

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4 MOTIF FOODWORKS, INC.,

5 Petitioner,

6 v.

7 IMPOSSIBLE FOODS INC.,

8 Patent Owner.

9 Case No. IPR2023-00206

10 U.S. Patent No. 9,943,096

11
12 DEPOSITION UPON ORAL EXAMINATION OF

13 DR. ROBERT MCGORRIN

14
15
16 8:05 A.M.

17 FEBRUARY 9, 2024

18 WITNESS LOCATION: LOS ANGELES, CALIFORNIA

19
20
21
22
23
24 REPORTED BY: CARLA R. WALLAT, CRR, RPR

25 WA CCR 2578, OR CSR 16-0443, CA CSR 14423

Page 1

A P P E A R A N C E S

FOR THE PLAINTIFF PETITIONER:

RAZMIG MESSERIAN

Quinn Emanuel Urquhart & Sullivan, LLP

865 S. Figueroa Street, 10th Floor

Los Angeles, California 90017

213.443.3000

razmesserian@quinnemanuel.com

FOR THE PATENT OWNER:

MICHAEL T. ROSATO

Wilson Sonsini Goodrich & Rosati

701 Fifth Avenue, Suite 5100

Seattle, Washington 98104-7036

206.883.2500

mrosato@wsgr.com

LORI P. WESTIN

ALICIA UMPIERRE

Wilson Sonsini Goodrich & Rosati

12235 El Camino Real

San Diego, California 92130-3002

858.350.2300

lwestin@wsgr.com

aumpierre@wsgr.com

TASHA M. THOMAS

Wilson Sonsini Goodrich & Rosati

1700 K Street NW, Fifth Floor

Washington, DC 20006-3814

202.973.8800

tthomas@wsgr.com

ALSO PRESENT: NONE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

EXAMINATION BY:	PAGE(S)
MR. ROSATO	4

EXHIBITS FOR IDENTIFICATION	PAGE
Exhibit 1181 Rebuttal Declaration of Dr. Robert McGorrin in Support of Petitioner's Reply to Patent Owner's Response	13
Exhibit 1005 Declaration of Dr. Robert McGorrin in Support of Petitioner's Inter Partes Review Of U.S. Patent Nos. 9,943,096, 10,039,306, 11,013,250, 11,224,241	15
Exhibit 1003 Declaration of Dr. Tarté in Support of Petition for Inter Partes Review	17

REPORTER'S NOTE: All quotations from exhibits are reflected in the manner in which they were read into the record and do not necessarily indicate an exact quote from the document.

1 LOS ANGELES, CALIFORNIA; FEBRUARY 9, 2024

2 8:05 A.M.

3 --oOo--

4
5 DR. ROBERT MCGORRIN,
6 sworn as a witness by the Certified Court Reporter,
7 testified as follows:

8
9 EXAMINATION

10 BY MR. ROSATO:

11 Q. Good morning, Dr. McGorrin.

12 A. Good morning.

13 Q. And have you been deposed before?

14 A. Yes, I have.

15 Q. Okay. Great.

16 So I'm sure I'm going to repeat things you've
17 already heard, but it always bears repeating that we go
18 through a few things that are helpful to make sure we
19 get an effective transcript and have a productive
20 discussion, okay?

21 A. Sure.

22 Q. First, is there any reason that you cannot
23 provide complete and accurate testimony today?

24 A. No, there's not.

25 Q. Okay. And hopefully as we continue our

1 discussion, my questions are clear, but if you don't
2 understand any question that I'm asking or you couldn't
3 hear, please let me know that that's the case, okay?

4 A. Okay. Fine.

5 Q. Thank you.

6 And of course as -- you probably have heard
7 this before, but please provide verbal answers to
8 questions rather than gestures, head shaking, nodding
9 and so forth, okay?

10 A. Yes.

11 Q. That helps the court reporter record what
12 we're talking about. Okay.

13 And we can, of course, take a break if you
14 need one, just let me know that you need a break and
15 I'm happy to -- to take that break. I would just ask
16 that if there's a question pending you answer the
17 question before we break, okay?

18 A. Yes.

19 Q. Okay. And then during the course of the
20 deposition, you are not supposed to be communicating
21 with counsel about the substance of your testimony
22 today.

23 Do you understand that?

24 A. I understand, yes.

25 Q. Okay. And that includes anytime during the

1 cross-examination period, including during our
2 discussion and during breaks as well, okay?

3 A. Okay.

4 Q. Okay.

5 And that, of course, includes not only verbal
6 communications, but nonverbal communications like texts
7 and open programs and so forth, okay?

8 A. Okay.

9 Q. And where are you present right now?

10 A. I'm present in Los Angeles at Quinn Emanuel's
11 offices.

12 Q. Okay. And is there anyone else in the room
13 with you right now?

14 A. Just counsel for Motif, Raz.

15 Q. Just Raz?

16 A. Just Raz, yes.

17 Q. Okay. And did you bring any materials with
18 you today?

19 A. I just -- I have access to my declaration.

20 MR. MESSERIAN: So Counsel, we -- we
21 brought in a couple of binders here of the exhibits.
22 They're unmarked, select exhibits from the proceeding,
23 not all of them. And a couple of his declarations, his
24 opening and his rebuttal.

25 MR. ROSATO: Okay. Great. And I

1 appreciate that. And obviously, we'll -- if you want
2 to hand paper copies of exhibits that are -- that are
3 entered today, then that's okay, but hold off on other
4 exhibits that we don't talk about, okay?

5 MR. MESSERIAN: Sounds good.

6 MR. ROSATO: Yeah. Thank you. I really
7 appreciate that.

8 Q. (BY MR. ROSATO) So Dr. McGorrin, are you
9 being compensated for your testimony in this
10 proceeding?

11 A. Yes, I am.

12 Q. And who's providing that compensation?

13 A. Motif through Quinn Emanuel. Actually,
14 working for -- Patexia is my official lawyer.

15 Q. And are you being paid an hourly rate?

16 A. Yes, I am.

17 Q. And what's the hourly rate?

18 A. \$425 an hour.

19 Q. Is all your compensation in this matter being
20 paid at that hourly rate?

21 A. Yes.

22 Q. Okay. So you don't have any financial
23 interest in Motif?

24 A. No, I do not.

25 Q. And you have no financial interest in Ginkgo

1 Bioworks; is that correct?

2 A. No.

3 Q. And what did you do to prepare for this
4 deposition today?

5 A. We met in counsel's office yesterday and had
6 some meetings by -- by Zoom last week.

7 MR. MESSERIAN: And I -- I just want to
8 counsel the witness not to get into the details of our
9 conversations.

10 Q. (BY MR. ROSATO) You mentioned meetings last
11 week; is that correct?

12 A. I'm sorry, this week, actually, this --
13 today's Friday, so it was this week.

14 Q. And how many meetings this week did you have?

15 A. Several. I can't recall. We just -- we just
16 went over the proceedings for preparing me for my
17 deposition.

18 Q. And how long were those meetings collectively?

19 A. To give you a range, I assume it's somewhere
20 in the neighborhood of about 30 hours, 30 --

21 Q. 30 hours?

22 A. Right.

23 Q. Okay. You mentioned you met with counsel.
24 Are there multiple lawyers?

25 A. No, just Raz.

1 Q. Okay. And how did you come about being
2 retained as a witness in this proceeding?

3 A. I was contacted through Patexia. They asked
4 me if I'd be willing to serve -- or to participate on a
5 case involving Maillard reactions, meat flavors.

