

1 UNITED STATES PATENT AND TRADEMARK OFFICE
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

3 HUNTER'S MANUFACTURING COMPANY, INC.,
4 d/b/a TENPOINT CROSSBOW TECHNOLOGIES,

5 Petitioner,

6 - vs - VOLUME II

8 RAVIN CROSSBOWS, LLC,

9 Patent Owner.

10

11 Case No. IPR2023-00407
12 Patent No. 9,354,015

13

14 DEPOSITION

15

17 WITNESS: JONATHAN R. TEATER

18 DATE: Tuesday, February 6, 2024

19 START TIME: 5:55 p.m.

20 END TIME: 6:35 p.m.

21 REMOTE LOCATION: Remote Legal

22 REPORTER: Angela L. Muto

23 JOB NO. 23056

24

25 Hunter's Manufacturing Company, Inc. - Ex. 1035
Hunter's Manufacturing Company v. Ravin Crossbows, IPR2023-00407

1 APPEARANCES: (All parties via videoconference)

2 EMERSON, THOMSON & BENNET, LLC
ATTORNEYS AT LAW

3 1914 Akron-Peninsula Road
Akron, Ohio 44313

4 By: JOHN SKERIOTIS, ESQ.
Jms@etblaw.com

5 Appearing for the Petitioner.

6

FOLEY & LARDNER LLP

7 ATTORNEYS AT LAW

777 East Wisconsin Avenue

8 Milwaukee, Wisconsin 53202

By: KADIE M. JELENCHICK, ESQ.

9 Kjelenchick@foley.com

Appearing for the Patent Owner.

10

11 VELOCITY OUTDOOR

ATTORNEYS AT LAW

12 7629 State 5 and 20

Bloomfield, New York 14469

13 By: ROLAND SCHINDLER II, ESQ.

Rschindler@velocity-outdoor.com

14 Appearing for the Patent Owner

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1 REMOTE DEPOSITION STIPULATIONS

2

3 IT IS HEREBY STIPULATED, by and between the
4 attorneys of record for all parties to the
5 above-entitled action, that:

6 Pursuant to Rule 3113(d) of the Civil Practice Law
7 and Rules, this deposition will be conducted by remote
8 videoconference with a court reporter administering the oath
9 remotely and creating an accurate written record; that, if
10 necessary, the parties agree that each witness
11 can be identified with picture identification;

12 No attorney, nor any party or witness, shall
13 capture any still photographs, nor record, by video or
14 audio, any part of these deposition proceedings;

15 Each attorney agrees to instruct their witness that
16 there is to be no communication with anyone outside of the
17 identified and participating group, by chat, text, e-mail or
18 other means during the deposition;

19 There shall be no other person in the room with the
20 witness during their deposition;

21 Any phone or electronic device in the room with a
22 witness shall be identified and not read, referred to or
23 otherwise used during the witness' deposition, unless agreed
24 to by all counsel on the record.

25 Each deposition taken hereunder shall be usable under
the provisions of CPLR 3117 (Use of Depositions).

1 THE REPORTER: We are now on the record.

2 Today's date is 02/06/2024 and the time is
3 approximately 6:00 p.m.

4 This is the deposition of JONATHAN TEATER
5 taken in the matter of Hunters Manufacturing
6 company, et al vs ravin crossbows, llc , filed in
7 the United States Patent and Trademark Office .

8 This deposition is being taken remotely and is
9 being conducted pursuant to the procedural rules and
10 laws governing this matter. As such, all parties
11 agree to this means of capturing the record as if it
12 were done by traditional in-person means and that I
13 may be authorized to administer the oath under the
14 rules of the State of New York. All appearances
15 will be noted on the transcript.

16

17 J O N A T H A N R. T E A T E R,
18 having been duly called and sworn, testified as follows:

19

20 EXAMINATION BY MR. SKERIOTIS:

21 Q. Mr. Teater, as you may recall, I'm
22 John Skeriotis, and I'm counsel for the petitioner in this
23 action, Hunter's Manufacturing Company Inc., that does
24 business as Tenpoint Crossbow Technologies.

25 This is a continue of your deposition that was

1 conducted back on Monday January 22, 2024. Okay?

