

# EXHIBIT B

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

WI-LAN INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 6:10-cv-521-LED
	§	
ALCATEL-LUCENT USA INC.; <i>et al.</i>	§	JURY TRIAL DEMANDED
	§	
Defendants.	§	
	§	

---

**PLAINTIFF WI-LAN INC.'S REBUTTAL DESIGNATIONS AND OBJECTIONS TO  
DEFENDANTS HTC CORPORATION, HTC AMERICA, INC. AND EXEDEA INC.'S  
DEPOSITION DESIGNATIONS**

Please take notice that Plaintiff Wi-LAN Inc. ("Wi-LAN") hereby makes the following objections and rebuttal-designations to Defendants' trial deposition designations served February 13, 2013:

Witness	HTC Deposition Designations [Page:lines]	Wi-LAN's Objections	Wi-LAN's Rebuttal Designations
<b>Bezryadina, Natalya</b>	21:15 - 22:16	BS/ 403	
	29:11-25	403	
	35:20 - 38:16	BS/ 403/ 402 R	
	44:5 - 45:21	403/ I	46:25-47:01; 47:03-47:08
	49:11 - 50:8	F/ 403/ H/ CS	
	51:17 - 56:8	402 R/ BS/ F/ CS	
	56:18 - 60:25	CS/ BS/ 403/ 402 R	
	68:17 - 69:13	CS/ I	69:16-69:17
	87:3-25	BS	
	93:18 - 95:10	BS/ CS/ F	
<b>Brandt, David</b>	96:11-24	BS/ CS/ F/ 403	
	15:16-24		
	22:14 - 24:16	106	20:5—25:4 (already

<b>Witness</b>	<b>HTC Deposition Designations [Page:lines]</b>	<b>Wi-LAN's Objections</b>	<b>Wi-LAN's Rebuttal Designations</b>
			designated)
	41:17 - 43:19		
	46:4 - 47:25	402 R/ 403/ BS	
	64:18 - 65:8	CS/ 403/ BS/ E/ L	
	68:20 - 69:11	CS/ 402 R/ 403/ L	
	108:19 - 109:12	402 R/ 403	
	117:4 - 122:21	402 R/ 403/ 106	120:1—124:9 (already designated) 236:9—237:8
	124:23 - 125:24	106	124:23—127:21 (already designated)
	129:10 - 130:23		
	132:15 - 134:4		
	148:14 - 150:23	402 R/ 403/ ID	
	159:3 - 160:20	403	
	173:7 - 175:23	402 R/ 403	
	176:11 - 181:25	402 R/ 403	236:9—237:8
	182:12 - 183:1	402 R/ 403	
	184:14-21	402 R/ 403	
	186:17-21	402 R/ 403/ L	
	210:11 - 214:16	402 R/ 403/ BS/ E/ L	210:11—14 (already designated) 236:9—237:8
	223:23 - 228:2	402 R/ 403/ BS	
	229:10-21	402 R/ 403/ BS	
	230:14-19	402 R/ 403/ BS	
	235:1 - 236:8	402 R/ 403/ BS	
<b>Dubuc, Christian</b>	22:13 - 23:11	402 R/ 403	
	33:1 - 34:17	CS/ 402 R/ 403	
	69:13-23	402 R/ 403	
	73:19 - 75:22	402 R/ 403/ BS	
	85:14 - 86:6	402 R/ 403/ E/ L	
	87:23 - 89:9	402 R/ 403/ BS	
	89:25 - 90:6	402 R/ 403/ BS	
	92:6 - 93:2	CS/ H/ 402 R/ 403/ BS/ E/ L	

