

# EXHIBIT D

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

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3  
4 WI-LAN, INC. )  
5 DOCKET NO. 6:10cv521  
6 -vs- )  
7 Tyler, Texas  
8 ALCATEL-LUCENT USA, INC., 1:12 p.m.  
9 ET AL ) July 10, 2013

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

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

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 that was allocated by the FCC to the service providers  
2 could be used to support lots of users all at once.

3 Q. And at a high level, what are some of the  
4 techniques that have been used to allow these multiple  
5 transmissions to occur on the network?

6 A. Well, there's two that have been talked about  
7 already.

8 The first is code division multiple access.  
9 That is the use of different codes by different users so  
10 they can talk about the same time.

11 I think both parties in this case have used  
12 the analogy of language. If one person is speaking  
13 English, one person is speaking Spanish, and another  
14 speaking French, if you speak English, you might listen  
15 in and you can pick out the English, even though several  
16 people are talking at once.

17 If everyone is using a different code, you  
18 listen for your code, and then you can sort it out, sort  
19 out your message from everybody else that's talking.

20 Q. Now, another technology we've heard about in  
21 this case is time division multiplexing.

22 A. That's right.

23 Q. What is that?

24 A. That's the equivalent of taking turns talking.  
25 You know, the polite dinner party where everybody takes

1 turns, and no one steps on anybody else.

2 So what we see here is a number of slots that

3 have been allocated to different users. User 1 speaks

4 when his or her slot comes up. User 2 speaks. User 3

5 speaks. And then they start over again.

6 So they each take turns, and the people on the

7 right side here know to listen for a specific slot, and

8 then they can follow their conversation.

9 Q. So I want to just take a brief look under the  
10 hood of these two technologies and just kind of dig in a  
11 little more.

12 So first, let's talk about CDMA. Could you  
13 explain how CDMA actually operates to create these  
14 different languages, as you suggested a moment ago?

15 A. Okay. Well, what CDMA does, if you'll take a  
16 look at this figure, we have a lot of 0s and 1s that are  
17 attended -- intended for several different users.

18 CDMA is going to take the bits that are intended for a  
19 particular user and encode those bits with that user's  
20 code.

21 So what I've used here are colors, different  
22 shades of green; but what these codes really are, are  
23 strings of 0s and 1s. They're sequences or codes.

24 So the first user, this user here, that user  
25 is going to receive bits that have been encoded with his

1           A.     Yes.  They all set forth the problem towards  
2 the beginning of the written description.

3           Q.     So what -- I'd like to talk about that, and  
4 that problem is identified in the patents themselves?

5           A.     Yes.

6                   MR. APPLEBY:  So let's turn to the next  
7 slide.

8           Q.     (By Mr. Appleby) And if you could give us a  
9 sense of what the patents tell us the problem was that  
10 Airspan was looking at when it came up with these  
11 inventions.

12           A.     Okay.  So this is in the part of the patent  
13 that's called the background of the invention, but what  
14 I'm specifically reading from is written down here.  
15 I don't know if you can see that.  I can barely see it.  
16 It's Column 1, Lines 45 -- Line 45 through Column 2,  
17 Line 4.

18                   And what it says is that we've got up to 16  
19 separate communication signals.  These happen to be CDMA  
20 signals.  So we're supporting 16 different people with  
21 our service, whatever it may be.

22                   But we have a problem.  And that problem is  
23 that as more subscribers subscribe, we need more  
24 channels.  We need to be able to support more people.  
25                   But we've got this situation in which we're

1 stuck. We've got 16 subscribers already and 16  
2 channels. So we have to have some way of expanding our  
3 system so that it covers more people.

4 Q. Now, do we have some slides illustrating this  
5 problem?

6 A. Yes.

7 Q. So could you explain for us what we see here  
8 in this slide?

9 A. Okay. The actual numbers, if you read that  
10 part that I was pointing you to, it talks about 16 users  
11 and then increasing to a much larger number. Sixteen  
12 was a lot of houses to be drawing and then 64, so I  
13 changed the numbers a little bit.

14 So what I've got here are four subscribers  
15 here, four houses; and they're supported by four codes,  
16 which you see here. One code/one house.

17 So each house is receiving its telephone  
18 service, TV, cable, whatever the case may be, using its  
19 assigned code.

20 And so at this point, everything is great,  
21 because we've got four channels, four codes, and four  
22 subscribers.

23 Q. So what happens if we need to service more  
24 subscribers than just the four that you had shown us  
25 here on that slide?

CERTIFICATION

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

/s/ Shea Sloan

SHEA SLOAN, CSR

Official Court Reporter

State of Texas No.: 3081

Expiration Date: 12/31/14

/s/ Judith Werlinger

JUDITH WERLINGER, CSR

Deputy Official Court Reporter

State of Texas No.: 731

Expiration Date 12/31/14