

# EXHIBIT A

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

1  
2  
3  
4 WI-LAN, INC. )  
5 DOCKET NO. 6:10cv521  
6 -vs- )  
7 Tyler, Texas  
8 ALCATEL-LUCENT USA, INC., 8:51 a.m.  
9 ET AL ) July 8, 2013

\*\*\*\*\*

10 WI-LAN, INC. )  
11 DOCKET NO. 6:10cv252  
12 -vs- )  
13 HTC CORPORATION,  
14 ET AL )

TRANSCRIPT OF TRIAL  
MORNING SESSION

15 BEFORE THE HONORABLE LEONARD DAVIS,  
16 UNITED STATES CHIEF DISTRICT JUDGE, AND A JURY

17  
18  
19  
20 COURT REPORTERS: MS. SHEA SLOAN  
21 MS. JUDY WERLINGER  
22 211 W. Ferguson  
23 Tyler, Texas 75702  
24 shea\_sloan@txed.uscourts.gov

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

1 important back in that time.

2 So these were the services provided by DSL,  
3 and DSL was actually, you know, one of the initial  
4 broadband technologies that really created the Internet  
5 revolution. All the things you see today wouldn't have  
6 been possible without that roll-out.

7 So, you know, again, that was really what we  
8 were looking at. And everyone was putting their finger  
9 up in the air and going, well, what else can happen? So  
10 the key that we were also looking at is, we had to be  
11 extensible and to not try to anticipate what people  
12 might do on the Internet.

13 People did all kinds of things on the  
14 Internet. So flexibility was important to future-proof  
15 our systems.

16 Q. And so you were looking at a wide variety of  
17 data, and you were going to transition from just  
18 providing that data via a wired solution, and now you  
19 were going to try and provide the same amount of data  
20 wirelessly?

21 A. As close to it as we could. Obviously with  
22 wireless, you do -- and we talked about it in the slides  
23 that you saw from the introductions from -- from both of  
24 the teams here. You saw that wireless is -- is an  
25 expensive commodity. So you have to use it very, very

1 carefully.

2 The government charges billions of dollars for  
3 the use of Spectrum. So that was another part of the --  
4 part of the problem that we had to tackle. How do you  
5 look at the data and understand how do I fit this in the  
6 most optimal manner in what we're doing?

7 And this wasn't theoretical. We were solving  
8 a real problem that real people had in the real roll-out  
9 in 1995. It wasn't 10 years in the future. It was at  
10 that very moment we had a product line we needed to  
11 build. It wasn't theoretical. It was practical.

12 Q. All right. So let's -- did you start with --  
13 or did DSC have at least a first attempt at a solution,  
14 when you arrived in 1995, to this problem?

15 A. Yes. DSC had an initial product that was  
16 called the Airspan-60 or AS-60. And it was a relatively  
17 simple CDMA product that used orthogonal codes. And,  
18 you know, orthogonal codes are used because of their  
19 unique properties of 0 correlation, cross-correlation.

20 So they had low noise across each other.  
21 You'll hear a lot about that as we talk a little bit.  
22 But the thing about it, it was really inefficient. It  
23 was designed just like phone lines. So if I were to  
24 look at you, the jury, and the young lady there, we'll  
25 call you 1, and the last lady at the end in the back,

1 Q. Okay. Well, let's -- let's look at -- you  
2 said that your system was a cellular system.

3 How did your solution that you and Martin and  
4 Joe came up with differ from the traditional cellular  
5 phone system of the day at a high level?

6 A. Well, first of all, at a high level at the  
7 time, we showed great graphics of this earlier, the --  
8 the -- in fact, there were two -- I think it was  
9 disingenuous not to note that there was 2.5G that also  
10 came out after -- or during this time.

11 There was a lot of work on the fact that there  
12 was suddenly, you know, at the time maybe 25 percent of  
13 the United States had a cell phone, and they had a big  
14 issue with voice capacity. So during that time, you saw  
15 a lot of work on voice capacity and simply making cell  
16 phones do two things.

17 One, make sure we could handle more voice  
18 capacity with the Spectrum we had. And two, you wanted  
19 to send texts -- texts. Those were the big things that  
20 kind of came around in the mid-'90s, right?

21 What we were worried about was immediately a  
22 problem of we were rolling out the Internet. We were  
23 rolling out broadband, and we already saw we had gaps.  
24 And our customers, the Bell operating companies and  
25 international companies, really had a need to have those

1 THE COURT: All right. You're finally  
2 released. You may go home and good luck.

3 All right. Anything further before we  
4 break for lunch?

5 MR. WEAVER: Not from the Plaintiff.

6 THE COURT: All right. Enjoy your lunch.  
7 Be in recess.

8 COURT SECURITY OFFICER: All rise.  
9 (Lunch recess.)

10 CERTIFICATION

11  
12 I HEREBY CERTIFY that the foregoing is a  
13 true and correct transcript from the stenographic notes  
14 of the proceedings in the above-entitled matter to the  
15 best of our abilities.

16  
17  
18 /s/ Shea Sloan

SHEA SLOAN, CSR

19 Official Court Reporter

State of Texas No.: 3081

20 Expiration Date: 12/31/14

21  
22 /s/ Judith Werlinger

JUDITH WERLINGER, CSR

Deputy Official Court Reporter

23 State of Texas No.: 731

Expiration Date 12/31/14

24

25