

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

3 VIRNETX, INC. )  
4 ) DOCKET NO. 6:10cv417  
5 -vs- ) Tyler, Texas  
6 ) 12:34 p.m.  
7 APPLE, INC. ) November 1, 2012

8 TRANSCRIPT OF TRIAL  
9 AFTERNOON SESSION  
10 BEFORE THE HONORABLE LEONARD DAVIS,  
11 UNITED STATES CHIEF DISTRICT JUDGE, AND A JURY

12 A P P E A R A N C E S

13  
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produced by a Computer.

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1 P R O C E E D I N G S

2 (Jury out.)

3 COURT SECURITY OFFICER: All rise.

4 (Pause in proceedings.)

5 THE COURT: You may be seated until the  
6 jury is ready.

7 (Pause in proceedings.)

8 COURT SECURITY OFFICER: All rise for the  
9 jury.

10 (Jury in.)

11 THE COURT: Please be seated.

12 All right, Mr. Williams. You may  
13 proceed.

14 MR. WILLIAMS: Thank you, Your Honor.

15 May it please the Court.

16 MARK JONES, Ph.D., PLAINTIFF'S WITNESS, PREVIOUSLY SWORN

17 CROSS-EXAMINATION

18 BY MR. WILLIAMS:

19 Q. Good afternoon, Dr. Jones.

20 A. Good afternoon, sir.

21 Q. My name is Danny Williams. We met earlier,  
22 right?

23 A. Yes, sir.

24 Q. At your deposition that was taken earlier this  
25 year?

1 the IP address is 1.15 coming in, right?

2 A. That's right.

3 Q. And going out, it's got a different IP  
4 address, right?

5 A. That's right.

6 Q. So if you looked at the port address there, it  
7 would be different, wouldn't it, because it's a  
8 combination of a different IP address and port? Isn't  
9 that correct?

10 A. That's correct. It's been translated to the  
11 different address space.

12 Q. So you can't use the port -- the transport  
13 address of the MacBook Air by the iPhone, can you? You  
14 cannot directly address that transport address by the  
15 iPhone. Isn't that correct?

16 A. I can. It has multiple addresses, and one of  
17 them is that transport address. Another would be its  
18 internal network IP address.

19 Q. And you will agree with me, right, that the  
20 secure communication link requires direct communication?  
21 Correct?

22 A. Yes.

23 MR. WILLIAMS: And that's Slide 50, if we  
24 take a look at that real quick.

25 Q. (By Mr. Williams) This is Judge Davis'

1 construction. A secure communication link must be a  
2 direct communication link.

3 And I believe that you've told us that direct  
4 communication refers to direct addressability, correct?

5 A. That's correct.

6 MR. WILLIAMS: Let's see Slide 51 just to  
7 confirm that we're not missing something.

8 Q. (By Mr. Williams) This was in your report,  
9 right?

10 A. Yes.

11 Q. Okay. The word directly refers to direct  
12 addressability. So if addressing changes, that would  
13 not be direct addressability, right?

14 A. Well, I don't agree at all.

15 Q. Okay.

16 A. You'd have to look at the particulars of the  
17 situation.

18 Q. Now, a secure communication link is not  
19 necessarily a VPN; isn't that right?

20 A. That's correct.

21 Q. Okay. Well, we don't seem to be able to agree  
22 on much. Let's go to something where we might be able  
23 to agree.

24 I believe that you said this morning that  
25 relays -- when relay servers are used in the