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

MASIMO CORPORATION,	)
Petitioner,	) Case IPR 2023-00634
v.	) U.S. Patent 10,627,783
APPLE INC.,	)
Patent Owner.	) Case IPR 2023-00734
	) U.S. Patent 10,942,491

DEPOSITION OF R. JAMES DUCKWORTH, PH.D.
December 13, 2023
10:06 a.m.

Reported by: Lori J. Goodin, RPR, CLR, CRR, RSA, California CSR #13959

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WITNESS: R. JAMES DUCKWORTH, PH.D.

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DUCKWORTH

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1 WEDNESDAY, DECEMBER 13, 2023, 10:06 a.m.
2 PROCEEDINGS
3 * * *
4 Whereupon,
5 R. JAMES DUCKWORTH, PH.D.,
6 a witness called for examination, having been
7 first duly sworn, was examined and testified as
8 follows:
9 * * *
10 EXAMINATION
11
12 BY MR. JHURANI:
13 **Q. Good morning. Again, I am Karan**
14 **Jhurani, and I am with Fish & Richardson, and I**
15 **appearing today on behalf of patent owner, Apple**
16 **Incorporated.**
17 **Sir, could you, just for**
18 **completeness of the record, could you please**
19 **state your name again for the record.**
20 A. Yes. Reginald James Duckworth.
21 **Q. Thank you. I'm going to go over**
22 **some quick ground rules and then we will get**

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1 **started.**
2 **You understand, sir, that you are**
3 **testifying under oath today?**
4 A. Yes, I do.
5 **Q. And you understand that in today's**
6 **deposition I'm going to ask you a series of**
7 **questions?**
8 A. Yes, I do.
9 **Q. Now, if you don't understand a**
10 **question that I pose, will you let me know that**
11 **you don't understand the question?**
12 A. Yes, I will.
13 **Q. All right. But if you answer a**
14 **question, is it fair for me to accept that you**
15 **understood the question I asked?**
16 A. Yes, if I don't ask for
17 clarification.
18 **Q. Thank you. Yes. And you understand**
19 **that you are to give truthful, complete and**
20 **accurate testimony today, correct?**
21 A. Yes, I do.
22 **Q. Is there any reason, sir, medical or**

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1 **otherwise, that you can't give truthful, complete**
2 **and accurate testimony today?**
3 A. No.
4 **Q. All right. And then just as -- just**
5 **from a logistic standpoint for today, I will try**
6 **to take breaks every hour, every hour for a**
7 **ten-minute break or a five-minute break, whatever**
8 **folks feel like.**
9 **I will ask though, if you do need to**
10 **take a break sooner than that, you will let me**
11 **know. All right?**
12 A. Yes.
13 **Q. On those lines, though, if we do**
14 **need -- if you do need to take a break sooner**
15 **than the hour and if there is a question pending**
16 **on the record, I will ask that you answer that**
17 **question before we take the break.**
18 **Is that fair?**
19 A. Yes.
20 **Q. All right. Great. All right. So,**
21 **sir, just to confirm, you received a set of**
22 **electronic deposition exhibits, correct?**

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1 A. I received a link titled Fish &
2 Richardson Exhibits.
3 I have opened that link up in my
4 browser.
5 MR. JHURANI: Okay. And, just to
6 then orient everyone, I think counsel has
7 this link as well.
8 Each of the exhibits has the
9 deposition exhibit number in the file name.
10 BY MR. JHURANI:
11 **Q. Do you see that?**
12 A. Yes, I do. One clarification.
13 Is this for the '783 or the '491, or
14 both sets of exhibits there?
15 **Q. Correct. Good question.**
16 **It is a compilation of both**
17 **exhibits, both sets of -- there is a lot of**
18 **overlap between the two. So, yeah, the exhibits**
19 **are for both.**
20 A. I didn't see -- I didn't see both
21 patents. I only had a quick look through, I must
22 admit.

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1 But I saw, for example, let me
2 see -- I see the '491 patent.
3 **Q. Uh-huh.**
4 A. But that would be -- yes, sorry.
5 **Q. So, are you asking about whether**
6 **there is the '783 patent in the list of the**
7 **exhibits that were provided?**
8 A. Yes, uh-huh.
9 **Q. So, that should be Deposition**
10 **Exhibit 2.**
11 A. Let me have a look at that then.
12 Oh, okay, yes. It is just titled differently.
13 Okay, I see now. Yes, okay.
14 **Q. Okay. All right. So, when I refer**
15 **to a depo, a deposition exhibit, let's say**
16 **Deposition Exhibit 1, you can simply access the**
17 **file that begins with that name, Depo Exhibit 1.**
18 **And then we should be able to bring that up and**
19 **go from there. Okay?**
20 A. Okay.
21 **Q. Okay, great.**
22 MR. JHURANI: So, let's bring up

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1 Deposition Exhibit 1.
2 (Duckworth Exhibit 1 marked for
3 identification.)
4 BY MR. JHURANI:
5 **Q. And let me know when you have it.**
6 A. That is the Notice of Deposition?
7 **Q. Correct.**
8 A. Yes, I have that.
9 **Q. Okay. The --**
10 MR. EVERTON: Sorry, counsel.
11 Before you go any further, I just wanted to
12 make sure Lori has the information she needs
13 for us.
14 I am Ben Everton from Knobbe, and I
15 will be representing the witness and Masimo
16 today.
17 Also we have on line Paul Spiel from
18 Knobbe and Philip Nelson from Knobbe. I just
19 want to make sure you have that on the
20 record, Lori.
21 THE REPORTER: Thank you.
22 MR. JHURANI: Okay. Thank you,

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1 counsel.
2 BY MR. JHURANI:
3 **Q. All right, sir. You said you had**
4 **Exhibit 1 in front of you, correct?**
5 A. Yes.
6 **Q. Okay. And on the first page of Depo**
7 **Exhibit 1, do you see the title, Notice of**
8 **Deposition of R. James Duckworth, Ph.D.?**
9 A. Yes.
10 **Q. And then on the same page, there is**
11 **a Case Number, IPR 2023-00634, followed by Patent**
12 **Number 10,627,783.**
13 A. I do.
14 **Q. And if I refer to Patent 10,627,783**
15 **as the '783 patent, will you understand that**
16 **reference?**
17 A. Yes.
18 **Q. Okay. Let's turn a few pages**
19 **forward, Page 4 of this exhibit. I guess this**
20 **would be a PDF Page 4.**
21 A. Yes.
22 **Q. And this page, similar title, Notice**

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1 **of Deposition of R. James Duckworth Ph.D. and**
2 **bears the Case Number 2023-00734, followed by**
3 **Patent Number 10,942,491.**
4 **Do you see that?**
5 A. I do.
6 **Q. And just for completeness then, if**
7 **we say, if I refer to the 10,942,491 patent as**
8 **the '491 patent, will you understand that**
9 **reference?**
10 A. Yes, I will.
11 **Q. Okay. And you understand, sir, that**
12 **today's deposition relates to two IPR**
13 **proceedings, one involving the '783, and the**
14 **other involving the '491 patent. Correct?**
15 A. I do.
16 **Q. Okay. All right, sir. Did you**
17 **prepare for today's deposition?**
18 A. Yes, I did.
19 **Q. What did you do to prepare?**
20 A. I reviewed my declarations and the
21 exhibits.
22 **Q. And about how long did you prepare**

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1 **for the deposition?**
2 A. Maybe approximate to say 40 hours.
3 I'm not sure exactly.
4 **Q. Did you have any discussions with**
5 **any lawyers, non-lawyers, about today's**
6 **deposition?**
7 MR. EVERTON: I will caution the
8 witness not to disclose any privileged
9 information.
10 But you can answer yes or no.
11 THE WITNESS: Yes.
12 BY MR. JHURANI:
13 **Q. Did you speak with any non-lawyers**
14 **about today's deposition or in preparation for**
15 **today's deposition?**
16 A. No.
17 **Q. Great. We can put Exhibit 1 aside,**
18 **sir.**
19 MR. JHURANI: And if you can bring
20 up Depo Exhibit 5.
21 (Duckworth Exhibit 5 marked for
22 identification.)

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1 THE WITNESS: This is my declaration
2 for the '491 patent.
3 BY MR. JHURANI:
4 **Q. That's right. Okay. So, you have**
5 **it open?**
6 A. I do.
7 **Q. Okay. If you could turn, sir, to**
8 **Paragraph 131 of the declaration, which I believe**
9 **is on Page 71.**
10 A. I also have a paper copy of my
11 declaration that I will be looking at. This is a
12 clean copy of my declaration. I just find it
13 easier to work with paper copies than trying to
14 find things electronically.
15 So, I am reviewing that at the
16 moment.
17 **Q. That is fine.**
18 A. So, you said Page 131, I believe.
19 **Q. Page 71.**
20 A. Page 71, sorry. And what paragraph
21 again, please?
22 **Q. 131.**

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1 A. In -- just a clarification,
2 counselor.
3 In the past someone has put exhibits
4 up on the screen and identified the appropriate
5 sections and highlighted them.
6 I assume that will not be happening
7 today, then?
8 **Q. Right. No, we don't have a hot**
9 **seater for today.**
10 A. Okay. I just wanted to make sure I
11 am going to go to the right place.
12 So, again, this was Paragraph 131 on
13 Page 71.
14 **Q. That's correct.**
15 A. Yes, okay. I am there.
16 **Q. All right. And this paragraph**
17 **begins, I believe, your analysis of the Kotanagi**
18 **and Honda combination with respect to Claim 7 of**
19 **the '491 patent. Correct?**
20 A. We are on Page 171. And this is
21 part of Ground 1, Claim 7, 11, 14 and 16,
22 unpatentable, because they would have been

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1 obvious over Kotanagi in view of Honda and then
2 where in independent Claim 7 and Paragraph 131 is
3 referring to a wearable electronic device
4 comprising.
5 **Q. Correct. So, beginning with**
6 **Paragraph 131 and the sequence of paragraphs that**
7 **follow provides your Claim 7 analysis, correct?**
8 MR. EVERTON: Objection, form.
9 THE WITNESS: When you -- can you be
10 more specific when you say Paragraphs 131 and
11 following, what do you mean by those
12 following paragraphs?
13 BY MR. JHURANI:
14 **Q. Sure. So, your analysis, in view of**
15 **Kotanagi and Honda, for Claim 7 is provided in**
16 **Paragraphs 131 through 164, right?**
17 A. Just one second, please. 164 also
18 includes depending Claim --
19 **Q. Oh, yes, you are right.**
20 A. -- 11.
21 **Q. Yes, I apologize. I meant 131 to**
22 **159. I misspoke.**

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A. Okay. So, now we have identified those paragraphs. Can you ask me the question again, then, please?

