# EXHIBIT F

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 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                               )
11
12
13
14                       TRANSCRIPT OF TRIAL
                         AFTERNOON SESSION
15          BEFORE THE HONORABLE LEONARD DAVIS,
        UNITED STATES CHIEF DISTRICT JUDGE, AND A JURY
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17
18
19
20   COURT REPORTERS:          MS. SHEA SLOAN
                               MS. JUDY WERLINGER
21                             211 W. Ferguson
                               Tyler, Texas  75702
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23
24   Proceedings taken by Machine Stenotype; transcript was
     produced by a Computer.
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1  regards to the MIN.  Yes, Mr. Lanning pointed to the

2  MIN.

3      Q.    So you and Mr. Lanning disagree about whether

4  the MIN is a characteristic of the data item or a

5  characteristic associated with the user?

6      A.    It would appear that way.  In my opinion, this

7  MIN is not a characteristic associated with the data

8  item as is required by the Court's construction of TDM

9  techniques.

10      Q.    And if it's not a characteristic associated

11  with a data item, what does that tell us about validity

12  or invalidity?

13      A.    Well, this says the patent cannot be invalid

14  on this.  The patent is valid, because there is no

15  anticipation of this claim element.

16      Q.    The claim element being?

17      A.    The TDM techniques, the TDM encoder, and also

18  the TDM decoder.

19      Q.    And now that you mentioned those claim

20  elements, let's put up the claim chart.

21              MR. BORGMAN:  Your Honor, may I put up a

22  claim chart, please?

23              THE COURT:  Yes, you may.

24              MR. BORGMAN:  Thank you.

25      Q.    (By Mr. Borgman) Can you see it?

1    that will be for User 1, User 2, User 3, User 4.

2         Q.   Right.  And that's how time division

3    multiplexing works, right?

4         A.   Some forms of time division multiplexing.

5         Q.   That's how traditional time division

6    multiplexing works when taking turns.  One user goes,

7    then the next user, then the next user, and then next

8    user.  That's how time division multiplexing works,

9    right?

10        A.   Generally, yes.

11        Q.   And you talked about that in your direct

12   examination just a few days ago?

13        A.   That's right, I did.

14        Q.   Okay.  So your -- your -- what your beef is,

15   you're suggesting that, although the slots are allocated

16   based on the user's identity, the user's identity is not

17   a characteristic associated with the data item; that's

18   what your position is, right?

19        A.   That's correct, yes.

20        Q.   Now, you agree, though, a user is associated

21   with the data that a base station is transmitting to

22   that user.  You agree with that, right?

23        A.   Say it again, please.

24        Q.   A user is associated with its data, the data

25   that's being transmitted to that user.  You'll agree

1   with that?

2        A.   Generally, yes, it would be associated with

3   it.

4        Q.   Right.  The user is associated with its data,

5   correct?

6        A.   Yes.

7        Q.   And the encoder in that paging channel is

8   inserting data from mobiles -- that encoder that's

9   inserting the data for those mobiles into the paging

10  channel has to know the identity of that user to do

11  that, right?

12       A.   It has to know it, but it doesn't -- it

13  doesn't look at the characteristics of that data item.

14       Q.   It's looking at the user identity, though,

15  right?

16       A.   It knows -- it has to know which end-user to

17  send the data to.

18       Q.   Okay.  And using that mobile identity, this

19  paging channel allocates those slots in a pre-defined

20  repeated sequence.  You'll agree with that, right?

21       A.   That's right, yes.

22       Q.   So your view is that allocation based on the

23  user in a pre-defined repeated sequence, is excluded by

24  the Court's construction.  That's your view?

25       A.   That's right.

1          Do you see that?

2      A.    I do.

3      Q.    And then if we go down in the same paragraph,

4   it talks about a system in which the individual time

5   slots can transmit a given number of bits for voice, 'n'

6   bits, or video, 'm' bits, transmissions using different

7   amounts of medium bandwidth.

8          Do you see that?

9      A.    Yes, I do.

10     Q.    Voice is a type of data, right?

11     A.    Yes.

12     Q.    And video is a type of data, right?

13     A.    It can be, yes.

14     Q.    And here we see 'n' bits are given to voice,

15   'm' bits are given to video, different amounts of bits

16   given to different types of data, right?