<b>Witness</b>	<b>HTC Deposition Designations [Page:lines]</b>	<b>Wi-LAN's Objections</b>	<b>Wi-LAN's Rebuttal Designations</b>
	99:10 - 100:5	CS/ H/ 402 R/ 403/ BS/ E/ L	
	107:3-8	402 R/ 403	
	158:25 - 159:18	402 R/ 403/ BS	
	161:11-19	402 R/ 403/ E/ L/ ML	
	163:17-24	402 R/ 403/ ML	
	164:1-20	402 R/ 403/ P	
	165:4 - 167:20	402 R/ 403	
	176:6-18	402 R/ 403/ BS	
	176:24 - 177:1	402 R/ 403	
	182:5 - 183:12	402 R/ 403	
	191:1-7	402 R/ 403/ ML	
	191:13-19	402 R/ 403/ ML	
	202:13 - 203:17	402 R/ 403/ BS/ E/ L	
	207:4 - 209:2	402 R/ 403/ BS/ ML	
	214:2 - 215:6	402 R/ 403/ BS/ ML	
	225:12 - 226:2		
	227:19 - 228:22		
	231:1-11	402 R/ 403/ BS	
	234:17 - 235:13	402 R/ 403	
	236:6-16	402 R/ 403/ BS	
	237:8 - 238:12	402 R/ 403/ BS	
	238:24 - 239:20	CS/ 402 R/ 403/ BS	
	244:12 - 245:15	402 R/ 403/ BS	
	246:24 - 247:16	402 R/ 403/ BS	
	254:17 - 255:2	402 R/ 403/ BS	
	299:1-16	402 R/ 403	
	308:11 - 309:13	402 R/ 403/ BS	
	327:12-17	402 R/ 403/ BS	
	344:17 - 346:15	CS/ 402 R/ 403/ ML	
	350:6 - 351:16	402 R/ 403/ ML	
	357:12 - 358:1	402 R/ 403/ ML	
<b>McEwan, Shaun</b>	22:21 - 23:16	402 R/ 403/ L	
	26:8 - 27:17	403/ BS/ F/ CS	
	29:6-25	403/ BS/ F/ CS	
	33:11-17	403/ BS/ F/ CS	
	34:11 - 36:25	403/ BS/ F/ CS	
	45:2-13	403/ I	

<b>Witness</b>	<b>HTC Deposition Designations [Page:lines]</b>	<b>Wi-LAN's Objections</b>	<b>Wi-LAN's Rebuttal Designations</b>
	73:20 - 74:12		
	79:11 - 82:13	402 R/ 403/ BS/ CS/ H	
	87:1 - 88:15	402 R/ 403/ ML	
	90:23 - 92:7		
	94:16 - 96:10	403/ I	96:12-96:18
	105:3-15	403/ I	
	113:22 - 114:18		
	115:20-24	403/ CS	
	117:10-20	402 R/ 403/ CS	
	133:4 - 134:13	403	
	141:4-17	403	
	171:21 - 172:23		
	182:25 - 183:19	402 R/ 403/ BS	
	184:22 - 185:12	402 R/ 403/ BS	
	199:22 - 201:7	403/ BS/ CS/ F/ L	
	206:16 - 207:8	403/ BS/ I/ MS/ML	207:14-208:02
	209:10 - 210:9	403/ BS	
	218:4-25	403/ BS/ CS/ F	
	221:17 - 223:6	403/ BS/ CS/ F/ I	223:14-224:25; 225:02-225:21
	231:10-15	BS/ F	
	232:22 - 233:15	403/ BS/ CS/ F	
	247:14 - 248:4	403/ BS/ CS/ F/ L	
	252:24 - 253:13		
<b>Middleton, William</b>	209:15 - 210:10	402 R/ BS	
	212:11 - 213:18	402 R/ 403/ BS	
	227:21 - 228:16	403/ BS	
	230:12 - 231:22	403/ BS	
	237:17 - 238:9	403/ BS	
	239:14-23	403/ BS	
	242:16 - 243:25	403/ BS	
	246:12-21	403/ BS	
	249:19 - 250:23	401/ 402 R/ 403/ BS	
	255:20 - 256:16	401/ 403/ BS/ P/ F	
	275:22 - 278:17	402 R/ 403/ BS	
	294:24 - 295:15	403/ BS/ ML	
	297:1-16	403/ BS/ ML	
	312:4 - 313:6	401/ 403/ BS	