6 Q. When was that, approximately?

7 A. Oh, approximately, it was last year sometime.
8 I'm going to say -- I think it was in the fall of 2022.

9 Q. Okay. And you were testifying as an expert
10 witness in this case, correct?

11 A. Correct.

12 Q. You're also an expert witness in the district
13 court case; is that correct?

14 A. That's correct.

15 Q. And what -- what is your area of technical
16 expertise?

17 A. My area of technical expertise is flavored
18 chemistry. And in this application, I'm an expert on
19 meat flavors and reactions, thermally generated
20 reactions, Maillard reactions and associated --
21 associated procedures that by which cooked meat flavors
22 are produced.

23 Q. You mentioned the Maillard reaction.

24 What is the Maillard reaction?

25 A. The Maillard reaction is the reaction between

1 sugars and amino acids. The under heating that
2 produces aroma compounds.

3 Q. Does the Maillard reaction occur when cooking
4 meat?

5 A. It can, yes.

6 Q. Can it occur in circumstances when you're not
7 cooking meat?

8 A. It can. It could, yes.

9 Q. And does a Maillard reaction result in a meaty
10 aroma?

11 A. It's probably oversimplifying, but, yes, it
12 can result -- result in a meaty aroma if the proper
13 conditions are produced to obtain it.

14 Q. Can you have a Maillard reaction occur and
15 produce an aroma that is not meaty in nature?

16 A. In some cases that's possible.

17 Q. What's an example of a case where that would
18 occur?

19 A. Well, for example, if you have the
20 concentrations and combinations out of whack, so it's
21 not balanced.

22 Q. Could you give a -- your real world example --
23 would, for example, toasting marshmallows generate a
24 Maillard reaction?

25 A. I don't believe so. Because that would be

1 sugar -- sugar caramelization.

2 Q. And how about baking pastries, does that
3 generate a Maillard reaction?

4 A. Just broadly off the top of my head, it sounds
5 like it could, right, if it's the right -- if you have
6 protein in there, it's your amino acids. You have to
7 have amino acids to be present.

8 Q. I used to live by a bakery and -- and the
9 smell of cooking pastries doesn't smell like meat; is
10 that fair?

11 A. That's fair. But Maillard reaction is much
12 broader than that. Maillard is a huge category of
13 reactions that can encompass a range of products, from
14 baked goods to meats.

15 Q. Sure.

16 So just because a Maillard reaction occurs,
17 doesn't mean that an immediate aroma results; is that
18 fair?

19 A. Well, not exactly, no. If a Maillard reaction
20 occurs, usually -- you can get a meaty aroma. But in
21 some cases, right, if -- if the components are not
22 balanced right, the flavor won't be as accurate.

23 Q. So not every Maillard reaction results in a
24 meaty aroma?

25 A. To give you a little context of that.

1 Q. Well, does everyone single Maillard reaction
2 result in a meaty aroma?

3 A. No.

4 MR. MESSERIAN: Objection. Form.

5 A. I think every Maillard reaction, if it's in
6 with -- with components that are in meat, it can
7 produce a meaty aroma. If we're talking about baked
8 goods or something totally different, the amino acids
9 are different and the sugars are different.

10 Q. (BY MR. ROSATO) Right. So you can have a
11 Maillard reaction occur and the aroma is not a meaty
12 one, correct?

13 A. Qualify that, but I'd say -- I'd say in some
14 cases, yes.

15 Q. Do you have any legal training?

16 A. No.

17 MR. MESSERIAN: Objection. Form.

18 A. I'm not trained as a lawyer. I'm a -- my
19 doctorate is in chemistry.

20 Q. (BY MR. ROSATO) Earlier we talked about your
21 area of expertise.

22 Do you recall that?

23 A. Yes.

24 Q. Do you consider yourself qualified to testify
25 in legal matters?

1 A. To the extent that I -- I can come testify --
2 I'm qualified to testify in legal matters to the extent
3 that the questions are related to my area, which is
4 science and chemistry and flavor technology.

5 Q. Okay. But you don't consider yourself a legal
6 expert, correct?

7 A. No, I don't. No, I do not.

8 Q. I'm going to make available to you -- and
9 maybe you'll get a paper copy as well, but let's get
10 you a copy of Exhibit 1181 which is your second
11 declaration. Let me know when you have that.

12 A. Sure. This is the rebuttal declaration?

13 MR. MESSERIAN: Yes.

14 A. It's dated December -- I'm sorry, January 5,
15 2024.

16 Q. (BY MR. ROSATO) Okay. And you're looking at
17 Exhibit 1181, correct?

18 A. Yes, yes, I am.

19 Q. And just so we -- so we make sure we have the
20 same document, it's titled "Rebuttal Declaration of
21 Dr. Robert McGorrin in Support of Petitioner's Reply to
22 Patent Owner's Response," correct?

23 A. Correct.

24 Q. Okay. Because it saves me some verbiage, I'll
25 refer to this as your second declaration, okay?

1 A. Okay.

2 Q. And if -- if I refer to your second
3 declaration or Exhibit 1181, you'll know I'm referring
4 to this document, okay?

5 A. Okay.

6 Q. Thank you.

7 And did you write this declaration yourself?

8 A. Yes, I did.

9 Q. You didn't have any help?

10 A. Oh, I did with -- with counsel, attorney, but
11 I had full editorial control.

12 Q. Okay.

13 And who decided what topics to address in your
14 second declaration?

15 A. I was asked by -- to respond by counsel.

16 Q. Okay. So you and counsel together decided
17 topics to address in the declaration; is that fair?

18 A. I guess that's fair. Yes.

19 Q. Approximately, how much time did you spend
20 preparing this declaration?

21 A. I don't recall. It was back a couple months
22 ago, but it was -- I don't know. A range -- a range of
23 hours. I can't remember exact.

24 Q. Yeah, they're a lot of work, aren't they?

25 A. They are, yes.

1 Q. Yeah.

2 Now, paragraph 2 of this declaration you cite
3 to your opening declaration as Exhibit 1005.

4 Do you see that?

5 A. I see that, yes.

6 Q. And in fact, in your second declaration, you
7 discuss your opening declaration several times,
8 correct?

9 A. Yes.

10 Q. Okay. Let's also give you a copy of that.
11 That's Exhibit 1005. And let me know when you have
12 that.

13 A. Yes, I have it here. Yes.

14 Q. Okay. And this is -- read the title, make
15 sure we've got the same document. This is Exhibit --

16 A. And --

17 Q. I'm sorry, go ahead.

18 A. I'm sorry. I thought you wanted me to read
19 it. Go ahead.

20 Q. We can go in either order, but I'll start to
21 make it easy. But this is Exhibit 1005, right?

22 A. Right.

23 Q. And the title is "Declaration of Dr. Robert
24 McGorin in Support of Petition for Inter Partes
25 Review" and it lists several patents.

1 Do you see that?

2 A. I see that.

3 Q. Okay. Good. We're looking at the same
4 document.

5 Thank you.

6 I want to go back to your second declaration,
7 okay?

8 A. Okay.

9 Q. Now, one of the references you cite in your
10 second declaration is the declaration of Dr. Rodrigo
11 Tarté; is that correct?

12 A. Yes. I think his name's pronounced Tarté, but
13 yes.

14 Q. Thank you. I always get that backward. I
15 appreciate that.

16 So Dr. Rodrigo Tarté?

17 A. Yes.

18 Q. To be specific, at paragraph 12 of your second
19 declaration.

20 A. Yes, I'm there.

21 Q. Okay. So paragraph 12 you state, "I
22 understand that Dr. Tarté relied on my opinions in
23 rendering his opinions on the obviousness of combining
24 Giacino and Brown."

25 Do you see that?

1 A. I see that, yes.

2 Q. Okay. And just to be clear, by "my opinions,"
3 are you referring to your opening declaration?

4 A. I take it it was replying to Dr. Qian's
5 declaration.

6 Q. Okay. So you here in paragraph 12 say you're
7 replying to Dr. Qian's declaration, correct?

8 A. Yes.

9 Q. And you also state in paragraph 12, "I
10 understand that petitioner and Dr. Tarté rely on" --
11 sorry, I'm reading -- strike that.