17     A.    I see that written down here.

18     Q.    Now, let me turn to, actually, just briefly to

19   the Gilhousen patent.

20          Now, we've seen this figure from the Gilhousen

21   patent application a number of times, right?

22     A.    From the Gilhousen application, yes.

23     Q.    That's what I'm looking at, right?

24     A.    Let's see.  Yes.

25     Q.    Okay.  And we've seen this figure a number of

1    rates increase on the forward traffic channel, then

2    fewer codes are available.

3              Then look at the next sentence, sir.

4              For example, there can be 32 forward traffic

5    channels assigned at 38.4 kilobits per second.  Some of

6    those -- of these 32 channels can also be split.

7              Do you see that word?

8         A.   Yes, I do.

9         Q.   For example, there can be 16 channels assigned

10   at 38.4 kilobits per second and 64 channels assigned at

11   9600 bits per second.

12             Do you see that?

13        A.   Yes, I see that.

14        Q.   So right here, the document itself uses the

15   word "split" for channels, right?

16        A.   It does.

17        Q.   Okay.  And then if we look at Figure 4-3 --

18   you didn't show us this figure on direct, did you?

19        A.   No, I didn't, because this -- the -- Tiedemann

20   here talks about this overlay code generator as merging

21   codes together.  This -- this figure makes no sense in

22   the context of this patent -- of this paper.

23        Q.   It says:  Overlay Encoding, is the title of

24   this figure, right?

25        A.   Yes.  And as I said, just because it says

1    overlay encoding, doesn't mean it's an overlay encoder.

2        Q.    It says:  Overlay encoding at the bottom of

3    this figure.  You'll agree with that, right?

4        A.    I agree they're the words that are written on

5    this page; but, as I said, that is not what is disclosed

6    within this paper.

7        Q.    Okay.  And just as we read in the documents,

8    there were 32 channels at 3800 and -- 38400 bits per

9    second, right?

10       A.    That's what's written here, but this isn't

11   overlay encoding as construed by the Court.

12       Q.    And most channels are split to 64 orthogonal

13   channels at 1900 and 200 bits per second; isn't that

14   right?

15       A.    Again, this is what's written here, but this

16   isn't overlay encoding as construed by the Court.

17       Q.    38400 is twice 1900 -- 19200, right?

18       A.    I would agree to that.

19       Q.    Okay.  And then those channels can be split

20   again 128 at 9600 bits per second, right?  That's what

21   the figure shows us, right?

22       A.    That's what the figure shows us, but once

23   again, this is not overlay encoding as disclosed in the

24   patent.

25       Q.    So when we're talking about the infringement

1    64 channels assigned at 9600 bits per second, right?

2        A.    That's what it said, but --

3        Q.    And if we turn, we see that the figure that's

4    being referred to is the figure I showed you before,

5    Figure 4-3, a tree, right?

6        A.    I don't know.   I mean, it's not a spreading

7    tree, because it -- the Tiedemann reference talks about

8    merging these channels together.   This makes no sense.

9        Q.    It's not a spreading tree?   It says spreading

10   right at the top of the tree.

11       A.    It doesn't say spreading tree; it says

12   spreading.

13       Q.    It says spreading right at the top of the

14   tree, right?

15       A.    I see that it says spreading, yes.

16       Q.    About 75 percent of your time is spent

17   consulting with lawyers; is that right?

18              MR. BORGMAN:   Your Honor, outside the

19   scope of redirect.

20              THE COURT:   Sustained.

21       Q.    (By Mr. Appleby) Going back to Tiedemann, we

22   also see, do we not, a separate overlay encoder and a

23   separate orthogonal code generator, correct?

24       A.    I see a box that's labeled as an overlay

25   encoder, and I see a box that's labeled as a Walsh code

1       So we'll be adjourned.

2       COURT SECURITY OFFICER:  All rise.

3       (Court adjourned.)

4

5                    CERTIFICATION

6

7       I HEREBY CERTIFY that the foregoing is a

8  true and correct transcript from the stenographic notes

9  of the proceedings in the above-entitled matter to the

10  best of our abilities.

11

12

13  /s/ Shea Sloan
    SHEA SLOAN, CSR

14  Official Court Reporter
    State of Texas No.:  3081

15  Expiration Date:  12/31/14

16

17

    /s/ Judith Werlinger

18  JUDITH WERLINGER, CSR
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