Q. Sure. These Paragraphs 131 to 159 provide your analysis in view of the Honda and Kotanagi combination for Claim 7. Correct?

A. I summarize in Paragraph 159, "For these reasons and those explained above, a POSITA would have been motivated to combine Honda and Kotanagi. These motivations to combine also apply to the other Ground 1 combinations and dependants from Claim 7.

"Further motivations to combine are provided throughout this declaration."

Q. Okay. Yes, I understand. Thank you.

If we can turn back to Paragraph 132.

A. Yes, I am there.

Q. And here you note that, "Kotanagi teaches the housing 2 is made of plastic or a metal material such as aluminum."

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Do you see that?

A. That is what I state in Paragraph 132, yes.

Q. Okay. And then if we go to the next paragraph, Paragraph 133.

A. Yes.

Q. Here you note that, "A POSITA would have understood that aluminum is a strongly -- is strongly conductive."

Do you see that?

A. That is what I state, "A POSITA would have understood that aluminum is strongly conductive."

Q. And thus you go on to state, "Kotanagi teaches a conductive housing."

Do you see that?

A. That is what I state there, yes.

Q. For purposes of the Kotanagi -- for purposes of this analysis, you are opining that Kotanagi's device has a housing made of the conductive metal such as aluminum, correct?

A. Can you ask me the question again,

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please?

Q. Sure. For purposes of the analysis we are seeing here in Paragraphs 132 and 133, you are opining that Kotanagi's device has a housing made of the conductive metal such as aluminum, correct?

A. That is what I state in 132, that, "Kotanagi teaches the housing 2 is made of plastic or metal material such as aluminum."

Q. So, if we can look at above Paragraph 132, the claim limitation that you have provided there is, "a housing formed from a conductive material."

Do you see that?

A. I do, yes.

Q. And in the following paragraph you note that, "Kotanagi teaches a housing that is made of plastic or a metal material such as aluminum."

Do you see that?

A. That is what I write in Paragraph 132, yes.

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Q. So, does Kotanagi -- strike that.

So, for purposes of this limitation, is it your opinion that Kotanagi's housing is formed of a plastic material or a metal material?

MR. EVERTON: Objection, form.

THE WITNESS: I state in Paragraph 132 that the housing -- Kotanagi teaches the housing is made of plastic or metal material such as aluminum.

And then on Paragraph 133, a POSITA would have understood that aluminum is strongly conductive, thus Kotanagi teaches a conductive housing.

BY MR. JHURANI:

Q. And so for purposes of the combination that you are providing, Kotanagi's housing would not have plastic; is that right? Or would it have plastic?

MR. EVERTON: Objection, form.

THE WITNESS: All I state there is that Kotanagi teaches the housing can be made of plastic or metal material such as

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1 aluminum. And then in 133, a POSITA would
2 have understood that aluminum is strongly
3 conductive.
4 So, thus Kotanagi teaches a
5 conductive housing. And, moreover, Honda
6 explicitly describes its metal housing as
7 conductive.
8 BY MR. JHURANI:
9 **Q. Okay. Is plastic a conductive**
10 **material?**
11 A. Plastic is not a conductive
12 material.
13 **Q. So, is it your view that the**
14 **combination of Kotanagi and Honda renders obvious**
15 **a housing formed around a conductive material?**
16 A. So, please ask me the question
17 again?
18 **Q. So, in your opinion, does the**
19 **combination of Kotanagi and Honda render obvious**
20 **a housing formed from a conductive material?**
21 A. Yes. As I state, either Kotanagi
22 teaches that his housing can be made of aluminum,

Page 22

1 which is conductive, or Honda teaches its metal
2 housing is conductive.
3 **Q. Okay. All right, sir. If we can**
4 **turn to Paragraph 137.**
5 A. I am there.
6 **Q. And just to be clear, I will be**
7 **asking you about the limitation that is written**
8 **above Paragraph 137 and, which entails your**
9 **opinion, I believe, between 137 and 139.**
10 **And so the limitation is, "A cover**
11 **comprising a nonconductive material and**
12 **positioned over the second opening. The cover**
13 **forming a portion of an exterior surface of the**
14 **wearable electronic device."**
15 **Do you see that limitation?**
16 A. I see that, yes.
17 **Q. Okay. What in the combination, the**
18 **Kotanagi and Honda combination, is the cover that**
19 **comprises a nonconductive material?**
20 A. In the Paragraph 137, I state that
21 Kotanagi teaches that, "Cover glass 23 is fixed
22 to the housing so as to block the

Page 23

1 through-hole 22.
2 "A POSITA would have known that
3 glass is a nonconductive material and Honda
4 teaches this. Insulating body (glass, for
5 example) and cover glasses 211 and 111 may be
6 replaced with other insulating materials.
7 "Kotanagi's cover glass's position
8 as claimed and forms a portion of the exterior
9 surface as shown in the figures below."
10 And then I continue -- because I
11 think you asked me about the later paragraphs. I
12 continue in Paragraph 138.
13 "Moreover, Honda, which issued
14 in 2001, discloses a biosensing watch with a
15 metal case back and a nonconductive glass cover
16 as shown in this cross-section."
17 And I continue in Paragraph 139,
18 where I say, "Honda teaches in the first
19 embodiment the case back 212 (typically made of a
20 metal) and the cover glass 211 are arranged and
21 shown in Figure 2."
22 And, "Honda additionally teaches

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1 that the cover glasses 211 and 111 may be
2 replaced with other insulating materials."
3 And, "Finally, Honda teaches the
4 benefits of using an insulating non-conductive
5 body as a cover for the back side of the watch."
6 **Q. Sir, thank you for that.**
7 **In view of these opinions, is it**
8 **fair that the cover glass at the back of**
9 **Kotanagi's device or Honda's device is the cover**
10 **comprising a nonconductive material?**
11 MR. EVERTON: Objection, form.
12 THE WITNESS: Can you ask me the
13 question again, please, counselor?
14 BY MR. JHURANI:
15 **Q. Sure. In view of the opinions that**
16 **you just read, is it fair that the cover glass at**
17 **the back of Kotanagi's device or Honda's device**
18 **is the cover comprising a nonconductive material**
19 **as required by the claim?**
20 MR. EVERTON: Objection, form.
21 THE WITNESS: I believe I answered
22 that question with what I just read in my

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1 Paragraphs 137 through 139.
2 BY MR. JHURANI:
3 **Q. Sir, I am not clear on what that**
4 **answer is. So, that is why I am asking, is the**
5 **cover glass, what is the cover comprising a**
6 **nonconductive material as you view it in the**
7 **context of the Honda and Kotanagi combination?**
8 MR. EVERTON: Objection, form.
9 THE WITNESS: I'm sorry. I
10 interrupted you there.
11 I can't -- I don't think I can be
12 much clearer than what I state in my
13 paragraphs there.
14 You know, 137 again says, teaches
15 that cover glass 23 is fixed to the housing.
16 A POSITA would have known that glass is a
17 nonconductive material, and Honda teaches
18 this.
19 Continuing, Kotanagi's cover glass
20 is positioned as claimed. And moreover,
21 Honda discloses a biosensing watch with metal
22 case back and a nonconductive glass cover as

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1 shown in the, in the cross-section.
2 So, you know, I, I believe that has
3 answered your question.
4 BY MR. JHURANI:
5 **Q. Got it. Okay. Thank you. Let's**
6 **reach Paragraph 149.**
7 A. I'm sorry. Did you say 140?
8 **Q. 149.**
9 A. Oh, 149, okay. Okay, I am there.
10 **Q. So, middle of the paragraph here you**
11 **note, "A POSITA would have used Honda's teachings**
12 **to either modify Kotanagi to position a wireless**
13 **charging coil behind Kotanagi's cover glass, LED**
14 **and PD, or, two, enlarge Kotanagi's opening and**
15 **cover glass to make room for a coil behind the**
16 **cover glass, surrounding the LED and PD."**
17 **Do you see that?**
18 A. Yes, I do.
19 **Q. Now, in both these provided**
20 **configurations here, the wireless charging coil**
21 **would be provided behind the cover glass,**
22 **correct?**

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1 MR. EVERTON: Objection, form.
2 THE WITNESS: That is what I state
3 there, to either modify Kotanagi to position
4 the wireless charging coil behind Kotanagi's
5 cover glass, LED and PD, or, two, enlarge
6 Kotanagi's cover glass to make room for a
7 coil behind the cover glass.
8 BY MR. JHURANI:
9 **Q. Okay. And then the next sentence of**
10 **that Paragraph 149 reads, "In either case the**
11 **resulting magnetic flux would pass through the**
12 **cover glass, as taught by Honda."**
13 **Do you see that?**
14 A. Yes, I do.
15 **Q. And when you say in either case, is**
16 **that referring to the two configurations**
17 **enumerated in the previous sentence?**
18 A. Yes, it is.
19 **Q. Okay. And let's turn to**
20 **Paragraph 152, which is on Page 84.**
21 A. Yes, I am there.
22 **Q. Okay. In the first sentence there,**