12 At paragraph 12, a few lines down, you state,
13 "I understand that Dr. Tarté relied on my opinions in
14 rendering his opinions on the obviousness of combining
15 Giacino and Brown."

16 Do you see that?

17 A. I see that.

18 Q. By "my opinions," are you referring to
19 Dr. Tarté relying on your opening declaration?

20 A. Yes, I believe that's the case.

21 Q. Okay. And how did you come to understand that
22 Dr. Tarté relied on your opening declaration opinions
23 in rendering his opinions?

24 A. Right. Because the reference here is
25 Exhibit 1003 which is my opening declaration.

1 Q. Okay. And -- well, Exhibit 1003 -- let's give
2 you a copy of that. Exhibit 1003 is actually
3 Dr. Tarté's declaration. But we -- we can -- just to
4 keep the documents straight, we can give you a copy of
5 that. So let's hand you a copy of Exhibit 1003 and let
6 me know when you have that.

7 A. Okay, I have it in front of me, yes.

8 Q. And do you recognize this document?

9 A. Yes, I do.

10 Q. What is it?

11 A. It's a declaration of Dr. Tarté in support of
12 the same patent, the '096 patent.

13 Q. Do you view Dr. Tarté as an expert?

14 A. Kind of broad. Can you clarify what expert?
15 He's a meat science expert, I believe.

16 Q. And he was a technical expert in this case.

17 Is that consistent with your understanding?

18 A. That's my understanding, yes.

19 Q. Okay. Do you know Dr. Tarté?

20 A. No. I've just met him very briefly on one
21 occasion, but just generally, just know that he's
22 involved on this case.

23 Q. Do you know his area of expertise?

24 A. As I mentioned, meat science is my
25 understanding.

1 Q. And do you know if Dr. Tarté has an expert
2 understanding of the Maillard reaction?

3 A. I don't believe that's his expertise. He's --
4 in his declaration, he's referred back to me.

5 Q. Do you have any reason to believe that
6 Dr. Tarté is not a credible witness?

7 MR. MESSERIAN: Objection. Form.

8 A. I -- I don't know anything about his
9 credibility. I mean, I'm just taking it at face value.

10 Q. (BY MR. ROSATO) And you -- I think you may
11 have answered this, but -- did you indicate you do not
12 know Dr. Tarté personally?

13 A. I just met him briefly when he was -- the day
14 he was here for his deposition, we had lunch together.
15 Just met him and we were just talking over lunch, you
16 know, not about the case, but just general. He works
17 at the University of Missouri, Columbia.

18 Q. You're talking about the day he was deposed in
19 this case; is that correct?

20 A. Correct. It was back -- I believe it was last
21 fall, September.

22 Q. Had you ever spoken to Dr. Tarté prior to
23 that?

24 A. Not prior to that, no.

25 Q. So you've never talked to Dr. Tarté about this

1 case?

2 A. No.

3 Q. Okay. So you -- you're aware that Dr. Tarté
4 was deposed in this case?

5 A. Yes, I am.

6 Q. Okay. Did you review a copy of his deposition
7 transcript?

8 A. Yes, I did.

9 Q. And did you review the entire transcript?

10 A. Just passages. I mean, went through very
11 quickly, but saw the passages that referred to my --
12 referenced to me.

13 Q. Let's turn back to your second declaration.
14 That's Exhibit 1181.

15 A. Okay.

16 Q. And turn to paragraph 11 of your second
17 declaration and let me know when you're there.

18 A. Yes, I'm there.

19 Q. Do you see where you state, "I am informed and
20 understand that petitioner did not advance an
21 'inherency' theory of obviousness in this proceeding."

22 A. Yes.

23 Q. And who informed you of this?

24 A. My -- my counsel -- my attorneys I'm working
25 with.

1 Q. Okay. And earlier we discussed your area of
2 expertise, right?

3 A. That's right.

4 Q. And you indicated you're a technical expert,
5 not a legal expert, right?

6 A. That's correct.

7 Q. And have you heard the term PTAB which stands
8 for Patent Trial and Appeal Board?

9 A. Yes.

10 Q. So I like to clarify that because sometimes I
11 say "PTAB" and, understandably, technical experts might
12 not know what I'm talking about. So thank you for that
13 clarification.

14 Are you familiar with PTAB legal procedures?

15 A. I just -- just generally aware, the process
16 that -- you know, that is put before the patent
17 examiner to review both sides of the -- both sides of
18 the arguments.

19 Q. Okay. Now, is it fair to say you don't
20 consider yourself an expert on PTAB procedure?

21 A. No.

22 Q. Now, in paragraph 12, for example, you refer
23 to Motif's petition, correct?

24 A. Can you -- can you direct me to where you're
25 talking about?

1 Q. Well, I'll ask the general question and then I
2 can point you to specifics.

3 So the question -- general question is: Do
4 you cite to Motif's petition in your second
5 declaration?

6 A. May I see, is this Exhibit 1003? This is in
7 paragraph 12, correct?

8 Q. Yeah, look at paragraph 12.

9 Do you see where it -- it starts out the first
10 sentence, "I understand that petitioner and Dr. Tarté,"
11 do you see that sentence?

12 A. Yes, uh-huh.

13 Q. And there's a cite here, for example --

14 A. I see, Petition 33.

15 Q. -- Pet. 33?

16 A. Yes, yes.

17 Q. Okay. And did you review the petition that
18 was filed in this case?

19 A. Yes, I did.

20 Q. Okay. So you know what I'm referring to when
21 I say "the petition"?

22 A. Correct.

23 Q. Okay. And did you review -- strike that.
24 When did you review the petition?

25 A. Certainly, around the time when I was writing

1 this rebuttal declaration.

2 Q. Did you review the petition prior to signing
3 your opening declaration?

4 A. I don't recall. I'd have to go back and
5 refresh my memory because that was a year -- over a
6 year ago.

7 Q. You mentioned you reviewed the petition as you
8 were preparing your second declaration, correct?

9 A. I recall that was -- right, because I
10 obviously referenced it here.

11 Q. Okay. And was that the first time you had
12 seen the petition?

13 A. I don't -- I don't recall. It's been --
14 there's so many documents I've seen. So if I cite to
15 it in my first declaration, then I certainly would have
16 reviewed it at that time.

17 Q. You understand the petition is a legal
18 document, correct?

19 A. Yes.

20 Q. And not being a legal expert, would you feel
21 comfortable rendering opinions on what legal theories
22 Motif's lawyers did or did not advance in this case?

23 A. No, not --

24 MR. MESSERIAN: I just want to caution
25 you to take a moment before you answer so I can object.

1 THE WITNESS: Okay.

2 MR. MESSERIAN: Objection. Scope.

3 A. Yeah. It's -- I've been asked to opine on
4 things where I have expertise that can render an
5 opinion. So clearly, I rely on counsel to show me
6 where I can opine and -- you know, based on what they
7 tell me about the petition.

8 Q. (BY MR. ROSATO) Okay. Let's keep looking at
9 paragraph 12 of your second declaration.

10 Are you still there?

11 A. Yes.

12 Q. Okay. There you state, "I understand that
13 petitioner and Dr. Tarté rely on Giacino's explicit
14 disclosures."

15 Do you see that sentence?

16 A. Yes.

17 Q. Okay. You mentioned Giacino's compositions
18 including cysteine, thiamine and ribose, correct?

19 A. Correct.

20 Q. You list an oil or a lipid here, correct?

21 A. I'm sorry.

22 Could you repeat?

23 Q. Do you list an oil or a lipid here?

24 A. I don't see it mentioned in this paragraph.

25 Q. Okay. And elsewhere in your declaration, you

1 discussed Giacino's compositions lacking a lipid,
2 correct?