2 A. Yup.

3 Q. So you are, again, under oath and we have no
4 more than two hours from the start time of right around
5 5:57, and hopefully we won't take that long.

6 I would like to go through back to the prior art of
7 Darlington. Do you remember the prior art of Darlington,
8 vaguely or specifically?

9 A. I do.

10 Q. That's Exhibit 1013, if you have that
11 information handy.

12 Let me ask you this, I guess, before we begin. Did
13 you get a chance to read over your deposition transcript?

14 A. Yes. And I focused on only the portion which
15 was -- where Kadie had deposed me and talked to me. So that
16 was the focus of my review.

17 Q. Okay. Did you read the entire deposition
18 transcript?

19 A. I did not.

20 Q. So we are going to talk about Darlington right
21 now. We can go right to the deposition transcript as well.
22 Do you have that in front of you or available to you?

23 A. Let me pull it up. Give me a second. Yup.
24 I'm there.

25 Q. Go to page 291.

1 A. 291.

2 Q. Let's go to Line 9. Go ahead and read over
3 lines 9 through 25.

4 A. "Question, can you direct me to" --

5 Q. You can read that to yourself. Sorry. Just
6 let me know when you're done.

7 A. Okay.

8 Q. So with that understanding in there, let's go
9 over sort of a summary of that section. And that is that
10 Darlington had his goals to ensure that there was no
11 twisting of the limbs, correct?

12 A. That's correct.

13 Q. And that he kept everything parallel, correct?

14 A. In one design, yes.

15 Q. Okay. In one design.

16 So if we take the teachings of Norkus -- you're
17 familiar with Norkus, correct?

18 A. Yes.

19 Q. -- and we have a helical power cable take-up
20 journal from Norkus, and we put the helical power cable
21 take-up journal on each side of the Darlington cam, wouldn't
22 that be a parallel design -- and ensure that there's no
23 twisting of the limbs -- couldn't we do that?

24 MS. JELENCHICK: Objection. Form.

25 THE WITNESS: You're saying that actually

1 taking the Norkus cam and applying it to the
2 Darlington configuration?

3 BY MR. SKERIOTIS:

4 Q. No. I'm taking -- I'm sorry. I'm taking a
5 teaching of Norkus of using a helical power cable take-up
6 journal and using that on a Darlington cam in the Darlington
7 design.

8 A. So just a portion of the Norkus design?

9 Q. Well, we're not using -- we don't have to use
10 the Norkus design. We just have to use the teachings of
11 Norkus to use a helical power cable take-up journal.

12 A. Okay.

13 MS. JELENCHICK: Is there a question?

14 MR. SKERIOTIS: He knows the question.

15 THE WITNESS: I don't know the question.

16 BY MR. SKERIOTIS:

17 Q. Well, I asked you that can we just take a
18 helical power cable take-up journal and incorporate it into
19 the Darlington design and still have a parallel design to
20 ensure there's no twisting of the limbs?

21 MS. JELENCHICK: Objection. Form.

22 THE WITNESS: The answer is no, and that's
23 because that's just a component of that design. You
24 need other companies to fabricate that to function.

25 BY MR. SKERIOTIS:

1 Q. Well, I'm just saying if we just took the
2 helical power cable take-up journal and installed that on a
3 Darlington cam, we would have a parallel power cable design
4 along with the string, correct?

5 MS. JELENCHICK: Objection. Form.

6 THE WITNESS: So in the Darlington design
7 specifically, John, just to be clear -- at least the
8 parallel one -- he has individual items separately
9 spaced out. Not any portion. Not any angle. Look
10 at the Norkus design specifically in helical.

11 BY MR. SKERIOTIS:

12 Q. No -- go ahead. I'll let you finish.

13 A. Let me finish. Let me finish. I just want to
14 be clear because this isn't something we specifically talked
15 about. This is taking a component. A helical cable
16 specifically, if you look at the drawing, the Norkus exhibit
17 -- whatever it is -- 110 Figure 7 that was in my declaration
18 and you're looking at the offset -- you're looking at the
19 angular displacement of that helical. Okay?