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1 **you note in view of Honda's teachings metal**
2 **covers are inferior for power transmission.**
3 **Do you see that?**
4 A. I state, "Moreover, Honda's
5 Figure 15 and related text (see below) teach
6 metal covers are inferior for power
7 transmission." Yes.
8 **Q. And then in the next paragraph,**
9 **Paragraph 153, you state that, "A POSITA would**
10 **have known from Honda's disclosure to wirelessly**
11 **charge through a nonconductive material as eddy**
12 **currents take place in electrically conductive**
13 **metal material, weakening the electromagnetic**
14 **coupling."**
15 **Do you see that sentence?**
16 A. That is what I state there, yes.
17 **Q. Okay. What are eddy currents?**
18 A. Eddy currents are currents that will
19 take place in metal material as a result of the
20 electromagnetic coupling.
21 **Q. And why do they weaken the**
22 **electromagnetic coupling?**

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1 A. It reduces -- I think Honda may have
2 a description of that. Let me just have a look
3 at Honda.
4 **Q. And just for the record, sir, are**
5 **you looking at a paper copy of the Honda**
6 **reference?**
7 A. Yes, I am. The 1006 exhibit for the
8 '783 IPR.
9 **Q. Got it.**
10 MR. JHURANI: Let's just introduce
11 that exhibit for the record, and then you can
12 carry on with the review.
13 So, if you can look up at least the
14 electronic exhibit. And then I will ask that
15 you confirm this for your paper exhibit as
16 well. This is Depo Exhibit 8.
17 (Duckworth Exhibit 8 marked for
18 identification.)
19 THE WITNESS: Okay. Just one
20 second, then. Okay, yes. This is
21 Exhibit 1006.
22 BY MR. JHURANI:

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1 **Q. All right. Depo Exhibit 8 listed at**
2 **the bottom is Masimo Exhibit 1006. And just for**
3 **the record this is U.S. Patent Number 6,265,789,**
4 **with inventors Katsuyuki, Honda and others.**
5 A. Yes, I agree.
6 **Q. Sir, is this the same exhibit that**
7 **you have a paper copy of?**
8 A. Yes, it is.
9 **Q. And does that paper copy have any**
10 **markings on it?**
11 A. No, it does not.
12 **Q. All right. So, let's go back to the**
13 **question I asked before we started looking at**
14 **Honda.**
15 **Why do eddy currents weaken the**
16 **electromagnetic coupling between the coils?**
17 A. I believe I answered that question.
18 Sorry. As I said, I believe I answered that
19 question.
20 **Q. Sorry, sir. I believe you were**
21 **wanting to look at Honda to answer that question.**
22 **So, I don't believe I have an answer for this.**

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1 A. Oh, okay. So, looking at Honda,
2 Column 248, he states -- or they state in this
3 case, "However, eddy currents take place in the
4 electrically conductive metal material, weakening
5 the electromagnetic -- excuse me, weakening the
6 electromagnetic coupling."
7 **Q. What impact does weakening of the**
8 **electromagnetic coupling have on wireless**
9 **charging?**
10 MR. EVERTON: Objection, form.
11 THE WITNESS: If you weaken the
12 electromagnetic coupling, then you will
13 reduce the amount of current that is induced
14 in the receive coil.
15 BY MR. JHURANI:
16 **Q. And would that have a negative**
17 **impact on wireless charge efficiency or power**
18 **transmission?**
19 A. Yes, if you weaken the
20 electromagnetic -- excuse me.
21 If you weaken the electromagnetic
22 coupling, then you will degrade the transfer of

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1 power from a transmit coil to a receive coil.
2 **Q. Okay. So then positioning -- or,**
3 **strike that.**
4 **So, providing metal between two**
5 **wireless charging coils, a receive and a transmit**
6 **coil, would negatively impact wireless transmit**
7 **and power transmission, correct?**
8 MR. EVERTON: Objection, form.
9 THE WITNESS: That was a long
10 question, counselor. Maybe I can provide an
11 answer by, you know, stating what I state in
12 Paragraph 153.
13 "A POSITA would have known from
14 Honda's disclosure to wirelessly charge
15 through a nonconductive material, as eddy
16 currents take place in the electrically
17 material, weakening the electromagnetic
18 coupling."
19 So, I believe that, that answers
20 your question.
21 BY MR. JHURANI:
22 **Q. So, in view of -- given eddy**

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1 **currents, a POSITA would not have been motivated**
2 **to wirelessly charge through a conductive**
3 **material, correct?**
4 MR. EVERTON: Objection, form.
5 THE WITNESS: Well, there is levels
6 of -- please ask the question again.
7 BY MR. JHURANI:
8 **Q. So, given that eddy currents take**
9 **place in electrically conductive metal material,**
10 **a POSITA would not have been motivated to**
11 **wirelessly charge through a conductive material?**
12 MR. EVERTON: Same objection.
13 THE WITNESS: It depends on the, on
14 what amount of metal you are talking about
15 there.
16 And the, that Paragraph 153 of my
17 declaration, I include Figure 15 from Honda,
18 which makes it clear that you can have glass,
19 but you can also have glass with various
20 platings. And so long as the amount of metal
21 is not too significant, you can still get
22 transmission of the electromagnetic coupling.

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1 BY MR. JHURANI:
2 **Q. So, I believe you said so long as**
3 **the amount of metal is not too significant, you**
4 **can still get transmission of electromagnetic**
5 **coupling.**
6 **What would not be too significant?**
7 MR. EVERTON: Objection, form.
8 THE WITNESS: That is a very general
9 question, counselor.
10 I have cited some examples from
11 Honda there, comparing some metal placed on
12 the glass, and we just lose a few percent
13 efficiency there.
14 So, you would have to be more
15 specific about, you know, what application or
16 what setup you are referring to.
17 BY MR. JHURANI:
18 **Q. Well, I am just trying to understand**
19 **your testimony in which you said as long as the**
20 **amount of metal is not too significant, you can**
21 **still get transmission of the electromagnetic**
22 **coupling.**

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1 **And I am trying to understand what**
2 **you mean by not too significant.**
3 A. Well, like I say, I think Honda has
4 got a great example there. You can have glass
5 with a 15-micrometer foil layer. And so we have
6 got some metal there. And you've still got a
7 transmission efficiency as shown by Honda, you
8 know, of 1,000 there.
9 **Q. So, in the context of Honda, I**
10 **think, if I understand the opinion, it is glass**
11 **with some amount of metal on it may not**
12 **significantly impact transmission efficiency; is**
13 **that right?**
14 MR. EVERTON: Objection, form.
15 THE WITNESS: No. It doesn't have
16 to be that the foil is on the glass. You
17 could have equivalent amount of metal equal
18 to that 15-micrometer coating there, and it
19 would still result in the same transmission
20 efficiency.
21 So, the way you asked the question
22 seemed too specific -- was describing too

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1 specific a setup.
2 BY MR. JHURANI:
3 **Q. So, would eddy currents take place**
4 **in the example that you gave with the glass with**
5 **a foil, with a 15-micrometer foil coating on it?**
6 MR. EVERTON: Objection, form.
7 THE WITNESS: Eddy currents will
8 still take place in electrically conductive
9 metal material, as I state in 153.
10 But if you have small amounts of
11 metal, it is not going to substantially
12 weaken the electromagnetic coupling.
13 BY MR. JHURANI:
14 **Q. What -- at what point then would the**
15 **amount of metal be so large that it would weaken**
16 **the electromagnetic coupling?**
17 MR. EVERTON: Objection, form.
18 THE WITNESS: That is a very general
19 question, counselor.
20 You will -- adding some conductive
21 material will weaken the electromagnetic
22 coupling.

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1 BY MR. JHURANI:
2 **Q. So, in Paragraph 153, you are**
3 **pointing to Honda's experiments that show that**
4 **wireless charging through a glass surface was at**
5 **least an order of magnitude more efficient than**
6 **charging through stainless steel. Do you see**
7 **that?**
8 A. That is what I believe I state
9 there. "Honda's experiments in this setting
10 confirmed this arrangement, as Honda shows
11 wireless charging through a glass surface is at
12 least an order of magnitude more efficient than
13 charging through stainless steel." Yes.
14 **Q. And even still, if you look at the**
15 **glass with foil at 10 micrometers**
16 **or 15 micrometers, is it your opinion that eddy**
17 **currents would take place in those settings as**
18 **well?**
19 A. Yes, they would to a much reduced
20 magnitude.
21 **Q. And because they would be taking**
22 **place at a much reduced magnitude, they wouldn't**

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1 **weaken the electromagnetic coupling, is that**
2 **fair?**
3 MR. EVERTON: Objection, form.
4 THE WITNESS: No, and I think I have
5 answered that question already.
6 That if you have electrically
7 conductive metal material, it will weaken the
8 electromagnetic coupling. The amount of
9 metal will determine how much.
10 So, as I point out there, if you
11 have a small amount of metal, you only have a
12 small weakening of electromagnetic coupling.
13 BY MR. JHURANI:
14 **Q. So, if we look at the stainless --**
15 **looking at Figure 15 that you have provided under**
16 **Paragraph 153. And we look at the first, first**
17 **item listed which is the stainless steel at a**
18 **thickness of 1 millimeter. Do you see that?**
19 A. I do, yes.
20 **Q. And in that case, the transmission**
21 **efficiency is, I believe, 100 percent?**
22 A. It seems like that is -- yes.