3 A. Yes, correct.

4 Q. Okay. And I always like to give examples, but
5 one example, if -- if it's helpful, is at paragraph 67.
6 You can look at that and let me know when you're there.

7 A. Right. I'm there.

8 Q. And this paragraph states "As a matter of
9 common sense, lipid oxidation cannot occur without the
10 presence of a lipid," correct?

11 A. Correct.

12 Q. And the next paragraph, paragraph 68, you
13 state, "A POSITA would understand that a composition
14 that lacks lipids would not be at risk of lipid --
15 lipid oxidation or autoxidation," correct?

16 A. Correct.

17 Q. Let's turn back to paragraph 12 of your
18 declaration. Let me know when you're there.

19 A. Okay. I'm there.

20 Q. And do you see the sentence we were just
21 discussing earlier that states, "I understand that
22 Dr. Tarté relied on my opinions in rendering his
23 opinions on the obviousness of combining Giacino and
24 Brown"?

25 A. Yes.

1 Q. Okay. And as you indicated earlier, you cite
2 to Exhibit 1003, paragraph 209 and 210.

3 Do you see that?

4 A. I see that.

5 Q. Let's look at Dr. Tarté's declaration at
6 paragraphs 2009 and -- excuse me, 209 and 210. And let
7 me know when you're there.

8 A. Okay. 209 begins with the words, "Giacino
9 discloses that"?

10 Q. Right. You're looking at paragraph 209 of
11 Dr. Tarté's declaration, right?

12 A. Yes.

13 Q. And at paragraph 209, Dr. Tarté cites
14 paragraph 27 of your opening declaration.

15 Do you see that?

16 A. Yes.

17 Q. Let's look at paragraph 210 of Dr. Tarté's
18 declaration. Let me know when you're there.

19 A. Yes, I'm there.

20 Q. At paragraph 210, Dr. Tarté cites sections V.B
21 and V.D of your opening declaration.

22 Do you see that?

23 A. Yes.

24 Q. Other than paragraph 27 and sections V.B and
25 V.D of your opening declaration, do you see any other

1 citations to your opening declaration at paragraphs 209
2 and 210 of Dr. Tarté's declaration?

3 A. I do not.

4 Q. Okay. Let's turn back to paragraph 209 of
5 Dr. Tarté's declaration. And let me know when you're
6 there.

7 A. Okay. I'm there.

8 Q. And you see where Dr. Tarté argues, "Giacino
9 discloses the meat flavor of the compositions of the
10 present invention is developed by heating the pre-mix
11 compositions at an elevated temperature for a period of
12 time"?

13 A. Yes.

14 Q. Okay. And Dr. Tarté is quoting from Giacino,
15 correct?

16 A. Correct.

17 Q. And for that quote, Dr. Tarté is citing
18 Giacino at column 6, lines 15 through 17, correct?

19 A. Correct.

20 Q. Okay. Turn to page 6 of your second
21 declaration. Let me know when you're there.

22 MR. MESSERIAN: Counsel, did you say
23 page 6 or paragraph 6?

24 Q. (BY MR. ROSATO) Page 6 of your second
25 declaration, Dr. McGorrin.

1 A. Yes, I'm there.

2 Q. And you see the block quote from Giacino at
3 page 6 of your declaration?

4 A. Yes.

5 Q. And you're block quoting the same cite to
6 Giacino that Dr. Tarté quotes in paragraph 209,
7 correct?

8 A. Correct.

9 Q. And that block quote begins, "The meat flavor
10 of the compositions of the present invention is
11 developed by heating the pre-mix compositions at an
12 elevated temperature for a period of time," correct?

13 A. Correct.

14 Q. Great.

15 Turn to paragraph 40 of your second
16 declaration. And let me know when you're there.

17 A. Yes, I'm there.

18 Q. So the last sentence of paragraph 40, you
19 mentioned Giacino's composition including ribose; is
20 that correct?

21 A. Yes.

22 Q. You also mentioned Brown's composition
23 including glucose, correct?

24 A. Correct.

25 Q. Okay. What is ribose?

1 A. Ribose is a reducing sugar.
2 Q. Is glucose also a reducing sugar?
3 A. Yes.
4 Q. How many carbons are in ribose?
5 A. Off the top of my head, I believe it's six. I
6 can't recall if it exactly is aldehyde.
7 Q. That's fair enough. I think ribose is
8 actually a five-carbon sugar --
9 A. Okay.
10 Q. -- does that -- does that sound right?
11 A. I'd have to refer back to my chemistry, but
12 for the sake of argument --
13 MR. MESSERIAN: Counsel, just to
14 clarify, you're on paragraph 40 of the second
15 declaration; is that right?
16 MR. ROSATO: That's correct.
17 MR. MESSERIAN: Okay. Thanks.
18 Q. (BY MR. ROSATO) Well, I guess let me ask it
19 this way.
20 Do you -- do you understand ribose and car --
21 excuse me. Let me -- strike that and let me restart.
22 Do you understand ribose and glucose to have a
23 different number of carbon -- carbons in the molecules?
24 A. I have to -- I'll have to qualify that, you
25 know. I -- I understand I have to go back and check,

1 but for the sake of argument, I'll say, okay.

2 Q. Okay. Tell me if this sounds right.

3 Is -- ribose is a five-carbon molecule?

4 A. I believe so.

5 Q. And glucose is a six-carbon molecule?

6 A. Yes.

7 Q. Okay.

8 A. I guess I would add to that, the number of
9 carbons doesn't determine whether it can participate in
10 the reaction. As long as it's a reducing sugar, it
11 should be -- it should react with amino acids to do
12 Maillard chemistry.

13 Q. Go flip back to paragraph 6 of your
14 declaration. And let me know when you're there.

15 A. Paragraph 6 of which declaration, opening?

16 Q. Your second declaration.

17 A. Okay.

18 Q. Actually, I want to look at the section that
19 starts at paragraph 6, it's titled -- it's titled
20 "Legal Standards."

21 A. Yes, I'm there.

22 Q. And this paragraph 6 states, "I am not an
23 attorney."

24 Do you see that?

25 A. Yes.

1 Q. Okay. And you indicate you're informed of
2 pertinent legal standards by Motif's counsel, correct?

3 A. Correct.

4 Q. And then paragraphs 7 and 8 list some of the
5 legal standards; is that correct?

6 A. Correct.

7 Q. Okay. Is the term "burden of proof" addressed
8 here?

9 A. I don't see it mentioned specifically.

10 Paragraph 7 or which paragraph are we
11 referring to?

12 Q. This whole section, paragraphs 6, 7 and 8.

13 A. I don't see specifically the words "burden of
14 proof" mentioned.

15 Q. Okay. Are you familiar with the legal term
16 "burden of proof"?

17 A. I have heard -- I have heard it, but you'd
18 have to refresh my memory what specifically you're
19 referring to.

20 Q. I mean, I'm --

21 A. Or what -- what context.

22 Q. Well, in the context of your second
23 declaration.

24 Do you recall discussing the burden of proof
25 in your second declaration?

1 A. It's been so long, I don't recall.

2 Q. Okay. Would it surprise you that that's not
3 discussed in your second declaration?

4 A. I don't recall.

5 Q. Okay.

6 MR. ROSATO: Actually, let's take a
7 five-minute break.

8 THE WITNESS: Okay.

9 MR. ROSATO: We can go off the record.

10 (Break from 8:41 a.m. to 8:50 a.m.)