<b>Witness</b>	<b>HTC Deposition Designations [Page:lines]</b>	<b>Wi-LAN's Objections</b>	<b>Wi-LAN's Rebuttal Designations</b>
	316:24 - 318:7	403/ BS/ I	
	322:18 - 325:12	403/ BS	
	344:24 - 345:10	403/ BS	
	353:6 - 354:6	401/ 402 R/ 403/ BS/ F	
	359:8-24	401/ 402 R/ 403/ BS	
	367:20 - 370:2	401/ 403/ BS/ CS/ P	
<b>Lysejko, Martin</b>	12:4		
	12:9-12		
	12:20 - 14:10		
	15:21 - 16:7	106	
	19:7 - 20:25	402 R/ 403	
	21:15 - 22:19	402 R/ 403	
	23:15 - 24:24	402 R/ 403	
	28:21 - 29:23	402 R/ 403	
	39:1-17	402 R/ 403	
	47:7-11	402 R/ 403	
	48:13 - 50:2	402 R/ 403	
	58:22 - 59:4	402 R/ 403	
	59:10-14	402 R/ 403	
	73:7 - 76:25	402 R/ 403	
	77:15-25	402 R/ 403	
	78:22 - 81:5	CS/ H/ 402 R/ 403/ E/ L	
	82:4 - 86:8	CS/ H/ 402 R/ 403/ E/ L	
	98:13 - 102:1	CS/ H/ 402 R/ 403/ E/ L	
	113:21 - 117:2	CS/ 402 R/ 403/ L	
	117:15 - 119:21	402 R/ 403	
	120:22-24	402 R/ 403/ E/ L	
	129:1-14	402 R/ 403/ E/ L	
	131:15 - 132:8	402 R/ 403/ E/ L	
	134:17 - 135:6	402 R/ 403/ E/ L	
	135:14 - 140:12	402 R/ 403/ E/ L	
	173:13 - 176:8	402 R/ 403/ E/ L	
	176:16 - 177:10	402 R/ 403/ E/ L	
	202:14 - 203:6	402 R/ 403	
	210:25 - 212:12	402 R/ 403	
	212:23 - 213:6	402 R/ 403	
	214:8 - 215:5	402 R/ 403	

<b>Witness</b>	<b>HTC Deposition Designations [Page:lines]</b>	<b>Wi-LAN's Objections</b>	<b>Wi-LAN's Rebuttal Designations</b>
	217:4 - 218:7	402 R/ 403	
	224:19 - 225:1	402 R/ 403	221:4—221:17; 227:17—228:14
	237:1-23	402 R/ 403/ E/ L	
	238:17 - 239:23	402 R/ 403/ E/ L	
	242:11 - 243:22	402 R/ 403/ E/ L	
	245:2-7	402 R/ 403/ E/ L	
	245:10 - 248:9	402 R/ 403/ E/ L	
	255:2 - 256:14	402 R/ 403/ E/ L	
	261:16 - 265:12	402 R/ 403/ E/ L	
<b>Struhsaker, Paul</b>	7:21-23		
	10:17 - 11:6		
	87:19 - 89:2	402 R/ 403/ E/ L	
	101:4-12	402 R/ 403/ E/ L	
	115:5 - 116:13	402 R/ 403/ E/ L	
	127:20 - 130:25	402 R/ 403	
	182:10-25	402 R/ 403	
<b>Kuo, Ming-Chieh</b>	7:15-25		
	108:1 - 109:23	403	105:7—106:23, 164:7—24; 252:3—11 (already designated) 256:10--19
	112:25 - 113:6	403/ 106	
	189:18 - 191:25	403	
	199:17 - 203:2	403	105:7—106:23, 164:7—24; 252:3—11 (already designated); 256:10--19
	246:20 - 253:12	403	105:7—106:23, 164:7—24; 256:10-- 19
	271:11 - 274:13	403	

