EXHIBIT E
A. No, I did not.

Q. Have you ever reviewed the expert report of Dr. Iain Cockburn?

A. No, I have not.

Q. Have you ever spoken with Dr. Cockburn?

A. No, I have not.

Q. Have you ever exchanged e-mails with Dr. Cockburn?

A. No, I have not.

Q. And you are currently employed by Oracle; is that correct?

A. Yes.

Q. What is your title?

A. Consulting member of technical staff.

Q. How long have you been with Oracle?

A. Well, I was at Sun since '97, and then Oracle purchased Sun. So I've essentially been employed in this role for a bit over 14 years.

Q. What are your primary job responsibilities in your current position?

A. I am a software engineer in the Java Embedded Group, mostly focussed on VMs for embedded devices. I am the VM tech lead within that group. And I've been working in that field since I started at Sun in '97.

Q. So do you work with mobile phones
specifically?

A. Yes, I do.

Q. What specifically do you do?

A. A lot of things.

Q. If you could provide a summary, that's okay too.

A. I do software development. I do design, code reviews. Bug fixing. Project planning. You know, the types of things that a tech lead is typically asked to do. I write patents. I review patents.

And keep in mind this is just a summary; it's not necessarily everything, just the things that are coming to mind right now.

I -- I kind of -- VM tech leads sort of project lead. I worked with other engineers on the tasks they have. It's somewhat a management, but I'm not actually their manager. I'm just helping them, making sure their tasks are moving along and they understand what they are supposed to do.

Q. And what is your educational background?

Just a brief summary of your --

A. Bachelor's of Science and computer science at the University of Michigan in 1986 and a few classes towards a master's, but I did not complete my master's.
eventually grew -- was sent out to everyone. And I believe it was Dr. Kessler that gave each of us a numeric range of about 260 patents that we were responsible for filing into buckets or -- I'm sorry. We call them buckets. Patent categories.

Q. Okay. Let me step back and ask a few general questions about the meeting.

A. Sure.

Q. Other than counsel, was there anybody present other than yourself, Dr. Reinhold, Dr. Kessler, Mr. Wong and Mr. Rose?

A. No. It was just counsel and those five engineers.

Q. Did counsel provide any input on what technology buckets or groups should be considered?

A. I don't recall that happening. It was the engineers who came up with the categories.

Q. And how did the engineers come up with the categories?

A. Just relied on our expertise in the field on the types of Java technologies and categories that would be relevant to a smartphone. These types of categories, we're used to dealing with in doing our job. I just came to the realization last night that when I was looking at the list of categories, that
they are very similar to categories we use in our bug filing.

So there are types of categories that we think of on a frequent basis, whether it's bug filing, scoping out new ideas, new tasks, reading up on literature that might have to do with a certain area of Java technology. So we mostly relied on our expertise in the field to come up with the comprehensive list. And understanding of embedded technology and smartphone technologies also.

Q. Did you rely on any documents in coming up with the list?

A. Not documents that we used during that time, no.

Q. So --

A. I'm sorry, I take that back. I was thinking of documents from previous research.

There were -- a PRD was presented that was also used as -- to help us better understand which patents would have been the most relevant. And that was the PRD for -- essentially for what would become Android. And although not provided at the meeting, later would be an e-mail, there was another old e-mail that was passed on that was related to -- to Project Armstrong and estimated amounts of work it would take
MR. NORTON: Objection to form.

THE WITNESS: And the --

MR. NORTON: You can answer.

THE WITNESS: So for the other patents -- for all -- so I should add the spreadsheet also included the authors and either the filing date and/or the issue date.

BY MR. MULLEN:

Q. So for all the patents that you reviewed, other than the five to ten patents, you just looked at a spreadsheet that had the abstract, the title, the author and either the issues date or the filing date of the patent?

A. Yes, that is correct.

I should add that a lot of the patents were familiar to me, so there were some where I quickly understood what the patent was about.

Q. Why were those patents familiar to you?

A. Some of them were from technologies within the group I've been working in; some of them I wrote;
24 MR. NORTON: Objection to form.

25 THE WITNESS: Describe -- what does
1      A. No.
2      Q. Now, in -- what in your personal experience
3 allows you to determine what technology groups would
4 have been relevant to a smartphone platform in 2006?
5          MR. MULLEN: Object to the form.                07:20
6          THE WITNESS: I've been working on Java
7 Embedded platforms since 1997. Many of those
8 platforms have similar characteristics to a
9 smartphone, especially with regard to processor and
10 available memory, operating system. So I was very
11 familiar with -- with -- with devices like the Android
12 device that was specified in the PRD. So based on
13 that alone, I had a good understanding of -- of what
14 the requirements would be for a smartphone.
15          Also, the group I work in did a full Java
16 stack, that its sole purpose was to run on a
17 smartphone. And I was involved in the development of
18 that stack. So, yeah, just experience in the field is
19 a good summary of why.
20      Q. Now, what was the full Java stack that you
21 had previously been involved in?
22      A.  
23
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Q. And when was that work done? Let me ask: When did you do that work?
A. 2009 timeframe, maybe -- it was a long project. It could have started in 2008. I'm pretty sure it was done before 2010.

Q. Now, is there anything in your experience that allows you to look at individual patents and determine whether they should be given a rating of 1, 2 or 3, using the scale that you and the other engineers came up with for this exercise?

MR. MULLEN: Object to the form.

THE WITNESS: I have a lot of experience with patents. I've authored or co-authored about a dozen patents. So I have the ability to read a patent, understand what the patent is talking about, understand the engineering importance of it and combine that with just my
1 understanding of technologies in the field and how
2 that patent would apply to it. And so based on all
3 those things, I can -- I can look at a set of patents
4 and determine if they get a 1, 2, 3 based on our
5 rating scale here.