11 MR. ROSATO: Back on the record.

12 Q. (BY MR. ROSATO) Dr. McGorrin, we don't have
13 any further questions for you. Thank you for your time
14 today.

15 A. Okay. Thank you.

16 MR. MESSERIAN: We'll just take a few
17 minutes to decide if we're going to have a redirect.

18 (Break from 8:54 a.m. to 8:59 a.m.)

19 MR. MESSERIAN: Counsel, we don't have
20 any further questions.

21 (Deposition concluded at 8:59 a.m.)

22 (Signature was not requested.)

23

24

25

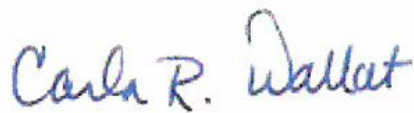
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I, CARLA R. WALLAT, CCR, CSR, RPR, CRR, the undersigned
Certified Court Reporter, authorized to administer oaths and
affirmations in and for the states of Washington (2578),
Oregon (16-0443), and California (14423) do hereby certify:

That the sworn testimony and/or proceedings, a
transcript of which is attached, was given remotely before me
at the time and place stated therein; that any and/or all
witness(es) were duly sworn to testify to the truth; that the
sworn testimony and/or proceedings were by me stenographically
recorded and transcribed under my supervision. That the
foregoing transcript contains a full, true, and accurate
record of all the sworn testimony and/or proceedings given and
occurring at the time and place stated in the transcript; that
a review of which was not requested; that I am in no way
related to any party to the matter, nor to any counsel, nor do
I have any financial interest in the event of the cause.

WITNESS MY HAND AND DIGITAL SIGNATURE this 12th day of
February, 2024.



CARLA R. WALLAT, RPR, CRR
Washington CCR #2578, Expires 1/5/2024
Oregon CSR #16-0443, Expires 9/30/2024
California CSR #14423, Expires 1/31/2024

[& - angeles]

&	17 3:17 27:18	5	98104-7036
& 2:4,9,13,17	1700 2:18	5 13:14	2:10
0	19863 33:22	5100 2:10	a
096 18:12	2	6	a.m. 1:16 4:2
1	2 15:2	6 27:18,20,23	32:10,10,18,18
1/31/2024	20006-3814	27:23,24 28:3	32:21
33:24	2:18	30:13,15,19,22	access 6:19
1/5/2024 33:23	2009 26:6	31:12	accurate 4:23
10,039,306 3:15	202.973.8800	67 25:5	11:22 33:12
1003 3:17	2:19	68 25:12	acids 10:1 11:6
17:25 18:1,2,5	2022 9:8	7	11:7 12:8
22:6 26:2	2024 1:17 4:1	7 31:4,10,12	30:11
1005 3:11 15:3	13:15 33:19	701 2:10	actually 7:13
15:11,21	206.883.2500	8	8:12 18:2 29:8
10th 2:5	2:11	8 31:4,12	30:18 32:6
11 20:16	209 26:2,6,8,10	858.350.2300	add 30:8
11,013,250 3:15	26:13 27:1,4	2:15	address 14:13
11,224,241 3:16	28:6	865 2:5	14:17
1181 3:7 13:10	210 26:2,6,17	8:05 1:16 4:2	addressed 31:7
13:17 14:3	26:20 27:2	8:41 32:10	administer
20:14	213.443.3000	8:50 32:10	33:3
12 16:18,21	2:6	8:54 32:18	advance 20:20
17:6,9,12	2578 1:25 33:4	8:59 32:18,21	23:22
21:22 22:7,8	33:23	9	affirmations
24:9 25:17	27 26:14,24	9 1:17 4:1	33:4
12235 2:14	3	9 1:17 4:1	ago 14:22 23:6
12th 33:18	30 8:20,20,21	9,943,096 1:10	ahead 15:17,19
13 3:7	33 22:14,15	3:14	aldehyde 29:6
14423 1:25	4	9/30/2024	alicia 2:13
33:5,24	4 3:3	33:24	amino 10:1
15 3:11 27:18	40 28:15,18	90017 2:5	11:6,7 12:8
16-0443 1:25	29:14	92130-3002	30:11
33:5,24	425 7:18	2:14	angeles 1:18
			2:5 4:1 6:10

[answer - clarify]

answer 5:16 23:25 answered 19:11 answers 5:7 anytime 5:25 appeal 1:2 21:8 application 9:18 appreciate 7:1 7:7 16:15 approximately 9:6,7 14:19 area 9:15,17 12:21 13:3 18:23 21:1 argues 27:8 argument 29:12 30:1 arguments 21:18 aroma 10:2,10 10:12,15 11:17 11:20,24 12:2 12:7,11 asked 9:3 14:15 24:3 asking 5:2 associated 9:20 9:21 assume 8:19 attached 33:7 attorney 14:10 30:23	attorneys 20:24 aumpierre 2:16 authorized 33:3 autoxidation 25:15 available 13:8 avenue 2:10 aware 20:3 21:15 b back 14:21 16:6 19:4,20 20:13 23:4 25:17 27:4 29:11,25 30:13 32:11 backward 16:14 baked 11:14 12:7 bakery 11:8 baking 11:2 balanced 10:21 11:22 based 24:6 bears 4:17 begins 26:8 28:9 believe 10:25 17:20 18:15 19:3,5,20 29:5 30:4 binders 6:21	bioworks 8:1 block 28:2,5,9 board 1:2 21:8 break 5:13,14 5:15,17 32:7 32:10,18 breaks 6:2 briefly 18:20 19:13 bring 6:17 broad 18:14 broader 11:12 broadly 11:4 brought 6:21 brown 16:24 17:15 25:24 brown's 28:22 burden 31:7,13 31:16,24 c c 2:1 ca 1:25 california 1:18 2:5,14 4:1 33:5 33:24 camino 2:14 car 29:20 caramelization 11:1 carbon 29:8,23 30:3,5 carbons 29:4 29:23 30:9 carla 1:24 33:2 33:23	case 1:9 5:3 9:5 9:10,13 10:17 17:20 18:16,22 19:16,19 20:1 20:4 22:18 23:22 cases 10:16 11:21 12:14 category 11:12 cause 33:17 caution 23:24 ccr 1:25 33:2 33:23 certainly 22:25 23:15 certificate 33:1 certified 4:6 33:3 certify 33:5 check 29:25 chemistry 9:18 12:19 13:4 29:11 30:12 circumstances 10:6 citations 27:1 cite 15:2 16:9 22:4,13 23:14 26:1 28:5 cites 26:13,20 citing 27:17 clarification 21:13 clarify 18:14 21:10 29:14
---	---	--	--

[clear - different]