Wi-LAN further objects to any testimony designated by any Defendant that violates any ruling of the Court, including rulings related to the parties' forthcoming Motions in Limine. Wi-LAN further objections to Defendants' designations to the extent they exceed the length permitted by the Court's standing order. Wi-LAN reserves the right to amend its objections and deposition designations to respond to issues raised and/or resolved after the submission of this list. Wi-LAN also reserves the right to designate the depositions of any witnesses that Defendant HTC removes from its Witness List identified as "will call" and/or "may call." In making any designations above, Wi-LAN is not in any way waiving any objections to the admissibility of any of Defendant HTC's designations.

**OBJECTION KEY TO DEPOSITION DESIGNATIONS**

<b>Abbreviation</b>	<b>Objection</b>
CS	Calls for Speculation
H	Hearsay
402/R	Irrelevant
403	Unduly Prejudicial / Confusing / Vague / Misleading / Cumulative / Out of Context/ Attorney Objection
BS	Improper 30(b)(6) testimony / Beyond Scope
E	Improper Expert Testimony
I or 106	Incomplete
P	Privileged
L	Call for Legal Conclusion
ID/WD	Inaccurate Description/Insufficient Identification of Exhibit
MS/ML	Subject to Motion to Strike or Motion in Limine
F	Lack of proper foundation
xxx	FRE xxx



Dated: February 25, 2013

Respectfully submitted,

**Local Counsel**

Johnny Ward (TX Bar No. 00794818)  
Wesley Hill (TX Bar No. 24032294)  
WARD & SMITH LAW FIRM  
P.O. Box 1231  
1127 Judson Rd., Ste. 220  
Longview, TX 75606-1231  
Tel: (903) 757-6400  
Fax: (903) 757-2323  
jw@jwfirm.com  
wh@jwfirm.com

By: /s/ David B. Weaver

David B. Weaver (TX Bar No. 00798576)  
Lead Attorney  
Avelyn M. Ross (TX Bar No. 24027817)  
Ajeet P. Pai (TX Bar No. 24060376)  
Syed K. Fareed (TX Bar No. 24065216)  
Jeffrey T. Han (TX Bar No. 24069870)  
Seth A. Lindner (TX Bar No. 24078862)  
Janice Ta (TX Bar No. 24075138)  
VINSON & ELKINS LLP  
2801 Via Fortuna, Suite 100  
Austin, TX 78746  
Tel: (512) 542-8400  
Fax: (512) 542-8612  
dweaver@velaw.com  
aross@velaw.com  
apai@velaw.com  
sfareed@velaw.com  
jhan@velaw.com  
slindner@velaw.com  
jta@velaw.com

Steve R. Borgman (TX Bar No. 02670300)  
Gwendolyn J. Samora  
(TX Bar No. 00784899)  
VINSON & ELKINS LLP  
1001 Fannin Street, Suite 2500  
Houston, TX 77002-6760  
Tel: (713) 758-2222  
Fax: (713) 758-2346  
[sborgman@velaw.com](mailto:sborgman@velaw.com)

Chuck P. Ebertin (CA Bar No. 161374)  
VINSON & ELKINS LLP  
525 University Avenue, Suite 410  
Palo Alto, CA 94301-1918  
Tel: (650) 687-8204  
Fax: (650) 618-8508  
[cebertain@velaw.com](mailto:cebertain@velaw.com)

Constance S. Huttner  
(NY Bar No. 1722024)  
VINSON & ELKINS LLP  
666 5<sup>th</sup> Avenue, 26<sup>th</sup> Floor  
New York, NY 10103-0040  
Tel: (212) 237-0040  
Fax: (917) 849-5339  
[chuttner@velaw.com](mailto:chuttner@velaw.com)

Wi-LAN@velaw.com

*Attorneys for Plaintiff, Wi-LAN Inc.*

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 25th day of February, 2013.

*/s/ David B. Weaver*

---

David B. Weaver