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1 Around about 100 percent, yes.
2 **Q. So, in this context and the**
3 **stainless steel with a thickness of 1 millimeter,**
4 **would the eddy currents take place in the**
5 **material and weaken the electromagnetic coupling**
6 **relative to a glass with a foil of**
7 **15 micrometers?**
8 MR. EVERTON: Objection, form.
9 THE WITNESS: I think I would like
10 to respond just by my statement in
11 Paragraph 153 where I summarize that,
12 "Honda's experiments in this setting confirm
13 this arrangement, as Honda shows wireless
14 charging through a glass surface is at least
15 an order of magnitude more efficient than
16 charging through stainless steel."
17 BY MR. JHURANI:
18 **Q. So, in view of Honda's teachings,**
19 **does the Kotanagi and Honda combination that you**
20 **proposed provide for wireless charging through**
21 **the glass cover on the back of Kotanagi's device?**
22 A. I think I summarize that in

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1 Paragraph 154. "Thus, a POSITA would have
2 aligned Honda's coil with Kotanagi's opening,
3 such that inductive coupling occurs through the
4 nonconductive material of the cover as claimed."
5 **Q. And we spoke earlier that the coil**
6 **would be provided behind the cover glass in both**
7 **configurations that we previously discussed,**
8 **correct?**
9 MR. EVERTON: Objection, form.
10 THE WITNESS: I will go back to
11 Paragraph 149 where I say, "A POSITA would
12 have used Honda's teachings to either modify
13 Kotanagi to position a wireless charging coil
14 behind Kotanagi's cover glass, LED and PD, or
15 to enlarge Kotanagi's opening and cover glass
16 to make room for a coil behind the cover
17 glass surrounding the LED and PD."
18 BY MR. JHURANI:
19 **Q. Correct. And in both those cases,**
20 **the coil is provided behind the cover glass,**
21 **correct?**
22 MR. EVERTON: Objection, form.

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1 THE WITNESS: I believe I answered
2 that with my description in Paragraph 149.
3 Counselor, we have been going for
4 nearly an hour, would it be okay if we took a
5 break now?
6 MR. JHURANI: Sure. Could we do
7 just a couple more questions and then we can
8 round out? Or if you need to take a break,
9 we can take a break absolutely right now.
10 THE WITNESS: That would be great,
11 if you don't mind.
12 MR. JHURANI: Sure. That is fine.
13 We can go off the record.
14 (Recess taken -- 10:56 a.m.)
15 (After recess -- 11:06 a.m.)
16 BY MR. JHURANI:
17 **Q. Welcome back, sir.**
18 A. Thank you.
19 **Q. So, we were talking about**
20 **Paragraphs 153 and 154 in Depo Exhibit 5. And**
21 **going back to Paragraph 153, it is noted there**
22 **that a POSITA would have known from Honda's**

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1 **disclosure to wirelessly charge through a**
2 **nonconductive material.**
3 **Do you have that, still?**
4 A. I do, yes.
5 **Q. In the Honda and Kotanagi**
6 **combination, would the coil expand beyond the**
7 **cover?**
8 MR. EVERTON: Objection, form.
9 THE WITNESS: No, I don't describe
10 that.
11 BY MR. JHURANI:
12 **Q. So, in the Honda/Kotanagi**
13 **combination, the coil would only be provided**
14 **behind the cover glass but would not expand**
15 **beyond it?**
16 MR. EVERTON: Objection, form.
17 THE WITNESS: Again, I refer back to
18 my Paragraph 149, where I think I make it
19 clear that, "modify Kotanagi to position a
20 wireless charging coil behind Kotanagi's
21 cover glass, or, two, enlarge Kotanagi's
22 opening and cover glass to make room for a

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1 coil still behind the cover glass."
2 BY MR. JHURANI:
3 **Q. And if the coil were to expand**
4 **beyond the cover glass such that it would be**
5 **positioned behind portions of Kotanagi's metal**
6 **housing, that would result in the types of**
7 **electromagnetic coupling weakening that we were**
8 **talking about earlier, correct?**
9 MR. EVERTON: Objection, form.
10 THE WITNESS: I haven't provided an
11 opinion on that setup in my declaration.
12 BY MR. JHURANI:
13 **Q. Well, would there be any**
14 **electromagnetic coupling weakening if the coil**
15 **was expanded beyond the cover glass?**
16 MR. EVERTON: Same objection.
17 BY MR. JHURANI:
18 **Q. Due to the --**
19 MR. JHURANI: Let me say that again
20 and then, counsel, please interpose the
21 objection after that.
22 BY MR. JHURANI:

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1 **Q. Would there be any electromagnetic**
2 **coupling weakening if the coil was expanded**
3 **beyond the cover glass?**
4 A. Was the --
5 MR. EVERTON: Sorry. I was going to
6 put in my objection there. I didn't know if
7 you were finished with the question.
8 But, objection to form if that was
9 the question.
10 THE WITNESS: Yes. What is the --
11 are you asking a hypothetical question here
12 that is, you know, beyond my opinions in my
13 declaration, counselor?
14 BY MR. JHURANI:
15 **Q. I am just asking a question about,**
16 **and I am trying to understand Paragraph 153,**
17 **where you state, "Eddy currents take place in**
18 **electrically conductive metal material, weakening**
19 **the electromagnetic coupling."**
20 **And, in view of that you note**
21 **Honda's disclosure -- "Based on Honda's**
22 **disclosure a POSITA would have known to charge**

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1 **through a nonconductive material."**
2 **And so my question is, would --**
3 **well, let's strike that.**
4 **Kotanagi's housing is made of a**
5 **metal material, correct? At least as provided in**
6 **the combination?**
7 MR. EVERTON: Objection, form.
8 THE WITNESS: So, I was just
9 checking a couple of things, counselor.
10 So, sorry. But could you ask the
11 question again?
12 BY MR. JHURANI:
13 **Q. Sure. Kotanagi's housing, as**
14 **provided in the combination, is made of a metal,**
15 **correct?**
16 MR. EVERTON: Same objection.
17 THE WITNESS: In Paragraph 133, I
18 say yes, Kotanagi teaches a conductive
19 housing.
20 BY MR. JHURANI:
21 **Q. Okay. So then when we come to --**
22 **and if we can come back to Paragraph 153.**

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1 **"A POSITA would have known from**
2 **Honda's disclosure to wirelessly charge through a**
3 **nonconductive material as eddy currents take**
4 **place in electrically conductive material."**
5 **Do you see that?**
6 A. That is what I state in 153, yes.
7 **Q. And Kotanagi's housing being made of**
8 **metal would be an electrically conductive metal**
9 **material, correct?**
10 A. As related to this claim in -- as I
11 state in Paragraph 133, yes.
12 **Q. And if the coil is expanded beyond**
13 **the cover glass such that it overlies this**
14 **electrically conductive metal material that would**
15 **weaken the electromagnetic coupling?**
16 MR. EVERTON: Objection, form.
17 THE WITNESS: Counselor, you are
18 asking me a hypothetical case that is not,
19 not part of my combination and my description
20 there.
21 BY MR. JHURANI:
22 **Q. So, just so I am clear. So your**

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1 **combination would not allow for the coil to**
2 **expand beyond the cover glass and overlap**
3 **portions of Kotanagi's housing, correct?**
4 A. Well, no. All I am saying is in
5 Paragraph 149, a POSITA would view Honda's
6 teachings to either modify Kotanagi to position
7 wireless charging coil behind Kotanagi's cover
8 glass or enlarge the Kotanagi's opening and cover
9 glass to make room for a coil behind the cover
10 glass.
11 You are, I believe, asking me a
12 hypothetical question that I have not covered in
13 my declaration.
14 And so, I can, you know, try and
15 answer that, but it is not what I am describing
16 in these paragraphs related to Claim 7.
17 **Q. Sir, I am just -- I understand that.**
18 **So, let's take this in pieces, then.**
19 **I want to understand what the extent**
20 **of the coil is in the Honda/Kotanagi combination.**
21 **Is it just behind the cover glass or**
22 **does it extend beyond the cover glass to overlap**

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1 **portions of the housing?**
2 MR. EVERTON: Objection, form.
3 THE WITNESS: Again, I am sorry to
4 keep stating this, but I think my description
5 in Paragraph 149 is that it is just behind
6 the Kotanagi's cover glass.
7 BY MR. JHURANI:
8 **Q. Okay. And if the coil were to**
9 **expand beyond the cover glass, it would be**
10 **subject to eddy currents due to the presence of**
11 **electrical -- electrically conductive material of**
12 **the metal housing in Kotanagi, correct?**
13 MR. EVERTON: Objection to form.
14 THE WITNESS: So, if I understand
15 correctly, you are asking me a hypothetical
16 case, different to what I have described in
17 my declaration. And I am happy to attempt to
18 answer that. But it is a hypothetical case.
19 If you were to take a coil and
20 extend it and put it behind a conductive
21 material, then as Honda teaches, you will get
22 weakening of the electromagnetic coupling.

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1 So, in the context that, you know,
2 you are describing something that is
3 hypothetical here, not what I have described
4 in my declaration, then I would agree that
5 placing a coil behind electrically conductive
6 material would weaken the electromagnetic
7 coupling.
8 BY MR. JHURANI:
9 **Q. Okay. Thank you, sir. And if we**
10 **can go back to Paragraph 153.**
11 A. Yes.
12 **Q. The second sentence again reads,**
13 **"Honda's experiments in this setting confirmed**
14 **this arrangement as Honda shows wireless charging**
15 **through a glass surface is at least an order of**
16 **magnitude more efficient than charging through**
17 **stainless steel."**
18 **Do you see that?**
19 A. Yes.
20 **Q. Why is the order of magnitude of**
21 **more efficiency relevant to this analysis that**
22 **you are providing here?**

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1 MR. EVERTON: Objection --
2 THE WITNESS: Sorry. I cut you off,
3 counselor. I'm sorry.
4 MR. EVERTON: No problem. I was
5 late in my objection. But, yes, objection to
6 the form.
7 THE WITNESS: I think summarize that
8 in Paragraph 154, based on those preceding
9 paragraphs and the teachings, "Thus a POSITA
10 would have aligned Honda's coil with
11 Kotanagi's opening such that an inductive
12 coupling occurs through the nonconductive
13 material of the cover as claimed."
14 BY MR. JHURANI:
15 **Q. So, achieving an order of magnitude**
16 **more efficiency for a particular configuration**
17 **would motivate that particular configuration; is**
18 **that right?**
19 A. I think a POSITA looking at Honda's
20 descriptions there would want the inductive
21 coupling to occur through the nonconductive
22 material of the cover.

