3 your claimed invention, can you explain it to me in  
4 plain English?

5 A. The best explanation of it is the claim  
6 language itself. The claim language actually  
7 describes the invention and the bounds of the  
8 invention.

9 Q. Okay. Does the embed text format -- does the  
10 meaning of your claimed embed text format change  
11 depending on what claim we look at in the 906 or 985  
12 patents? In other words, I'm asking, does it mean  
13 different things in different claims?

14 A. It means what it says in each individual  
15 claim. So we can go through individual claims. Is  
16 there something specific you --

17 Q. No. I'm just --

18 A. -- want to talk about?

19 Q. Nothing specific. I'm just asking if --  
20 did -- did -- "embed text format," was that a term of  
21 art, or is that a term you coined?

22 A. That's a term that we coined in our -- in  
23 our -- or that we used in -- in our patent  
24 specification.

25 Q. Right. And did you ascribe different