20 That would be in my drawing -- in my declaration 193
21 to 194. That specific cam. That cam in and of itself, the
22 angular displacement even the control cable in this example,
23 or power cable, synonymous use of the term, that is an
24 opposition of what Darlington suggests in his drawing.

25 If you look at the pictorial -- and that pictorial

1 is also designated in other drawings in Norkus. So look at
2 the angular displacement -- again, look at that figure,
3 portion 30. So Part 30 of that particular cam. Not 28.
4 Not the angular groove for the string.

5 I'm talking 30. It's angular displaced. Meaning,
6 it's not at the center point wrapping around that fixed
7 axis. It's displaced at an angle, which is in complete
8 opposition of Darlington, which was my remarks in the
9 declaration that I had made within that section.

10 Q. Okay. So take a look at Figure 2 of
11 Darlington.

12 A. Okay. I'm there.

13 Q. All right. So if you just take 26A and 26C
14 and add a helical power cable take-up journal, can we not
15 have a parallel power cable 28 and a parallel power cable 30
16 and the string 32 all being parallel to one another?

17 MS. JELENCHICK: Objection. Form.

18 THE WITNESS: It's angular displaced. If you
19 go back to the --

20 BY MR. SKERIOTIS:

21 Q. No. No. I'm just asking you whether or not
22 we can have that. I just want your -- yes or no. Can we do
23 that or not?

24 A. You're saying, basically, dish out the cams,
25 26C and 26A, and then just replace them in totality with a

1 Norkus cam. Is that my understanding --

2 Q. No. I didn't say that. Let's make sure we're
3 on the same page.

4 A. Okay.

5 Q. I'm saying take the teachings of Norkus, which
6 is to have a helical power cable take-up journal. Put that
7 on a helical power cable take-up journal on 26A and 26C.
8 Can I have the same configuration where everything is
9 parallel between 28 power cable, 30 power cable, and 32
10 string?

11 MS. JELENCHICK: Objection. Form.

12 THE WITNESS: John, I'm going to point you
13 right back to the Figure 7 that we talked about --

14 BY MR. SKERIOTIS:

15 Q. I'm not talking about any figure of
16 Darlington. I'm talking about what I just asked you. And
17 if I have to, I'll ask the court reporter to repeat the
18 question.

19 A. Well, I feel unsure of what the question is
20 because if we're taking out a component here and there --

21 Q. We're not taking out a component. We're
22 adding a helical power cable take-up journal to 26C and 26A?

23 A. And how is that helical power cable or journal
24 fashioned? What is its design? Is it in concert with
25 Norkus, or is there some other --

1 Q. It's just a helical power cable take-up
2 journal. It's going to wrap helically.

3 A. You'd have to draw it.

4 Q. Okay. Let's take a look. Here is
5 Exhibit 1032. So Exhibit 1032, the bottom one is B, as in
6 boy. That is portion of Figure 2. Would you agree?

7 A. Are you saying A is 26B?

8 Q. No. I said Exhibit 1032 portion B, as in boy,
9 is a portion of Figure 2 of Darlington. Would you agree?

10 A. No.

11 Q. You're saying portion B, the bottom picture,
12 compared to Darlington's Figure 2 right now. I cut out
13 Figure 2 --

14 A. No.

15 Q. -- I cut out that portion of B and I pasted it
16 in here, and you're telling me it's not a portion of
17 Figure 2 of Darlington?

18 A. Sorry. Little slow.

19 Q. That's okay.

20 A. Yes. Figure 2 is B. Check. Okay.

21 Q. A portion of Figure 2 is shown as B in
22 Exhibit 1032, correct?

23 A. Yeah. It would be front left one, yes.

24 Q. Or the right-hand side of the image, correct?

25 A. Or the right-hand side of the image, correct.

1 Q. So see the top figure, A?

2 A. Yes.

3 Q. I added a helical power cable take-up journal.
4 Do you see that?

5 A. Yes.

6 Q. You would agree that that power cable that's
7 on top and power cable that's on the bottom of Figure A of
8 1032 is parallel to one another, correct?

