Exhibit I

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

3
   WI-LAN, INC.   )
4   DOCKET NO. 6:10cv521
       -vs-   )
5   Tyler, Texas
   ALCATEL-LUCENT USA, INC.,   12:09 p.m.
6 ET AL   ) July 12, 2013

7 **

8 WI-LAN, INC.   )
                                        DOCKET NO. 6:13cv252
9   -vs-   )

10 HTC CORPORATION,
   ET AL   )

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14   TRANSCRIPT OF TRIAL
                    AFTERNOON SESSION
15   BEFORE THE HONORABLE LEONARD DAVIS,
      UNITED STATES CHIEF DISTRICT JUDGE, AND A JURY

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20 COURT REPORTERS: MS. SHEA SLOAN
                           MS. JUDY WERLINGER
21   211 W. Ferguson
                           Tyler, Texas 75702
22   shea_sloan@txed.uscourts.gov

23

24 Proceedings taken by Machine Stenotype; transcript was
   produced by a Computer.
25

1   THE COURT: Yes, you may.

2   MR. BORGMAN: Try this one.

3   THE WITNESS: Thank you.

4   MR. BORGMAN: Is that one any better?

5   THE WITNESS: I don't know.

6   MR. BORGMAN: May I approach again, Your

7   Honor?

8   THE COURT: Yes, you may.

9   MR. BORGMAN: See if that works.

10   THE WITNESS: Yes, this one works.

11   Q.   (By Mr. Borgman) All right. You were going to

12   tell us, I believe, why IS-95-A fails to disclose TDM

13   techniques, in your opinion?

14   A.   Yes.

15   So within IS-95-A, there is this channel

16   called the paging channel, and it does provide for

17   transmission of messages in certain assigned slots. But

18   these slots are rigorously set up, and they are

19   allocated to an individual mobile, an end phone.

20   So -- and the thing that actually assigns the

21   data within that channel is the mobile station's MIN.

22   That stands for mobile identity number. In other words,

23   it's an indication of the handset that the data is going

24   to.

25   So within this paging channel, it doesn't look

1   at characteristics of the data. It doesn't look at the

2   data that it's about to send and make -- and say this is

3   a particular type of data. It actually just looks at

4   which unit this mobile is actually going to be sent to,

5   and it sends it to that.

6   There's no characteristics of the data taken

7   into account as part of this.

8   Q.   Why is the mobile station, MIN, another

9   acronym -- what's MIN?

10   A.   MIN stands for mobile identification number.

11   Q.   Why is the mobile station's MIN not data --

12 excuse me -- characteristics associated with the data

13 items?

14   A.   Because it's -- it's a characteristic that's

15 associated with the user. This is a number for the

16 end-user. It has nothing to do with the data that's

17 being scheduled.

18   Q.   All right. Now, did Mr. Lanning point to --

19 point to the MIN as characteristics associated with data

20 items?

21   A.   Yes. Yes, he did. I just put the conclusion

22 here, IS-95-A paging channel. This rigidly allocates

23 time slots based on user ID, regardless of the data

24 characteristics.

25   But I think this was your question with

1   A.   Dr. Wicker says this; Dr. Akl says this.

2 Dr. Olivier says that orthogonal -- that PN --

3 orthogonal codes are different from PN codes; that PN

4 codes are not orthogonal. And I say this, as well.

5   Q.   And how about Mr. Lanning?

6   A.   Mr. Lanning disagrees.

7   Q.   All right. And, again, why is that important

8 with respect to Gitlin?

9   A.   Well, it's important because it shows that

10 Gitlin is using a different type of code. Gitlin is

11 using a PN code, a code that is not orthogonal. It's

12 very different from the patents-in-suit.

13   Q.   And if Gitlin does not use orthogonal codes,

14 can Gitlin anticipate any of the claims that are at

15 issue in the case?

16   A.   No, it can't.

17   Q.   All right. Is there anything else missing

18 from the Gitlin patent?

19   A.   Yes, there is.

20   Q.   And what's that?

21   A.   Gitlin also fails to disclose TDM techniques

22 as construed by the Court.

23   Q.   And why do you say that, Dr. Wells?

24   A.   Well, if we have a look at one of the figures

25 within Gitlin -- this is Figure 7 from within Gitlin,

1 and what this is showing is, this is showing what Gitlin

2 calls a codes time slices.

3   He has codes here, and then he has time slots

4 going across here, and he slices that code in time space

5 up into all these different regions here.

6   Then what Dr. Gitlin does is, he allocates

7 those pieces of space to what's shown at the bottom

8 here, which are different types of users. Talks about

9 high-speed users, talks about medium-speed users, and

10 low-speed users.

11   And what these are, as Mr. Lanning confirmed

12 this morning, these are people that pay for different

13 levels of service.

14   So, for example, if you paid for high-speed

15 access, you would be a high-speed user. If you were

16 someone that wanted an economy package, then you would

17 be a low-speed user.

18   And so what this is doing is, it's allocating

19 data, once again, based on characteristics of the user

20 and not based on the characteristics of the data.

21   So it doesn't matter, for example, whether

22 this is a piece of voice traffic, whether it's a piece

23 of text message, whether it's a website. That's not

24 taken into account. It's the characteristic of the user

25 within Gitlin. So it doesn't disclose TDM techniques.

1   Q.   And why does -- why do the user

2 characteristics not disclose the use of TDM techniques?

3   A.   Because these are characteristics associated

4 with the user.   There is nothing within Gitlin that

5 talks about characteristics associated with data.

6   Q.   Is there anything else in Gitlin that shows us

7 that these characteristics are associated with the user

8 and not with the data?

9   A.   Yes. Yes, there is. If you read Gitlin in

10 its entirety, it talks about what the problem is that

11 the patent is trying to solve, and it talks about what

12 the solution is that it proposes.

13   And you can see here, I've highlighted here

14 that the whole purpose of Gitlin was that the systems

15 are for a low-cost access for lower-speed users. You

16 can see that in both of those.

17   Dr. Gitlin was at AT&T, and they were trying

18 to get low-cost access for low-speed users. They were

19 focusing on the users of these systems.

20   Q.   And how does that compare to the claimed

21 invention in the '326, '211, and '819 patents?

22   A.   Okay. So the invention in the -- in the three

23 patents-in-suit is different because what the -- the

24 invent -- what the patents are about is looking at

25 characteristics associated with the data.