clear 5:1 17:2 clearly 24:5 collectively 8:18 columbia 19:17 column 27:18 combinations 10:20 combining 16:23 17:14 25:23 come 9:1 13:1 17:21 comfortable 23:21 common 25:9 communicating 5:20 communicati... 6:6,6 compensated 7:9 compensation 7:12,19 complete 4:23 components 11:21 12:6 composition 25:13 28:19,22 compositions 24:17 25:1 27:9,11 28:10 28:11 compounds 10:2	concentrations 10:20 concluded 32:21 conditions 10:13 consider 12:24 13:5 21:20 consistent 18:17 contacted 9:3 contains 33:12 context 11:25 31:21,22 continue 4:25 control 14:11 conversations 8:9 cooked 9:21 cooking 10:3,7 11:9 copies 7:2 copy 13:9,10 15:10 18:2,4,5 20:6 correct 8:1,11 9:10,11,13,14 12:12 13:6,17 13:22,23 15:8 16:11 17:7 19:19,20 21:6 21:23 22:7,22 23:8,18 24:18 24:19,20 25:2 25:3,10,11,15	25:16 27:15,16 27:18,19 28:7 28:8,12,13,20 28:23,24 29:16 31:2,3,5,6 counsel 5:21 6:14,20 8:8,23 14:10,15,16 20:24 24:5 27:22 29:13 31:2 32:19 33:16 counsel's 8:5 couple 6:21,23 14:21 course 5:6,13 5:19 6:5 court 4:6 5:11 9:13 33:3 credibility 19:9 credible 19:6 cross 6:1 crr 1:24 33:2 33:23 csr 1:25,25 33:2,24,24 cysteine 24:18	decide 32:17 decided 14:13 14:16 declaration 3:7 3:11,17 6:19 13:11,12,20,25 14:3,7,14,17,20 15:2,3,6,7,23 16:6,10,10,19 17:3,5,7,19,22 17:25 18:3,11 19:4 20:13,17 22:5 23:1,3,8 23:15 24:9,25 25:18 26:5,11 26:14,18,21,25 27:1,2,5,21,25 28:3,16 29:15 30:14,15,16 31:23,25 32:3 declarations 6:23 deposed 4:13 19:18 20:4 deposition 1:12 5:20 8:4,17 19:14 20:6 32:21 details 8:8 determine 30:9 developed 27:10 28:11 diego 2:14 different 12:8,9 12:9 29:23
		d 3:1 dated 13:14 day 19:13,18 33:18 dc 2:18 december 13:14	

[digital - further]

digital 33:18 direct 21:24 discloses 26:9 27:9 disclosures 24:14 discuss 15:7 discussed 21:1 25:1 32:3 discussing 25:21 31:24 discussion 4:20 5:1 6:2 district 9:12 doctorate 12:19 document 3:25 13:20 14:4 15:15 16:4 18:8 23:18 documents 18:4 23:14 dr 1:13 3:7,11 3:17 4:5,11 7:8 13:21 15:23 16:10,16,22 17:4,7,10,13,19 17:22 18:3,11 18:13,19 19:1 19:6,12,22,25 20:3 22:10 24:13 25:22 26:5,11,13,17 26:20 27:2,5,8 27:14,17,25	28:6 32:12 duly 33:9 e e 2:1,1 3:1 earlier 12:20 21:1 25:21 26:1 easy 15:21 editorial 14:11 effective 4:19 either 15:20 el 2:14 elevated 27:11 28:12 emanuel 2:4 7:13 emanuel's 6:10 encompass 11:13 entered 7:3 entire 20:9 es 33:9 event 33:17 exact 3:25 14:23 exactly 11:19 29:6 examination 1:12 3:2 4:9 6:1 examiner 21:17 example 10:17 10:19,22,23 21:22 22:13 25:5	examples 25:4 excuse 26:6 29:21 exhibit 3:7,11 3:17 13:10,17 14:3 15:3,11 15:15,21 17:25 18:1,2,5 20:14 22:6 26:2 exhibits 3:6,22 6:21,22 7:2,4 expert 9:9,12 9:18 13:6 18:13,14,15,16 19:1 21:4,5,20 23:20 expertise 9:16 9:17 12:21 18:23 19:3 21:2 24:4 experts 21:11 expires 33:23 33:24,24 explicit 24:13 extent 13:1,2 f face 19:9 fact 15:6 fair 11:10,11 11:18 14:17,18 21:19 29:7 fall 9:8 19:21 familiar 21:14 31:15	february 1:17 4:1 33:19 feel 23:20 fifth 2:10,18 figueroa 2:5 filed 22:18 financial 7:22 7:25 33:17 fine 5:4 first 4:22 22:9 23:11,15 five 29:8 30:3 32:7 flavor 11:22 13:4 27:9 28:9 flavored 9:17 flavors 9:5,19 9:21 flip 30:13 floor 2:5,18 follows 4:7 foods 1:7 foodworks 1:4 foregoing 33:12 form 12:4,17 19:7 forth 5:9 6:7 friday 8:13 front 18:7 full 14:11 33:12 further 32:13 32:20
--	--	--	--

[general - look]

g general 19:16 22:1,3 generally 18:21 21:15 generate 10:23 11:3 generated 9:19 gestures 5:8 giacino 16:24 17:15 25:23 26:8 27:8,14 27:18 28:2,6 giacino's 24:13 24:17 25:1 28:19 ginkgo 7:25 give 8:19 10:22 11:25 15:10 18:1,4 25:4 given 33:7,13 glucose 28:23 29:2,22 30:5 go 4:17 15:17 15:19,20 16:6 23:4 29:25 30:13 32:9 going 4:16 9:8 13:8 32:17 good 4:11,12 7:5 16:3 goodrich 2:9,13 2:17 goods 11:14 12:8	great 4:15 6:25 28:14 guess 14:18 29:18 30:8	impossible 1:7 includes 5:25 6:5 including 6:1 24:18 28:19,23 indicate 3:24 19:11 31:1 indicated 21:4 26:1 informed 20:19 20:23 31:1 inherency 20:21 inter 3:13,18 15:24 interest 7:23,25 33:17 invention 27:10 28:10 involved 18:22 involving 9:5 ipr2023-00206 1:9	20:17 21:12,16 22:20 24:6 25:6,18 26:7 26:18 27:5,21 28:16 29:25 30:14
	h	hand 7:2 18:5 33:18 happy 5:15 head 5:8 11:4 29:5 hear 5:3 heard 4:17 5:6 21:7 31:17,17 heating 10:1 27:10 28:11 help 14:9 helpful 4:18 25:5 helps 5:11 hold 7:3 hopefully 4:25 hour 7:18 hourly 7:15,17 7:20 hours 8:20,21 14:23 huge 11:12 huh 22:12	l
	i	j	lacking 25:1 lacks 25:14 lawyer 7:14 12:18 lawyers 8:24 23:22 legal 12:15,25 13:2,5 21:5,14 23:17,20,21 30:20 31:2,5 31:15 lines 17:12 27:18 lipid 24:20,23 25:1,9,10,14,15 lipids 25:14 list 24:20,23 31:4 lists 15:25 little 11:25 live 11:8 llp 2:4 location 1:18 long 8:18 30:10 32:1 look 22:8 25:6 26:5,17 30:18
	identification 3:6 immediate 11:17	k	
		january 13:14	
		k	
		k 2:18 keep 18:4 24:8 kind 18:14 know 5:3,14 13:11 14:3,22 15:11 18:6,19 18:21,23 19:1 19:8,12,16	

[looking - okay]