9 MS. JELENCHICK: Objection. Form.

10 THE WITNESS: The helical power cable on the
11 top and bottom you're saying are parallel to one --
12 to each other?

13 BY MR. SKERIOTIS:

14 Q. I'm asking you if they're parallel to one
15 another, correct?

16 A. They're in direct alignment and they're
17 stacking -- the sandwiching aspect of it would put them
18 parallel to each other, but that's not in relationship to
19 the other -- on the other side of the cam.

20 Q. I didn't ask you that. I'm just asking --
21 let's just talk about A. Okay?

22 And they're in parallel to the string as well in
23 Figure A of Exhibit 1032, correct?

24 A. You know it's not parallel to the string.

25 Q. In that depiction it is, correct?

1 A. It's not parallel to the string. It
2 physically shows it not being parallel to the string. The
3 helical format doesn't allow that specifically.

4 Q. So you're telling me as you look at Exhibit A
5 of 1032 -- strike that.

6 You're telling me that as you see what I depicted as
7 Figure A in Exhibit 1032, the string is not parallel shown
8 to the two power cables on top and bottom. Is that your
9 testimony?

10 A. You're being a little abstract with the
11 questioning. I'm saying that the specific helical nature
12 does not put it in direct alignment and parallel to the
13 string. So to reaffirm my point, my answer is no.

14 Q. Tell me which --

15 A. Let me finish.

16 Q. Go ahead.

17 A. Let me finish. So with the positioning in and
18 of itself, the gap -- meaning, the distance between one to
19 the other -- the helical nature -- minus the helical nature
20 of it. Let's go say it's coplanar, right, just like we're
21 talking. I would say they're in alignment with each other,
22 but they're not, in this case, parallel to each other. If
23 that makes sense.

24 Q. No. So I'm going to make sure we're just on
25 the same page. So the string is in the middle of Figure A,

1 correct?

2 A. Yes, sir.

3 Q. And the power cable are shown as top and
4 bottom, correct?

5 A. We're assuming that -- those are -- again, not
6 knowing the full design, but I'm assuming that some type of
7 control cable in some capacity or power cable, right -- in
8 this example it's in top or bottom -- not necessarily the
9 parallel alignment, per se, of that particular string and
10 that string guide.

11 Q. I'm just asking if you the power cable is at
12 the top and bottom shown in Figure A of 1032. That's all
13 I'm asking.

14 A. Yes. It is in top and bottom of the cam -- of
15 the string.

16 Q. And then go horizontal on the page -- strike
17 that.

18 The power cables on Exhibit A of 1032 are parallel
19 to one another. We've already established that, correct?

20 MS. JELENCHICK: Objection. Form.

21 THE WITNESS: John, it's really hard for me to
22 look at this particular diagram and dialogue any
23 further about it based on the fact that its
24 connectivity is not such where I know what that post
25 is tied to, what that string -- do you have another

1 picture of it you can show me?

2 BY MR. SKERIOTIS:

3 Q. No. It's just a simple question. This
4 question isn't about what it's tied to. It's just about
5 asking you whether or not the top and lower power cables, as
6 shown in Exhibit 1032 A, are parallel to each other. Just
7 as the portion you have. That's all.

8 A. Can you -- in reference not to the helical,
9 but in -- to the point where it's meeting the post and that
10 post in relationship to the other post, I'm assuming that's
11 a hard axle?

12 Q. Yeah. From the post to the other side of the
13 post, are they parallel to one another, top and bottom?

14 A. Yes, they are.

15 Q. Okay. And they're parallel to the string
16 that's coming off of the cam, correct?

17 MS. JELENCHICK: Objection to form.

18 THE WITNESS: They're in line with the string.

19 BY MR. SKERIOTIS:

20 Q. That's all I was asking. So they're all in
21 line, which would mean that the forces on the helical power
22 cable journal are equal and opposite to one another,
23 correct?

24 Keeping the post aligned and perfectly balanced?

25 MS. JELENCHICK: Objection. Form.

1 THE WITNESS: That's an extension of many
2 other facets of the design that I can't comment on.
3 If this is just one angular comparative to another
4 description, it's hard for me to make a specific
5 statement of fact knowing full well that I don't see
6 the full picture.