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1 **Q. And that is because that particular**
2 **configuration has an order of magnitude more**
3 **efficiency than another configuration such as**
4 **when you use stainless steel for example,**
5 **correct?**
6 MR. EVERTON: Objection to form.
7 THE WITNESS: Well, I think I am a
8 little bit confused about your question.
9 I think it is very clear that Honda
10 teaches that your wireless charging is more
11 efficient through the glass surface, through
12 a nonconductive material.
13 And that is why then a POSITA would
14 have aligned Honda's coil with Kotanagi's
15 opening so that the inductor coupling does
16 occur through the nonconductive material of
17 the cover.
18 I think it is as simple as that.
19 BY MR. JHURANI:
20 **Q. So, it is just any magnitude of**
21 **higher efficiency would be sufficient, or is**
22 **something about at least an order of magnitude**

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1 **more efficient, as you state here in**
2 **Paragraph 153, relevant to the motivation and**
3 **combination analysis you are presenting?**
4 MR. EVERTON: Objection, form.
5 THE WITNESS: I think a POSITA looks
6 at Honda's teachings and knows that the
7 inductor coupling should occur through the
8 nonconductive material of the cover.
9 BY MR. JHURANI:
10 **Q. Okay, thank you.**
11 MR. JHURANI: Let's bring up Depo
12 Exhibit 4, which is your '783 declaration.
13 (Duckworth Exhibit 4 marked for
14 identification.)
15 THE WITNESS: The '783 one, okay.
16 BY MR. JHURANI:
17 **Q. Let me know when you have that up.**
18 A. I've got that. This is Depo
19 Exhibit 4, Masimo's Exhibit 1003, in the '783
20 patent.
21 **Q. Right.**
22 A. Yes.

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1 **Q. Okay. And if we can turn to**
2 **Paragraph 132 of your declaration here.**
3 A. Yes, I am at Paragraph 132.
4 **Q. And I think it is similar to**
5 **your '491 declaration. You note here, "Moreover,**
6 **Honda's Figure 15 and related text teach metal**
7 **covers are inferior for power transmission due to**
8 **eddy currents."**
9 **Do you see that?**
10 A. That is what I state there, yes.
11 **Q. And, then you again conclude that,**
12 **"A POSITA would have aligned Honda's coil with**
13 **Kotanagi's opening such that power could pass**
14 **through the cover."**
15 A. That is what I state there, yes.
16 **Q. And, again, that is because the**
17 **cover is not conductive and relative to the**
18 **housing which is metal, and that is why -- or,**
19 **strike that.**
20 **And the reason that the coil is**
21 **aligned with the opening is so that it doesn't**
22 **encounter any eddy currents from the metal**

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1 **housing that is around it.**
2 **Is that fair?**
3 MR. EVERTON: Objection to form.
4 THE WITNESS: I really can't say
5 much more than I state in Paragraph 132.
6 Just what you read out there,
7 "Moreover, Honda's Figure 15 and related text
8 teach metal covers are inferior for power
9 transportation, due to, e.g., eddy currents."
10 And then, "A POSITA would thus have
11 aligned Honda's coil with Kotanagi's opening
12 such that power could pass through the
13 cover."
14 BY MR. JHURANI:
15 **Q. Now, again, we spoke earlier that**
16 **Honda's housing is made of metal, correct?**
17 MR. EVERTON: Objection, form.
18 THE WITNESS: If I refer back to
19 Paragraph 133 in the previous exhibit, 1003,
20 from the '491, I say, "Moreover, Honda
21 explicitly describes its metal housing as
22 conductive."

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1 BY MR. JHURANI:
2 **Q. And then with respect to Exhibit 4,**
3 **Depo Exhibit 4, again the coil would only be**
4 **provided behind the nonconductive cover, right?**
5 A. Well, let me -- you are referring to
6 depo Exhibit 4. I believe we are now part of
7 Ground 1, independent Claim 9.
8 So, I just want to make sure that
9 I'm not confusing, you know, what we were talking
10 about before.
11 So, this is part of independent
12 Claim 9, Element F, "Whereas, the cover was
13 configured to pass wireless power to the wireless
14 charging receive coil."
15 So, would you mind asking your
16 question again, then, please, regarding that
17 Paragraph 132?
18 **Q. Sure. It -- well, let me ask it**
19 **differently.**
20 **In your proposed Kotanagi and Honda**
21 **combination, the charge coil would be provided**
22 **behind the cover glass and would not extend again**

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1 **to the housing in Kotanagi, right, as we**
2 **previously discussed?**
3 A. Well, in Paragraph 129, yeah, I
4 think I make that clear. The POSITA would have
5 known to modify Kotanagi's device based on
6 Honda's teachings to include a charging receive
7 coil behind this cover glass.
8 **Q. Okay. Then, sticking with Depo**
9 **Exhibit 4, which is your declaration for the '783**
10 **patent, can we turn to Paragraph 126?**
11 A. Yes.
12 **Q. So, in Paragraph 126 you note, "A**
13 **POSITA would have understood from this context**
14 **that because Kotanagi's cover glass 23 is fixed**
15 **to the housing so as to block the**
16 **through-hole 22, its LED and photodetector work**
17 **by passing optical signals through the cover**
18 **glass."**
19 **Do you see that?**
20 A. Excuse me, yes, I do.
21 **Q. All right. So, this sentence**
22 **confirms that the cover glass 23 in Kotanagi is**

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1 **fixed to the housing 2. Correct?**
2 A. That is what I state there because
3 Kotanagi's cover glass 23 is fixed to the
4 housing 2.
5 **Q. Yes. And then if you could turn to**
6 **Paragraph 116.**
7 A. Yes.
8 **Q. Here I believe you provided pictures**
9 **showing the rear portion of Kotanagi's device.**
10 **Do you see that?**
11 A. We are in Paragraph 116. And I say
12 that, "Kotanagi teaches a housing with an opening
13 in the bottom."
14 **Q. Right. And then you provided two**
15 **images of Kotanagi's device there, correct?**
16 A. That's correct, yes.
17 **Q. Okay. And then in both the shown**
18 **images, you annotate to show housing 2. Correct?**
19 A. Yes.
20 **Q. Okay. And now the quoted text under**
21 **those images reads in part, "A through-hole 22**
22 **passing through the outside and inside of the**

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1 **housing 2 is formed in the center of the lower**
2 **surface 4a of the protruding part 4."**
3 **Do you see that?**
4 A. Yes, I do.
5 **Q. And then in the images, if we look**
6 **above, it shows the cover glass 23. Do you see**
7 **it in the image?**
8 A. I'm sorry, no. Where are you
9 looking now?
10 **Q. I am looking at the image on the**
11 **left, under paragraph -- under the Number 116.**
12 A. Okay. So, you are referring to
13 part 23 is that correct?
14 **Q. Correct.**
15 A. Yes, okay.
16 **Q. And so that part 23 is the cover**
17 **glass in Kotanagi, correct?**
18 A. If we look, for example, on the next
19 page of my declaration, I highlight 23 and
20 annotate it with cover glass.
21 **Q. And as you see there in -- on**
22 **Page 71 that cover glass 23 is attached to the**

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1 **protruding part 4. Correct?**
2 MR. EVERTON: Objection, form.
3 THE WITNESS: I would describe it
4 slightly different.
5 If you look at the paragraph,
6 beneath the figures in my Paragraph 117, it
7 says, "and the cover glass 23 is fixed to the
8 housing 2 so as to block the
9 through-hole 22."
10 BY MR. JHURANI:
11 **Q. What is the part number 4a?**
12 A. In that same paragraph I was just
13 referring to, it says, "is formed in the center
14 of the lower surface 4a of the protruding
15 part 4."
16 **Q. Okay. And so the cover glass is**
17 **provided over the through-hole 22 that is formed**
18 **in that lower surface 4a, correct?**
19 A. I am not sure about the total
20 accuracy of that statement, counselor.
21 I would just rather, you know, refer
22 to Kotanagi's description which is, I think, well

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1 described in that paragraph there. "The cover
2 glass 23 is fixed to the housing 2 so as to block
3 the through-hole 22."
4 **Q. What surface is the cover glass 23**
5 **on?**
6 MR. EVERTON: Objection to form.
7 THE WITNESS: I don't understand
8 your question.
9 BY MR. JHURANI:
10 **Q. Is the cover glass 23 not on the**
11 **same surface as the protruding part's lower**
12 **surface 4a?**
13 MR. EVERTON: Objection to form.
14 THE WITNESS: Well, that is a little
15 bit more -- I think we are more accurate to
16 state it how Kotanagi states it that, "A
17 through-hole 22," -- this is the paragraph
18 beneath those figures there.
19 "A through-hole 22 passing through
20 the outside and the inside of the housing 2
21 is formed in the lower -- sorry, is formed in
22 the center of the lower surface 4a of the

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1 protruding part 4."
2 And, "A cover glass 23 is fixed to
3 the housing so as to block the
4 through-hole 22."
5 So, when you asked me what surface
6 it is on, I don't think that is an
7 appropriate question. It doesn't reflect how
8 Kotanagi describes that structure.
9 BY MR. JHURANI:
10 **Q. Sir, I'm just asking based on your**
11 **understanding of Kotanagi and the image that you**
12 **are seeing, what surface is the cover glass 23**
13 **provided on?**
14 MR. EVERTON: Objection to form.
15 THE WITNESS: I think I have
16 answered that by describing how Kotanagi
17 describes that. A cover glass 23 is fixed to
18 the housing 2.
19 BY MR. JHURANI:
20 **Q. Is the lower surface 4a of the**
21 **protruding part 4, part of the housing?**
22 A. I am sorry. Can you ask the

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1 question again, please?
2 **Q. Sure. Is the lower surface 4a in**
3 **Kotanagi's protruding part 4, formed as part of**
4 **the housing?**
5 MR. EVERTON: Objection to form.
6 THE WITNESS: All I can say,
7 counselor, is how Kotanagi describes that
8 which, you know, is described quite well I
9 think in that paragraph.
10 BY MR. JHURANI:
11 **Q. Sorry, I don't follow. I am asking**
12 **a different question now, sir.**
13 **So, is the lower surface 4a in**
14 **Kotanagi's protruding part 4, formed as part of**
15 **the housing?**
16 MR. EVERTON: Same objection.
17 THE WITNESS: Well, I can again
18 state is that a cover glass 23 is fixed to
19 the housing 2.
20 So, that part 4a is part of the
21 housing -- or I should say the protruding
22 part 4 is part of the housing.