looking 13:16 16:3 24:8 26:10 lori 2:12 los 1:18 2:5 4:1 6:10 lot 14:24 lunch 19:14,15 lwestin 2:15	31:20 meat 9:5,19,21 10:4,7 11:9 12:6 18:15,24 27:9 28:9 meats 11:14 meaty 10:9,12 10:15 11:20,24 12:2,7,11 meetings 8:6,10 8:14,18 memory 23:5 31:18 mentioned 8:10 8:23 9:23 18:24 23:7 24:17,24 28:19 28:22 31:9,14 messerian 2:4 6:20 7:5 8:7 12:4,17 13:13 19:7 23:24 24:2 27:22 29:13,17 32:16 32:19 met 8:5,23 18:20 19:13,15 michael 2:9 minute 32:7 minutes 32:17 missouri 19:17 mix 27:10 28:11 molecule 30:3,5	molecules 29:23 moment 23:25 months 14:21 morning 4:11 4:12 motif 1:4 6:14 7:13,23 motif's 21:23 22:4 23:22 31:2 mrosato 2:11 multiple 8:24	objection 12:4 12:17 19:7 24:2 obtain 10:13 obviously 7:1 23:10 obviousness 16:23 17:14 20:21 25:23 occasion 18:21 occur 10:3,6,14 10:18 12:11 25:9 occurring 33:14 occurs 11:16,20 office 1:1 8:5 offices 6:11 official 7:14 oh 9:7 14:10 oil 24:20,23 okay 4:15,20 4:25 5:3,4,9,12 5:17,19,25 6:2 6:3,4,7,8,12,17 6:25 7:3,4,22 8:23 9:1,9 13:5 13:16,24,25 14:1,4,5,12,16 15:10,14 16:3 16:7,8,21 17:2 17:6,21 18:1,7 18:19 20:3,6 20:15 21:1,19 22:17,20,23
m	meetings 8:6,10 8:14,18 memory 23:5 31:18 mentioned 8:10 8:23 9:23 18:24 23:7 24:17,24 28:19 28:22 31:9,14 messerian 2:4 6:20 7:5 8:7 12:4,17 13:13 19:7 23:24 24:2 27:22 29:13,17 32:16 32:19 met 8:5,23 18:20 19:13,15 michael 2:9 minute 32:7 minutes 32:17 missouri 19:17 mix 27:10 28:11 molecule 30:3,5	n	objection 12:4 12:17 19:7 24:2 obtain 10:13 obviously 7:1 23:10 obviousness 16:23 17:14 20:21 25:23 occasion 18:21 occur 10:3,6,14 10:18 12:11 25:9 occurring 33:14 occurs 11:16,20 office 1:1 8:5 offices 6:11 official 7:14 oh 9:7 14:10 oil 24:20,23 okay 4:15,20 4:25 5:3,4,9,12 5:17,19,25 6:2 6:3,4,7,8,12,17 6:25 7:3,4,22 8:23 9:1,9 13:5 13:16,24,25 14:1,4,5,12,16 15:10,14 16:3 16:7,8,21 17:2 17:6,21 18:1,7 18:19 20:3,6 20:15 21:1,19 22:17,20,23
m 2:17 maillard 9:5,20 9:23,24,25 10:3,9,14,24 11:3,11,12,16 11:19,23 12:1 12:5,11 19:2 30:12 make 4:18 13:8 13:19 15:14,21 manner 3:23 marshmallows 10:23 materials 6:17 matter 7:19 25:8 33:16 matters 12:25 13:2 mcgorrin 1:13 3:8,12 4:5,11 7:8 13:21 15:24 27:25 32:12 mean 11:17 19:9 20:10	meetings 8:6,10 8:14,18 memory 23:5 31:18 mentioned 8:10 8:23 9:23 18:24 23:7 24:17,24 28:19 28:22 31:9,14 messerian 2:4 6:20 7:5 8:7 12:4,17 13:13 19:7 23:24 24:2 27:22 29:13,17 32:16 32:19 met 8:5,23 18:20 19:13,15 michael 2:9 minute 32:7 minutes 32:17 missouri 19:17 mix 27:10 28:11 molecule 30:3,5	n 2:1 3:1 name's 16:12 nature 10:15 necessarily 3:24 need 5:14,14 neighborhood 8:20 never 19:25 nodding 5:8 nonverbal 6:6 nos 3:14 note 3:22 number 29:23 30:8 nw 2:18	objection 12:4 12:17 19:7 24:2 obtain 10:13 obviously 7:1 23:10 obviousness 16:23 17:14 20:21 25:23 occasion 18:21 occur 10:3,6,14 10:18 12:11 25:9 occurring 33:14 occurs 11:16,20 office 1:1 8:5 offices 6:11 official 7:14 oh 9:7 14:10 oil 24:20,23 okay 4:15,20 4:25 5:3,4,9,12 5:17,19,25 6:2 6:3,4,7,8,12,17 6:25 7:3,4,22 8:23 9:1,9 13:5 13:16,24,25 14:1,4,5,12,16 15:10,14 16:3 16:7,8,21 17:2 17:6,21 18:1,7 18:19 20:3,6 20:15 21:1,19 22:17,20,23
		o	objection 12:4 12:17 19:7 24:2 obtain 10:13 obviously 7:1 23:10 obviousness 16:23 17:14 20:21 25:23 occasion 18:21 occur 10:3,6,14 10:18 12:11 25:9 occurring 33:14 occurs 11:16,20 office 1:1 8:5 offices 6:11 official 7:14 oh 9:7 14:10 oil 24:20,23 okay 4:15,20 4:25 5:3,4,9,12 5:17,19,25 6:2 6:3,4,7,8,12,17 6:25 7:3,4,22 8:23 9:1,9 13:5 13:16,24,25 14:1,4,5,12,16 15:10,14 16:3 16:7,8,21 17:2 17:6,21 18:1,7 18:19 20:3,6 20:15 21:1,19 22:17,20,23
		oaths 33:3 object 23:25	objection 12:4 12:17 19:7 24:2 obtain 10:13 obviously 7:1 23:10 obviousness 16:23 17:14 20:21 25:23 occasion 18:21 occur 10:3,6,14 10:18 12:11 25:9 occurring 33:14 occurs 11:16,20 office 1:1 8:5 offices 6:11 official 7:14 oh 9:7 14:10 oil 24:20,23 okay 4:15,20 4:25 5:3,4,9,12 5:17,19,25 6:2 6:3,4,7,8,12,17 6:25 7:3,4,22 8:23 9:1,9 13:5 13:16,24,25 14:1,4,5,12,16 15:10,14 16:3 16:7,8,21 17:2 17:6,21 18:1,7 18:19 20:3,6 20:15 21:1,19 22:17,20,23

[okay - put]

23:11 24:1,8 24:12,17,25 25:4,19 26:1,8 27:4,7,14,20 28:25 29:9,17 30:1,2,7,17 31:1,7,15 32:2 32:5,8,15 ooo 4:3 open 6:7 opening 6:24 15:3,7 17:3,19 17:22,25 23:3 26:14,21,25 27:1 30:15 opine 24:3,6 opinion 24:5 opinions 16:22 16:23 17:2,13 17:14,18,22,23 23:21 25:22,23 oral 1:12 order 15:20 oregon 33:5,24 oversimplifyi... 10:11 owner 1:8 2:8 owner's 3:10 13:22 oxidation 25:9 25:15	28:3 paid 7:15,20 paper 7:2 13:9 paragraph 15:2 16:18,21 17:6,9,12 20:16 21:22 22:7,8 24:9,24 25:5,8,12,12,17 26:2,10,13,14 26:17,20,24 27:4,23 28:6 28:15,18 29:14 30:13,15,19,22 31:10,10 paragraphs 26:6 27:1 31:4 31:12 partes 3:13,19 15:24 participate 9:4 30:9 party 33:16 passages 20:10 20:11 pastries 11:2,9 patent 1:1,2,8 1:10 2:8 3:9,14 13:22 18:12,12 21:8,16 patents 15:25 patexia 7:14 9:3 pending 5:16	period 6:1 27:11 28:12 personally 19:12 pertinent 31:2 pet 22:15 petition 3:18 15:24 21:23 22:4,14,17,21 22:24 23:2,7 23:12,17 24:7 petitioner 1:5 2:3 17:10 20:20 22:10 24:13 petitioner's 3:9 3:13 13:21 place 33:8,14 plaintiff 2:3 please 5:3,7 point 22:2 posita 25:13 possible 10:16 pre 27:10 28:11 prepare 8:3 preparing 8:16 14:20 23:8 presence 25:10 present 2:21 6:9,10 11:7 27:10 28:10 prior 19:22,24 23:2 probably 5:6 10:11	procedure 21:20 procedures 9:21 21:14 proceeding 6:22 7:10 9:2 20:21 proceedings 8:16 33:6,10 33:13 process 21:15 produce 10:15 12:7 produced 9:22 10:13 produces 10:2 productive 4:19 products 11:13 programs 6:7 pronounced 16:12 proof 31:7,14 31:16,24 proper 10:12 protein 11:6 provide 4:23 5:7 providing 7:12 ptab 21:7,11,14 21:20 put 21:16
p			
p 2:1,1,12 page 3:2,6 27:20,23,24			