7 BY MR. SKERIOTIS:

8 Q. That's okay. That's all I really wanted to
9 ask you about that. I'll just represent to you that exhibit
10 A is Ravin's own crossbow, and Ravin says that's perfectly
11 balanced. And you're saying, as a person ordinarily skilled
12 in the art, you don't know that.

13 MS. JELENCHICK: Object to the form. Scope.

14 THE WITNESS: And in response to that --

15 BY MR. SKERIOTIS:

16 Q. I don't have a question pending. I don't have
17 a pending, so I don't ask you to respond to that. I'm
18 sorry, but I appreciate it. I'm just letting you know what
19 happened.

20 So let's now go through Islas. Do you remember
21 Islas?

22 A. Yes. Yes. Yes.

23 Q. All right. And we talked a little bit about
24 Islas in the drawing that I gave to you regarding a red and
25 below power cable. Do you recall that?

1 I'll bring it up. I just want to know if you recall
2 that.

3 A. I do.

4 Q. Okay. And you disagreed with me, I believe --
5 correct me if I'm wrong. Trying to get the testimony
6 correct so I can lay the foundation. You disagreed and said
7 there would be some interference between the string and the
8 power cables, correct?

9 MS. JELENCHICK: Objection. Form.

10 THE WITNESS: Would it be possible to bring
11 the drawing up so we can evaluate that?

12 BY MR. SKERIOTIS:

13 Q. It's Exhibit 1031. Let me put it in. Hang on
14 one second. I brought it up on the screen. Can you see it?

15 A. Yup. I remember.

16 Q. Let's just go over it again. The red and blue
17 you recognize as power cables, correct?

18 A. Yes. Yes. These are -- red and blue are the
19 power cables that were added and they were removed.

20 Q. And the red power cable is above the string,
21 correct?

22 MS. JELENCHICK: Objection. Form. Scope.

23 BY MR. SKERIOTIS:

24 Q. The red power cable sits higher than the
25 string, correct?

1 MS. JELENCHICK: Objection. Form.

2 THE WITNESS: It looks like the red power
3 cable is over the string, yes, correct.

4 BY MR. SKERIOTIS:

5 Q. And the blue power cable sits below the
6 string, correct?

7 MS. JELENCHICK: Same objection. I'll have a
8 running objection to this line of questions.

9 MR. SKERIOTIS: Yeah. I really don't ask you
10 to do that. I don't know what the running objection
11 would be.

12 MS. JELENCHICK: Can you tell me where in my
13 redirect this was covered?

14 MR. SKERIOTIS: Yeah. You talked to him about
15 Islas. You brought it up and asked him if he drew
16 this and anything along those lines. You opened the
17 door. You can have an objection to the fact that
18 this was beyond the scope of redirect and that's a
19 continuing line. I didn't hear you say that.

20 MS. JELENCHICK: That's the basis for my
21 objection. And I disagree that I asked about Islas.

22 MR. SKERIOTIS: Okay. Well, hang on. Let's
23 go to deposition page 297, Ms. Jelenchick. Line 11:

24 "QUESTION: Do you recall Mr. Skeriotis's
25 questions to you, in particular his hypothetical,

1 that this proposed unit in Exhibit 1031 would have
2 the power cables purportedly denoted in blue and red
3 underneath or below the string?

4 ANSWER: Yes, I do.

5 QUESTION: What consequence, if any, would such
6 a configuration of the power cables being below the
7 bowstring have on a unit designed like one in
8 Exhibit 1031?"

9 Does that refresh your recollection,
10 Ms. Jelenchick? And you would withdraw your
11 objection that you didn't raise it in redirect.

12 MS. JELENCHICK: I may have raised this
13 particular exhibit --

14 MR. SKERIOTIS: Thank you.

15 MS. JELENCHICK: I'm not finished. I may have
16 raised this particular exhibit in redirect. That
17 doesn't give you cart blanche to go back and talk
18 about Islas generally.

19 MR. SKERIOTIS: It doesn't really manner. You
20 said you never raised it and that's proven to be
21 untrue, and you were just on the record saying you
22 never raised it. So that's --

23 MS. JELENCHICK: I said --

24 MR. SKERIOTIS: We can read the record back,
25 but that's what you said, and that's clearly not

1 true. It's 100 percent not accurate. You did raise
2 it. We can argue whether or not what you went into
3 it, but you did raise the issue of Islas on
4 Exhibit 1031 on page 297 and beyond.