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1 BY MR. JHURANI:
2 **Q. Thank you.**
3 MR. JHURANI: Let's bring up
4 Deposition Exhibit 7.
5 (Duckworth Exhibit 7 marked for
6 identification.)
7 THE WITNESS: One second. 7. That
8 is Kotanagi?
9 BY MR. JHURANI:
10 **Q. Correct, yes. And just for the**
11 **record Exhibit 7, it is a PCT publication with**
12 **publication number WO 2005/092182. And it is**
13 **titled Biological Information Measuring Device.**
14 A. I am having a problem trying to
15 access that.
16 MR. EVERTON: Yes, I am as well. It
17 says that the preview didn't load. The
18 document may be protected.
19 MR. JHURANI: Oh, no.
20 MR. EVERTON: Is that the same for
21 you?
22 THE WITNESS: That is what I am

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1 seeing, too, counselor. When I try and
2 download it, it says you can't download this
3 file.
4 BY MR. JHURANI:
5 **Q. Sorry to hear that. Do you have a**
6 **paper copy of Kotanagi in front of you? What I**
7 **can do is we can refer to that and I can send the**
8 **Kotanagi exhibit to the reporter at the next**
9 **break.**
10 A. Yes, I do have a paper copy of
11 Kotanagi.
12 MR. JHURANI: Counsel, does that
13 work for you, if you have a Kotanagi copy?
14 MR. EVERTON: I do not have a
15 Kotanagi copy. Let me try to reopen the link
16 and see.
17 It was letting me open other
18 documents, so let's see.
19 MR. JHURANI: Why don't we take a
20 quick break and --
21 MR. EVERTON: Actually, it just let
22 me open it.

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1 MR. JHURANI: Oh, okay.
2 MR. EVERTON: I closed the window
3 and reopened the window using the link in the
4 e-mail. And now it just opened right up to
5 Kotanagi.
6 So, maybe that is a solution if you
7 are having issues.
8 THE WITNESS: I will just go with my
9 paper copy here.
10 MR. EVERTON: Okay.
11 BY MR. JHURANI:
12 **Q. Okay. All right. So then real**
13 **quick, sir, just to orient it for the record,**
14 **Exhibit 7, Depo Exhibit 7 is the PCT publication**
15 **WO 2005/092182. And is titled Biological**
16 **Information Measuring Device.**
17 **Do you have that?**
18 A. I do, yes.
19 **Q. Okay. And if I refer to this**
20 **document as Kotanagi, will you understand that?**
21 A. I will.
22 **Q. And you have reviewed Kotanagi,**

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1 **correct?**
2 A. Yes.
3 **Q. Okay. All right. Let's turn to**
4 **Paragraph 54 of Kotanagi.**
5 A. Okay.
6 **Q. So, I will read the first sentence,**
7 **"As illustrated in Figure 5, the protruding**
8 **part 4 is formed into a shape combining three**
9 **circles."**
10 A. I'm sorry, counselor. Didn't you
11 say Paragraph 55?
12 **Q. I think I said 54. So, 54. If I**
13 **said 55, I misspoke.**
14 A. Okay, so, 54, okay.
15 **Q. Yes, so, reading from Paragraph 54**
16 **in Kotanagi, "As illustrated in Figure 5, the**
17 **protruding part 4 is formed into a shape**
18 **combining three circles when viewed from below.**
19 **That is a keyhole-like shape formed by combining**
20 **within a central circle, two circles having a**
21 **smaller diameter than the central circle so as to**
22 **sandwich the central circle from the left and the**

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1 **right sides."**
2 **Do you see that?**
3 A. I do.
4 MR. EVERTON: And counsel, you said
5 within, and I think it just says with a
6 central circle.
7 MR. JHURANI: Okay, thank you.
8 BY MR. JHURANI:
9 **Q. And, sir, if you can look at**
10 **Figure 5 of Kotanagi as well. And I think that**
11 **is on Page 26.**
12 A. Yes.
13 **Q. And here we are seeing the three**
14 **circle configuration that Paragraph 54 is talking**
15 **about, correct?**
16 A. Paragraph 54, yes, refers to
17 Figure 5, yes.
18 **Q. Okay. And so here in Figure 5, we**
19 **have a central circle and then two circles of**
20 **smaller diameter on the left and right of that**
21 **central circle, correct?**
22 A. Yes. The way Kotanagi describes it,

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1 it is "A keyhole-like shaped formed by combining
2 with a central circle, two circles having a
3 smaller diameter than a central circle so as to
4 sandwich the central circle from the left and
5 right sides."
6 **Q. Right. And then looking at**
7 **Figure 5, the protruding part 4 includes the**
8 **electrodes 7a and 7b and the cover glass 23,**
9 **correct?**
10 A. Are you reading from Kotanagi there?
11 **Q. I am asking whether the**
12 **protruding -- as you can see on the image that**
13 **protruding part 4 includes the electrode 7a, 7b,**
14 **and the cover glass 23.**
15 A. When you say include, I would rather
16 go with Kotanagi's description in Paragraph 55,
17 where it talks about "a through-hole 22 passing
18 through the outside and inside of the housing 2
19 is formed in the center of the lower surface 4a
20 of the protruding part 4.
21 "And the cover glass 23 is fixed to
22 the housing 2 so as to block the

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1 through-hole 22."
2 And then he talks about the LED 5
3 and PD 6. And continues so as to touch the
4 inside of the glass cover 23.
5 That is, "The LED 5 and PD 6 are
6 configured so as to be dropped into the
7 protruding part 4."
8 **Q. And if we can go down to**
9 **Paragraph 58 of Kotanagi.**
10 A. Yes.
11 **Q. And feel free to read that. And**
12 **once you are done I will ask my question.**
13 A. Reading Paragraph 58, is that what
14 you say?
15 **Q. Yes.**
16 A. Do you want me to read it out loud?
17 **Q. If you would like. You can read it**
18 **to yourself, and then I will ask you a question.**
19 A. Okay, excuse me. Yes, I have read
20 that.
21 **Q. All right. So, the electrodes 7a**
22 **and 7b are exposed on the lower surface of 4a of**

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1 **the protruding part. Correct?**
2 A. Where are you reading?
3 **Q. I am still reading from 58.**
4 A. Okay. So, it says in 58, "In
5 addition, the pair of electrodes 7a and 7b are
6 provided so that the tips thereof protrude
7 slightly more than the lower surface 4a of the
8 protruding part 4."
9 **Q. Right. Let me ask a question and**
10 **feel free to read the paragraph. I'm interested**
11 **to know what your thought is on this.**
12 **The pair of electrodes in**
13 **Kotanagi 7a and 7b are disposed on the lower**
14 **surface 4a of the protruding part, correct?**
15 A. I believe that is what I described,
16 "The pair of electrodes 7a and 7b are provided so
17 that the tips thereof protrude slightly more than
18 the lower surface 4a of the protruding part 4."
19 **Q. And the LED and -- LED 5 and PD 6**
20 **are dropped into the protruding part 4 as well,**
21 **correct? And this is from Paragraph 55.**
22 A. Let me go back to 55 then. In 55,

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1 he states, "That is, the LED 5 and PD 6 are
2 configured so as to be dropped into the
3 protruding part 4."
4 **Q. Okay. So then looking back to**
5 **Figure 5. The protruding part has disposed on it**
6 **the electrodes 7a, 7b, as well as the cover**
7 **glass 23, right?**
8 MR. EVERTON: Objection.
9 THE WITNESS: Can you ask the
10 question again, please, counselor?
11 BY MR. JHURANI:
12 **Q. Sure. So looking back at Figure 5**
13 **of Kotanagi, the protruding part 4 has disposed**
14 **on it the electrodes 7a and 7b, as well as the**
15 **cover glass 23. Correct?**
16 MR. EVERTON: Same objection.
17 THE WITNESS: Again are you reading
18 from part of Kotanagi? Because I don't see
19 that.
20 BY MR. JHURANI:
21 **Q. I am asking, based on what we have**
22 **read and based on looking at the Figure 5 of**

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1 **Kotanagi, whether the protruding part 4 has**
2 **disposed on it electrodes 7a and 7b and cover**
3 **glass 23?**
4 MR. EVERTON: Same objection.
5 THE WITNESS: Yeah, I don't -- I
6 wouldn't want to describe it any differently
7 than we have just been looking at in those
8 Paragraphs 54, 55, and 58.
9 It seems like you are describing
10 something that is not quite accurate to how
11 Kotanagi describes it.
12 BY MR. JHURANI:
13 **Q. Looking at Figure 5, what structures**
14 **are provided on the protruding part 4?**
15 MR. EVERTON: Objection to form.
16 THE WITNESS: What structures are
17 provided on protruding part 4?
18 In Paragraph 58, Kotanagi states
19 that, "The pair of electrodes 7a and 7b are
20 disposed on the lower surface 4a of the
21 protruding part 4."
22 BY MR. JHURANI:

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1 **Q. So, the electrodes are provided --**
2 **are on the lower surface 4a of protruding part 4.**
3 **Correct?**
4 MR. EVERTON: Objection to form.
5 THE WITNESS: Again, I would rather
6 go with the language Kotanagi where it
7 states, "The pair of electrodes 7a and 7b are
8 disposed on the lower surface 4a of the
9 protruding part 4."
10 BY MR. JHURANI:
11 **Q. Okay. So the lower surface has**
12 **disposed on it electrodes 7a and 7b. Fair?**
13 A. Well, if you continue in
14 Paragraph 58, it says, "In addition, the pair of
15 electrodes 7a and 7b are provided so that the
16 tips thereof protrude slightly more than the
17 lower surface 4a of the protruding part 4."
18 THE WITNESS: Counsel, I'm sorry to
19 interrupt but it is getting close to
20 noontime, which is my lunchtime. And I could
21 do with a break soon.
22 MR. JHURANI: Sure, yes. We can

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1 break for lunch. How long would you like?
2 THE WITNESS: I would like an hour,
3 please.
4 MR. JHURANI: Sure, that is fine
5 with me.
6 THE WITNESS: So, would it be okay
7 if we reconvene at 1 o'clock then? Will that
8 work for you?
9 MR. JHURANI: Yes, that's fine.
10 THE WITNESS: Thank you.
11 MR. EVERTON: That works. Okay.
12 So, we will see you all in an hour from now.
13 THE WITNESS: Thank you.
14 MR. JHURANI: Thank you.
15 (Recess taken -- 11:56 a.m.)
16 (After recess -- 1:02 p.m.)
17 BY MR. JHURANI:
18 **Q. Welcome back, Dr. Duckworth.**
19 **We were talking about the protruding**
20 **part 4 of Figure 5, before we adjourned for**
21 **lunch.**
22 **If I could draw your attention to**

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1 **Depo Exhibit 4. And that is your declaration in**
2 **support of the '783 patent.**
3 A. Okay.
4 **Q. And, in particular, I want to draw**
5 **your attention to Paragraph 244. Let me know**
6 **when you are there.**
7 A. I am there, yes. This is part of
8 dependent Claim 12?
9 **Q. Correct. And then if you go to the**
10 **next page, I believe Paragraph 244 begins on**
11 **Page 151 and goes into 152, Page 152.**
12 A. Yes.
13 **Q. And looking at Page 152, the first**
14 **sentence reads, "Kotanagi elsewhere includes a**
15 **cover glass within a protruding part 4."**
16 **Do you see that?**
17 A. I do.
18 **Q. Okay. And then dispose on the lower**
19 **surface 4a of the protruding part 4 are the**
20 **electrodes 7a and 7b, correct?**
21 A. Sorry, where are you reading now?
22 **Q. I'm just asking based on the earlier**

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1 **discussion we were having.**
2 A. Well, let me go back to Kotanagi
3 then.
4 So, can you ask the question again,
5 please, counselor?
6 **Q. Sure. The lower surface 4a of**
7 **protruding part 4 has disposed on it**
8 **electrodes 7a and 7b, correct?**
9 MR. EVERTON: Objection to form.
10 THE WITNESS: So, Paragraph 58 of
11 Kotanagi says the contact detection means 7
12 as a pair of electrodes 7a and 7b, and the
13 pair of electrodes 7a and 7b are disposed on
14 the lower surface 4a of the protruding
15 part 4. Yes.
16 BY MR. JHURANI:
17 **Q. Okay. Let's turn to Paragraph 76 of**
18 **Kotanagi.**
19 A. 76. Okay.
20 **Q. All right. And here it says that**
21 **"The protruding part may be formed so that the**
22 **outer periphery is circular."**

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1 **Do you see that?**
2 A. I do.
3 **Q. And that is in reference to Figure 8**
4 **of Kotanagi?**
5 A. That is what Paragraph 76 says, yes.
6 "For example, as illustrated in Figure 8."
7 **Q. Okay. And if we can take a look at**
8 **Figure 8 of Kotanagi, which is on Page 29.**
9 A. Figure 8 is on --
10 **Q. Page 28, I apologize.**
11 A. Yes, I see Figure 8 on Page 28, yes.
12 Uh-huh.
13 **Q. Okay. And it shows -- in Figure 8,**
14 **it shows that protruding part 4 forms an outer**
15 **periphery is a circle as discussed in**
16 **Paragraph 76, correct?**
17 A. So, let me just go back. So, 76
18 says, "For example, as illustrated in Figure 8,
19 the protruding part 4 may be formed so that the
20 outer periphery is circular." Yes.
21 **Q. Okay. Would the protruding part 4**
22 **shown in Figure 8 include the cover glass?**

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1 MR. EVERTON: Objection to form.
2 THE WITNESS: So, please ask your
3 question again, counselor?
4 BY MR. JHURANI:
5 **Q. Would the protruding part 4 shown in**
6 **Figure 8 include the cover glass?**
7 MR. EVERTON: Same objection.
8 THE WITNESS: At 55, Kotanagi -- if
9 I understand your question correctly, you are
10 saying it is the cover glass --
11 So, referring back to my
12 Paragraph 244, I say that, "Kotanagi
13 elsewhere includes a cover glass with a
14 protruding part 4."
15 And "A POSITA would have understood
16 from Kotanagi's Figure 10 that the entire
17 protruding part can form a convex cover glass
18 that spans the through-hole 22."
19 So, does that answer your question?
20 BY MR. JHURANI:
21 **Q. No. I don't think it does.**
22 **The question is, would the**

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1 **protruding part 4 shown in Figure 8 include the**
2 **cover glass?**
3 MR. EVERTON: Objection to form.
4 THE WITNESS: I just answered that
5 Kotanagi elsewhere includes a cover glass
6 within a protruding part 4.
7 So, doesn't that answer your
8 question?
9 BY MR. JHURANI:
10 **Q. I am sorry, sir. I don't**
11 **understand.**
12 **So are you saying that the**
13 **protruding part 4 in Figure 8 would include the**
14 **cover glass?**
15 MR. EVERTON: Same objection.
16 THE WITNESS: I believe so, that the
17 cover glass would be within that protruding
18 part 4.
19 BY MR. JHURANI:
20 **Q. Okay. And would electrodes 7a**
21 **and 7b be disposed on the lower surface 4a of**
22 **protruding part 4, as shown in Figure 8?**

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1 MR. EVERTON: Objection to form.
2 THE WITNESS: Kotanagi does not
3 provide that level of detail for Figure 8.
4 BY MR. JHURANI:
5 **Q. So, you can't say based on the**
6 **descriptions of Figure 5 and Figure 8, whether**
7 **the electrodes 7a and 7b would be disposed on**
8 **protruding part 4 of Figure 8?**
9 MR. EVERTON: Objection to form.
10 THE WITNESS: So, Figure 8 is
11 showing a different embodiment and so the
12 electrodes may be similar to shown in the
13 embodiment of Baker 5.
14 But Kotanagi does not show the
15 details of that.
16 BY MR. JHURANI:
17 **Q. So, as you understand Kotanagi, sir,**
18 **would the electrodes be disposed on protruding**
19 **part 4 of Figure 8, just like they are in**
20 **protruding part 4, Figure 5?**
21 MR. EVERTON: Objection to form.
22 THE WITNESS: Well, in the absence

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1 of Kotanagi showing that detail, like I said
2 in my previous answer, they may or may not be
3 included in a similar fashion to what is
4 shown in Figure 5.
5 BY MR. JHURANI:
6 **Q. Sir, if we could bring up the Depo**
7 **Exhibit 8, which is the Honda reference that we**
8 **previously introduced.**
9 A. Yes, got that.
10 **Q. All right. If you could turn to**
11 **Column 6. And I will direct your attention to**
12 **Lines 41 to 45.**
13 A. I am in Column 6 and what lines?
14 Did you say 41?
15 **Q. 41 to 45.**
16 A. Yes, I am there.
17 **Q. Okay. And I will just read it for**
18 **the record. "The station-side coil 110 and the**
19 **watch-side coil 210 are of a air-core type**
20 **without any core, to limit the magnetization of a**
21 **watch mechanism, to avoid an increase in the**
22 **weight of the watch, and to prevent exposure of a**

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1 **magnetic metal."**
2 **Do you see that sentence?**
3 A. Yes, I do.
4 **Q. Why does having an air-core type**
5 **coil limit magnetization of the watch?**
6 MR. EVERTON: Objection to form.
7 THE WITNESS: Just what it says in
8 those lines there. Without any core, you are
9 not going to get magnetization of the watch
10 mechanism. So, he is using an air core
11 without any magnetic material inside the,
12 inside the core there.
13 BY MR. JHURANI:
14 **Q. So, then to be clear, the air core,**
15 **because it does not have any core, by extension**
16 **it would not have any magnetic materials within**
17 **that core. Is that fair?**
18 A. As Honda describes it in that
19 particular section, yes. Of an air type -- of an
20 air-core type without any core.
21 **Q. And why does the air-core type air**
22 **core -- strike that.**

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1 **Why does the air-core type coil**
2 **prevent exposure of a magnetic metal?**
3 A. Because if it had magnetic metal in
4 the core, then it could be exposed.
5 **Q. What impact would magnetization of**
6 **the watch mechanism have on wireless power**
7 **transmission or wireless charging?**
8 MR. EVERTON: Objection to form.
9 THE WITNESS: Can you ask the
10 question again, please?
11 BY MR. JHURANI:
12 **Q. What impact would magnetization of**
13 **the watch mechanism have on wireless power**
14 **transmission or wireless charging?**
15 MR. EVERTON: Same objection.
16 THE WITNESS: Yes, I don't
17 understand the question, because as Honda
18 describes, it is not affecting the wireless
19 transmission of the power transfer. He is
20 describing other bad effects.
21 BY MR. JHURANI:
22 **Q. Sorry. Are you finished with the**

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1 **answer there?**
2 A. I am, yes.
3 **Q. Okay. What do you mean by other bad**
4 **effects?**
5 A. Well, as Honda describes, it is
6 designed as an air-core type without any core.
7 And as a result then, that is limiting potential
8 magnetization of a watch mechanism, to avoid an
9 increase in the weight of the watch and to
10 prevent the exposure of a magnetic material.
11 **Q. So, is it fair then by using the**
12 **air-core type coil, Honda avoids magnetization**
13 **which would impair or negatively impact wireless**
14 **charging?**
15 MR. EVERTON: Objection, form.
16 THE WITNESS: I found your question
17 a little bit confusing.
18 Would you mind just stating that
19 again?
20 BY MR. JHURANI:
21 **Q. Sure. Does -- well, let me back up**
22 **a little bit.**

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1 **Does magnetization of a watch**
2 **mechanism negatively effect wireless charging?**
3 A. No.
4 MR. EVERTON: Objection to form.
5 BY MR. JHURANI:
6 **Q. So, why -- what benefit does**
7 **limiting magnetization of a watch mechanism --**
8 **strike that.**
9 **What benefit -- what is the benefit**
10 **of achieving limited magnetization of the watch**
11 **mechanism by using an air-core type coil?**
12 MR. EVERTON: Objection, form.
13 THE WITNESS: Well, I think Honda
14 describes it quite well there, if you look at
15 the continuation of those sentences.
16 "When the present invention is
17 applied to electronic apparatus in which
18 these concerns are not important, a core
19 having a core can be used."
20 So, he is referring to the case
21 where magnetic material could affect a watch
22 mechanism.