6 Q. Now, in the work that you did with the other
7 engineers in this exercise, were you aware of any
8 occasions -- either by your own experience or from
9 information provided by other engineers, occasions on
10 which Oracle or Sun had implemented any of the
11 inventions described in the patents that you were
12 reviewing?

13 MR. MULLEN: Object to form.
14 MR. NORTON: That was awfully long.
15 THE WITNESS: Yes. Can you simplify it a
16 little bit to make sure I'm understanding you right?
17 MR. NORTON: Sure.
18 Q. So with respect to the patents that you and
19 the other engineers rated --
20 A. Okay.
21 Q. -- based on your own experience, were you
22 aware of occasions in which Sun or Oracle had actually
23 implemented the inventions described in the patents?
24 A. Yes.
25 MR. MULLEN: Object to form.
BY MR. NORTON:

Q. Were there -- with respect to the patents that you and the other engineers rated, were there other engineers who expressed the belief that there had been occasions on which Sun or Oracle actually implemented the inventions described in the patent?

MR. MULLEN: Object to form.

THE WITNESS: So, make sure I understand you right. The previous question I answered that I was aware of them being implemented. For this question, I was aware that other engineers mentioned them having been implemented, yes.

BY MR. NORTON:

Q. And as a result of the experience of the engineers in the group with past implementation of these inventions, was there any knowledge about the performance effects of any of the inventions described in the patents?

A. Yes.

MR. MULLEN: Object to form.

BY MR. NORTON:

Q. Can you expand on what you or the other engineers were aware of with respect to performance benefits?

MR. MULLEN: Object to form.
THE WITNESS: I distinctly remember one case where it was decided that a patent initially looked of engineering importance until someone familiar with it said it turned out not to work out as well as we hoped. So it got a lower rating because of that.

There were patents that implemented my group that I work in, that we had direct knowledge of the improvements that they provided.

I'm kind of lost on the question here. Can you ask the question again so I can continue?

MR. NORTON: Sure.

Q. I just asked you to expand on what you or the other engineers were aware of with respect to performance benefits from specific inventions that were described in those patents?

A. Okay. So for the -- so for the ME task, I'm very familiar with in our group, that's the '720 patent. We've done lots of measurements on that and know its benefit. For the '205 patent, that, you know, is basically a JIT-enabling technology and we're aware of -- we've done measurements on how much the JIT helps performance.

Quickening, I need to mention privileged information to talk about that one.

Q. I'll ask you not to disclose any privileged
information.

A. So we were aware, though, of how much the '104 patent would help performance based on previous measurements done. There are other -- so those are a few examples. I'm able to recall those because the patent numbers are listed here. There were other patents, JIT and garbage collection and boot. What I remember is there are a few patents related to preloading, or ROMizing, that also comes from the group I work in that helps with both footprint and start-up time. We've done measurements on that. So, yes, there are quite a few examples.

Q. Do those examples of inventions for which you were already aware of performance benefits, do they include patents that have not been asserted by Oracle in this lawsuit?

A. Yes, definitely.

Q. Mr. Mullen asked you whether you had rated patents before. Do you recall that question?

A. Yes.

Q. And he asked whether you had rated patents before on a scale of 1 to 3. Do you recall that question?

A. Yes.

Q. Leaving aside whether you've rated patents on
FURTHER EXAMINATION

BY MR. NORTON:

Q. Okay. Whenever you were -- you personally were aware of some sort of performance testing of a patent you were reviewing, did you give consideration to that performance testing?
A. Yes.

Q. Regardless of whether the patent had been one that was asserted or not?

A. Yes.

MR. NORTON: Nothing further for me.

MR. MULLEN: Just a few more questions.

FURTHER EXAMINATION

BY MR. MULLEN:

Q. Mr. Plummer, can you name any patent offhand, other than the patents in suit, of which you were aware that performance testing had been conducted?

A. I don't know the patent numbers, but I mentioned there were patents involved in pre-loading, or ROMizing; we've done measurements of that and the footprint measurement. That's one that comes to mind.

I know there are others, but they don't -- it's been a few weeks, and there's a lot of patents to try to retain in your head, so...

Q. Do you know whether the performance testing on those patents that you just mentioned was as extensive as the performance testing done on the patents in suit?

A. I'm not too sure what "extensive" means here because usually it's just a matter of building with and without and measuring the size or running some
standard performance benchmarks. So I have no reason to think that asserted patents would have been -- been tested any more or less extensively than non-asserted ones. I wouldn't assume they are all the same. It kind of depends on what the person doing the work really felt was necessary.

MR. MULLEN: No further questions.

MR. NORTON: None for me.

THE VIDEO OPERATOR: This concludes the videotaped deposition of Mr. Chris Plummer. We're off the record at 7:42 p.m.

(Time noted: 7:42 p.m.)
I declare under penalty of perjury
under the laws of the State of California
that the foregoing is true and correct.

Executed on _______________, 2012,
at ________________, _______________.

____________________________________
SIGNATURE OF THE WITNESS
I, SANDRA LEE HOCKIN, C.S.R. No. 7372, do hereby certify:

That the foregoing deposition testimony was taken before me at the time and place therein set forth and at which time the witness was administered the oath;

That the testimony of the witness and all objections made by counsel at the time of the examination were recorded stenographically by me, and were thereafter transcribed under my direction and supervision, and that the foregoing pages contain a full, true and accurate record of all proceedings and testimony to the best of my skill and ability.

I further certify that I am neither counsel for any party to said action, nor am I related to any party to said action, nor am I in any way interested in the outcome thereof.

IN WITNESS WHEREOF, I have subscribed my name this 17th day of February, 2012.

SANDRA LEE HOCKIN, C.S.R. No. 7372