5 MS. JELENCHICK: I disagree. I believe what I
6 said, on the record, is I did not raise Islas. I
7 will agree that we talked about your modified
8 exhibit, which I don't know what it's supposed to
9 be, but that's your exhibit. That's not Islas.

10 MR. SKERIOTIS: Okay. Well, this was the
11 exhibit we're talking about.

12 MS. JELENCHICK: Then talk about your exhibit.

13 BY MR. SKERIOTIS:

14 Q. We're going to Exhibit 1031, which is a
15 redesign of Islas. Anyway, Mr. Teater, I ask you, having
16 established that the power cables in red and blue are above
17 and below the string, I'd like to ask you some questions
18 about that.

19 A. Go ahead, John.

20 Q. If the string is drawn with that
21 configuration, would you agree that there would be no
22 interference between the power cable and the string?

23 MS. JELENCHICK: Objection. Form.

24 THE WITNESS: You're saying there's no
25 interference between the propulsion string. Not the

1 power cables. You're saying that there's no
2 conflict whatsoever with those with the redesign of
3 the string location?

4 BY MR. SKERIOTIS:

5 Q. Correct. I'm asking you would you agree with
6 me that there would be no interference between the power
7 cable and the string?

8 MS. JELENCHICK: Objection. Form.

9 THE WITNESS: So there would be interference.
10 Can I explain specifically what that interference
11 would be like?

12 BY MR. SKERIOTIS:

13 Q. That's okay. We'll get to that. I don't
14 really want to know. We'll get to that in a minute. We've
15 already gone through that.

16 Let me ask you about the next deposition -- I'm
17 sorry. The next exhibit. I'm now showing you what's marked
18 as Exhibit 1033, and I'll represent to you that there are
19 two figures here, A and B. A being the Islas modification
20 of 1031.

21 Would you agree with me that's what A is?

22 A. Yes. Correct.

23 Q. And B is a version of having a power cable
24 located above and below the string in a similar fashion to
25 that of Islas. Would you agree with me as you look at B of

1 Exhibit 1033 that there is no interference between the
2 string and any power cable in B's design?

3 MS. JELENCHICK: Objection. Form. Scope.

4 THE WITNESS: Yeah. I do not see any
5 interference in its current position that's shown in
6 Exhibit B.

7 MR. SKERIOTIS: And, Ms. Jelenchick, I will
8 note that once again you're making objections to a
9 voluminous amount of times. I've warned you about
10 that. I went back and counted, by the way, and you
11 made 215 or so objections in the six hours,
12 360 minutes, basically of deposition time of
13 Mr. Teater's initial deposition, which I objected to
14 and told you that we may seek sanctions regarding
15 that. And you've continued that practice here today
16 virtually objecting to every single question. I
17 just want to note that for the record.

18 MS. JELENCHICK: Disagree. And I think my
19 objections are appropriate under the circumstances.
20 And if you want to talk about this specific exhibit
21 that you prepared that was nowhere in any of my
22 redirect, we can talk about that. So if you want to
23 raise it with the board, let's get them on the
24 phone.

25 MR. SKERIOTIS: We don't have to. I'm just

1 going through the exhibit. I've asked all my
2 questions.

3 I don't have any further questions for today. I
4 thank you, Mr. Teater. And I appreciate your time
5 to take -- finish this deposition, and I thank you
6 very much for your time. I have no further
7 questions.

8 THE REPORTER: Can I just have your orders?

9 MR. SKERIOTIS: Electronic copy.

10 MS. JELENCHICK: I believe I'm paying for
11 this.

12 *** 6:36 p.m. ***

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1 CERTIFICATE OF REPORTER

2

3 I, Angela L. Muto, hereby certify:

4

5 That the foregoing proceedings were taken before me
at the time and place therein set forth;

6

7 That the proceedings were taken down stenographically
by me and thereafter formatted into a full, true, and
correct transcript of same;

8

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

10

DATED this 7th of February, 2024.

11

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Angela L. Muto

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