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1 BY MR. JHURANI:
2 **Q. How would a magnetic material affect**
3 **a watch mechanism?**
4 A. If you have -- this is not something
5 I have formed an opinion on in my declaration,
6 but I will try to answer that.
7 I think this is outside the scope of
8 the IPR where we are talking about electronic
9 devices.
10 I think what he is referring to is
11 if you've got a traditional watch mechanism with
12 moving parts, maybe having a magnetic material in
13 there might, might affect the watch mechanism.
14 **Q. How would it affect the watch**
15 **mechanism?**
16 MR. EVERTON: Objection, form.
17 THE WITNESS: I believe I have
18 answered that by stating that a traditional
19 watch mechanism with moving parts could be
20 affected by the magnetic, magnetic material.
21 BY MR. JHURANI:
22 **Q. And I understand that, sir. And I**

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1 **am trying to understand how -- what you mean by**
2 **could be affected by the magnetic material.**
3 A. Again, I --
4 MR. EVERTON: Objection.
5 THE WITNESS: Sorry. This is not an
6 opinion I provided in my declaration. I
7 believe it is outside the scope of the
8 electronic type of devices we're covering.
9 But I will try to answer your question.
10 Depending on what the metal
11 materials are in that moving mechanism of the
12 watch, magnetic, magnetization could affect
13 maybe the accuracy of that watch mechanism.
14 BY MR. JHURANI:
15 **Q. Can you give me an example? I don't**
16 **follow what you mean by accuracy of that watch**
17 **mechanism.**
18 A. Again, this is outside the scope of
19 the opinions that I provided in my declarations.
20 You are now asking me, it appears,
21 about moving parts in a watch for time keeping.
22 And all I can think of is that those

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1 moving metal parts could be affected. And when I
2 say by accuracy, it may slow down the mechanical
3 moving parts.
4 Again, you are asking me about a
5 hypothetical case that I haven't considered in my
6 declaration. And to give you a complete accurate
7 answer, I would need some more time to analyze
8 and think through that.
9 **Q. Would your answer be the same with**
10 **respect to the impact of exposure of magnetic**
11 **metal -- strike that.**
12 **Are you able to tell me what impact**
13 **the presence or exposure of the magnetic metal**
14 **would have on Honda's watch with respect to its**
15 **disclosure of an air-core type without any core?**
16 MR. EVERTON: Objection, form.
17 THE WITNESS: I have found that
18 question confusing, counselor. Would you
19 mind asking it again?
20 BY MR. JHURANI:
21 **Q. Yeah. What impact would the**
22 **presence or exposure of a magnetic metal have on**

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1 **Honda's watch?**
2 MR. EVERTON: Objection, form.
3 THE WITNESS: So, again, this is
4 outside the scope of my declaration. It is
5 not an opinion I provided.
6 So, you are asking me a question
7 specific to Honda. This is outside of the
8 scope of my Kotanagi and Honda combinations
9 on what would be the impact of the exposure
10 of a magnetic material specifically on
11 Honda's watch. Is that what you are saying?
12 BY MR. JHURANI:
13 **Q. Yes.**
14 A. Again, this is not something I
15 provide an opinion on in my declarations. And
16 you are asking me again outside the scope of my
17 combinations and opinions of Kotanagi and Honda.
18 All I can see from how Honda
19 describes that, he just wants to prevent the
20 exposure of magnetic material.
21 I can't provide an answer on how
22 that would impact the operation of Honda's watch.

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1 **Q. So, sir, and maybe I can short**
2 **circuit this.**
3 **So, sitting here today, you are not**
4 **able to tell me what impact -- strike that.**
5 **So, sitting here today, you are**
6 **unable to answer how Honda's use of an air-core**
7 **type core would prevent exposure from magnetic**
8 **metal, is that fair?**
9 A. No, I don't think that is fair. He
10 says if you don't have a core, it would prevent
11 the exposure of magnetic material.
12 **Q. And so, let me ask it again, then.**
13 **Why is it that Honda's use of an air-core type**
14 **core would prevent exposure from a magnetic**
15 **metal?**
16 MR. EVERTON: Objection, form.
17 THE WITNESS: Because if there is no
18 core there with magnetic material, it is
19 going to prevent the exposure of that
20 magnetic material.
21 BY MR. JHURANI:
22 **Q. And in the context of a Honda-like**

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1 **device, what impact would that have on the**
2 **device?**
3 MR. EVERTON: Objection, form.
4 THE WITNESS: I don't understand
5 what you mean by what impact that would have
6 on the device.
7 BY MR. JHURANI:
8 **Q. Well, what -- why is it that --**
9 **What benefit does preventing the**
10 **exposure from magnetic metal imbue to Honda's**
11 **watch?**
12 A. Again, I am confused by your
13 question. I think Honda is very clear that it
14 says if you have an air-core type without any
15 core, you will limit the magnetization of a watch
16 mechanism, avoid an increase to the weight of the
17 watch and prevent the exposure of magnetic
18 material.
19 I don't see anything I can say
20 beyond that.
21 **Q. Okay. I understand.**
22 MR. JHURANI: Okay, thank you. I

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1 have no further questions at this time.
2 MR. EVERTON: So, you have no
3 further questions for either IPR?
4 MR. JHURANI: Correct.
5 MR. EVERTON: Yes, if you just want
6 to give us a few minutes. Let's take maybe a
7 ten-minute break to discuss. And then we can
8 go back on the record.
9 MR. JHURANI: That is fine.
10 (Recess taken -- 1:34 p.m.)
11 (After recess -- 1:44 p.m.)
12 MR. EVERTON: Okay. Petitioner
13 Masimo does not have any questions for the
14 witness.
15 So, I think that completes this
16 deposition for these two IPRs.
17 THE WITNESS: Thank you.
18 MR. JHURANI: Thank you.
19 (Whereupon, signature not having been waived,
20 the deposition suspended at 1:44 p.m.)
21 * * *
22

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CERTIFICATE OF NOTARY

I, LORI J. GOODIN, RPR, CLR, CRR, CA CSR # 13959 the Notary for this deposition, do hereby certify that the witness whose testimony appears in the foregoing deposition was sworn by me; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, or financially or otherwise interested in the outcome of this action.

_____

LORI J. GOODIN, RPR, CLR, CRR
Notary Public in and for:

STATE OF FLORIDA, COUNTY OF SARASOTA
Notary Commission Number: GG987804
My Commission expires: May 12, 2024
STATE OF CALIFORNIA, CA CSR# 13959
My Commission expires: February 22, 2024

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL
My Commission expires: August 2, 2025
DISTRICT OF COLUMBIA, WASHINGTON DC
My Commission expires: June 1, 2026

STATE OF DELAWARE: COUNTY OF KENT
My Commission expires: September 9, 2025
STATE OF PENNSYLVANIA, COUNTY OF LEHIGH
My Commission expires: April 5, 2025

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KNOBBE MARTENS OLSON & BEAR, LLP
2040 Main Street, 14th Floor
Irvine, California 92614

Case: Masimo Corporation v. Apple Inc.
Date of deposition: December 13, 2023
Deponent: R. James Duckworth, Ph.D.

Please be advised that the transcript in the above referenced matter is now complete and ready for signature. The deponent may come to this office to sign the transcript, a copy may be purchased for the witness to review and sign, or the deponent and/or counsel may waive the option of signing. Please advise us of the option selected. Please forward the errata sheet and the original signed signature page to counsel noticing the deposition, noting the applicable time period allowed for such by the governing Rules of Procedure. If you have any questions, please do not hesitate to call our office at (202)-232-0646.

Sincerely,
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1730 M Street, NW, Suite 812
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(202) 232-0646

SIGNATURE PAGE
Case: Masimo Corporation v. Apple Inc.
Witness Name: R. James Duckworth, Ph.D.
Deposition Date: December 13, 2023

I do hereby acknowledge that I have read and examined the foregoing pages of the transcript of my deposition and that:

(Check appropriate box):
( ) The same is a true, correct and complete transcription of the answers given by me to the questions therein recorded.
( ) Except for the changes noted in the attached Errata Sheet, the same is a true, correct and complete transcription of the answers given by me to the questions therein recorded.

_____ _____
DATE WITNESS SIGNATURE

_____ _____
DATE NOTARY

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ERRATA SHEET

Case: Masimo Corporation v. Apple Inc.
Witness Name: R. James Duckworth, Ph.D.
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Page No. Line No. Change

_____ _____
Signature Date