

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

VIKING DRILL & TOOL, INC.,

Petitioner,

vs.

HONGJIA WANG,

Patent Owner.

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IPR 2023-00474

THE VIDEO DISCOVERY DEPOSITION OF
WILLIAM J. ENDRES, Ph.D
November 21, 2023
9:00 A.M.

Called as a witness by the Petitioner
herein, pursuant to the Rules of the United States
Patent and Trademark Office, pertaining to the
taking of depositions for the purpose of discovery,
before GLORIA APOSTOLOS SIOLIDIS, C.S.R. License
#084-001205, duly qualified and commissioned for
the State of Illinois.

1 towards the axis of the drill?

2 A Yes.

3 Q Okay.

4 MR. McINTYRE: Mitch, can you bring up the
5 473 Declaration, please?

6 BY MR. McINTYRE:

7 Q So there's a document there that we have
8 labeled 2034A because it relates to the 473 IPR,
9 and there's a second Exhibit 2034B that we'll look
10 at later which is the 474 IPR Declaration. Is this
11 the Declaration that you submitted with the patent
12 owner's response?

13 A I'm going to the end to check my signature,
14 and yes, this is what was submitted on November
15 6th, 2023.

16 Q How many Declarations did you sign for this
17 IPR?

18 A October 31st I signed a single Declaration,
19 but it was incomplete. There was simply not enough
20 time to get it done by the deadline. And then on
21 November 6th -- I'm sorry. It was a Saturday, I
22 think November 4th.

23 Q November 4th was a Saturday.

24 A Yeah. I then submitted and signed the

1 complete one. And then a couple days later, I
2 guess on the 6th, I was informed they need to be
3 split by the two IPRs, which at that point I signed
4 the two Declarations which had materials specific
5 to each of the respective IPRs. That's what this
6 one is.

7 Q So you said that the October 31st
8 Declaration was incomplete?

9 A Correct.

10 Q And that you added substance between the
11 October 31st Declaration and the November 4th
12 Declaration; is that correct?

13 A Actually, I removed substantial substance.

14 Q Okay. So you removed substance; you didn't
15 add substance?

16 A Correct.

17 Q So this November 6th Declaration does not
18 contain any substance that was in the -- let me
19 back up.

20 There is no new information or
21 substance in this November 6th Declaration that was
22 not present in the October 31st Declaration?

23 A Let me restate what I said.

24 On October 31st there was a large

1 section of information of the original draft that
2 they had provided for me to work with, and there
3 was material there that had some technical
4 misinterpretations that needed fixing, actually
5 removing, and there was also a fair amount of legal
6 language that I'm not capable of signing to; and
7 there was not time once I noticed that for those to
8 be resolved, so it was submitted with, I'm going by
9 my memory here, with that material removed. So in
10 that sense, the technical information absent the
11 misinterpretations and absent the legal language,
12 was brought back in.

13 Q Okay. Can you go to Paragraph 5 of
14 Exhibit 2023A?

15 A Okay.

16 Q In that first sentence for its ground 1 in
17 it's first Petition Viking argues that, "The 583
18 patent is invalid based on U.S. Patent Application
19 number 15/847, 900 (the Wang 900 or the 900
20 application, Exhibit No. 1009) in combination with
21 U.S. Patent No. 8, 029, 215, (Gentry and/or U.S.
22 Patent No. 10, 058929.)"

23 So you're referring to U.S. Patent
24 Application 15/847, 900 as the Wang 900 or the 900