[qian's - robert]

q	reaction 9:23 9:24,25,25 10:3,9,14,24 11:3,11,16,19 11:23 12:1,5 12:11 19:2 30:10 reactions 9:5 9:19,20,20 11:13 read 3:23 15:14 15:18 reading 17:11 real 2:14 10:22 really 7:6 reason 4:22 19:5 rebuttal 3:7 6:24 13:12,20 23:1 recall 8:15 12:22 14:21 23:4,9,13 29:6 31:24 32:1,4 recognize 18:8 record 3:24 5:11 32:9,11 33:13 recorded 33:11 redirect 32:17 reducing 29:1,2 30:10 refer 13:25 14:2 21:22 29:11	reference 17:24 referenced 20:12 23:10 references 16:9 referred 19:4 20:11 referring 14:3 17:3,18 22:20 31:11,19 reflected 3:23 refresh 23:5 31:18 related 13:3 33:16 relied 16:22 17:13,22 25:22 rely 17:10 24:5 24:13 relying 17:19 remember 14:23 remotely 33:7 render 24:4 rendering 16:23 17:14,23 23:21 25:22 repeat 4:16 24:22 repeating 4:17 reply 3:9 13:21 replying 17:4,7 reported 1:24 reporter 4:6 5:11 33:3	reporter's 3:22 33:1 requested 32:22 33:15 respond 14:15 response 3:10 13:22 restart 29:21 result 10:9,12 10:12 12:2 results 11:17 11:23 retained 9:2 review 3:13,19 15:25 20:6,9 21:17 22:17,23 22:24 23:2 33:15 reviewed 23:7 23:16 ribose 24:18 28:19,25 29:1 29:4,7,20,22 30:3 right 6:9,13 8:22 11:5,5,21 11:22 12:10 15:21,22 17:24 21:2,3,5 23:9 25:7 26:10,11 29:10,15 30:2 risk 25:14 robert 1:13 3:8 3:11 4:5 13:21 15:23
r			
r 1:24 2:1 33:2 33:23 range 8:19 11:13 14:22,22 rate 7:15,17,20 rather 5:8 raz 6:14,15,16 8:25 razmesserian 2:6 razmig 2:4 react 30:11			

[rodrigo - tarté's]

rodrigo 16:10 16:16 room 6:12 rosati 2:9,13,17 rosato 2:9 3:3 4:10 6:25 7:6,8 8:10 12:10,20 13:16 19:10 24:8 27:24 29:16,18 32:6 32:9,11,12 rpr 1:24 33:2 33:23	see 15:4,5 16:1 16:2,25 17:1 17:16,17 20:19 22:6,9,11,14 24:15,24 25:20 26:3,4,15,22,25 27:8 28:2 30:24 31:9,13 seen 23:12,14 select 6:22 sense 25:9 sentence 22:10 22:11 24:15 25:20 28:18 september 19:21 serve 9:4 several 8:15 15:7,25 shaking 5:8 show 24:5 sides 21:17,17 signature 32:22 33:18,22 signing 23:2 single 12:1 six 29:5 30:5 smell 11:9,9 sonsini 2:9,13 2:17 sorry 8:12 13:14 15:17,18 17:11 24:21 sound 29:10	sounds 7:5 11:4 30:2 specific 16:18 specifically 31:9,13,18 specifics 22:2 spend 14:19 spoken 19:22 standards 30:20 31:2,5 stands 21:7 start 15:20 starts 22:9 30:19 state 16:21 17:9,12 20:19 24:12 25:13 stated 33:8,14 states 1:1 25:8 25:21 30:22 33:4 stenographic... 33:10 straight 18:4 street 2:5,18 strike 17:11 22:23 29:21 substance 5:21 sugar 11:1,1 29:1,2,8 30:10 sugars 10:1 12:9 suite 2:10 sullivan 2:4	supervision 33:11 support 3:8,12 3:18 13:21 15:24 18:11 supposed 5:20 sure 4:16,18,21 11:15 13:12,19 15:15 surprise 32:2 sworn 4:6 33:6 33:9,10,13
s			t
s 2:1,5 3:2 sake 29:12 30:1 san 2:14 saves 13:24 saw 20:11 science 13:4 18:15,24 scope 24:2 seattle 2:10 second 13:10 13:25 14:2,14 15:6 16:6,10 16:18 20:13,16 22:4 23:8 24:9 27:20,24 28:15 29:14 30:16 31:22,25 32:3 section 30:18 31:12 sections 26:20 26:24			t 2:9 take 5:13,15 17:4 23:25 32:6,16 talk 7:4 talked 12:20 19:25 talking 5:12 12:7 19:15,18 21:12,25 tarté 3:17 16:11,12,16,22 17:10,13,19,22 18:11,13,19 19:1,6,12,22,25 20:3 22:10 24:13 25:22 26:13,20 27:8 27:14,17 28:6 tarté's 18:3 26:5,11,17 27:2,5

[tasha - works]

tasha 2:17 technical 9:15 9:17 18:16 21:4,11 technology 13:4 tell 24:7 30:2 temperature 27:11 28:12 term 21:7 31:7 31:15 testified 4:7 testify 12:24 13:1,2 33:9 testifying 9:9 testimony 4:23 5:21 7:9 33:6 33:10,13 texts 6:6 thank 5:5 7:6 14:6 16:5,14 21:12 32:13,15 thanks 29:17 theories 23:21 theory 20:21 thermally 9:19 thiamine 24:18 things 4:16,18 24:4 think 9:8 12:5 16:12 19:10 29:7 thomas 2:17 thought 15:18	time 14:19 22:25 23:11,16 27:12 28:12 32:13 33:8,14 times 15:7 title 15:14,23 titled 13:20 30:19,19 toasting 10:23 today 4:23 5:22 6:18 7:3 8:4 32:14 today's 8:13 together 14:16 19:14 top 11:4 29:5 topics 14:13,17 totally 12:8 trademark 1:1 trained 12:18 training 12:15 transcribed 33:11 transcript 4:19 20:7,9 33:7,12 33:14 trial 1:2 21:8 true 33:12 truth 33:9 tthomas 2:19 turn 20:13,16 25:17 27:4,20 28:15	u	view 18:13
		u.s. 1:10 3:14 uh 22:12 umpierre 2:13 under 10:1 33:11 undersigned 33:2 understand 5:2 5:23,24 16:22 17:10,13,21 20:20 22:10 23:17 24:12 25:13,21 29:20 29:22,25 understandably 21:11 understanding 18:17,18,25 19:2 united 1:1 university 19:17 unmarked 6:22 urquhart 2:4 used 11:8 usually 11:20	w
		v	wa 1:25 wallat 1:24 33:2,23 want 7:1 8:7 16:6 23:24 30:18 wanted 15:18 washington 2:10,18 33:4 33:23 way 29:19 33:15 we've 15:15 week 8:6,11,12 8:13,14 went 8:16 20:10 westin 2:12 whack 10:20 willing 9:4 wilson 2:9,13 2:17 witness 1:18 4:6 8:8 9:2,10 9:12 19:6 24:1 32:8 33:9,18 words 26:8 31:13 work 14:24 working 7:14 20:24 works 19:16

[world - zoom]

world 10:22 write 14:7 writing 22:25 wsgr.com 2:11 2:15,16,19
x
x 3:1
y
yeah 7:6 14:24 15:1 22:8 24:3 year 9:7 23:5,6 yesterday 8:5
z
zoom 8:6

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted

fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.