

UNCERTIFIED ROUGH DRAFT DRAFT-1 1UNITED STATES PATENT AND TRADEMARK OFFICE 2 3BEFORE THE PATENT TRIAL AND APPEAL BOARD 4 5Hisense USA Corporation, 6Petitioner, 7vs. IPR2023-01311 8Brightplus Ventures, LLC, Patent No. 8,177,382 9Patent Owner. 10 11UNCERTIFIED ROUGH DRAFT DEPOSITION OF 12WILLIAM K. BOHANNON 13September 6, 2024 1412:01 p.m. 15 16(Via remote Zoom videoconference) 17 18 19 20Juliana W. Pawenski, CCR-B-1256, RPR, CRR, CRC 21 22 23 24 25		UNCERTIFIED ROUGH DRAFT DRAFT-3 1INDEX TO EXAMINATIONS 2 3WITNESS 4WILLIAM K. BOHANNON 5 6 7Examination5 8By Mr. Ferrario 9 10--- 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	
UNCERTIFIED ROUGH DRAFT DRAFT-2 1APPEARANCES OF COUNSEL 2On behalf of the Petitioner: 3KILPATRICK TOWNSEND & STOCKTON, LLP 4MATIAS FERRARIO, ESQ. 51001 West Fourth Street 6Winston-Salem, North Carolina 27101 7(336) 607-7475 8(336) 734-2651 (Fax) 9mferrario@ktslaw.com 10 11On behalf of the Patent Owner: 12NI, WANG & MASSAND, PLLC 13NEAL MASSAND, ESQ. 148140 Walnut Hill Lane 15Suite 615 16Dallas, Texas 75231 17(972) 331-4601 18nmassand@nilawfirm.com 19 20 21 22 23 24 25		UNCERTIFIED ROUGH DRAFT DRAFT-4 1INDEX TO EXHIBITS 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-5		DRAFT-7	
1	Deposition of WILLIAM K. BOHANNON	12:03:39 1	A. Yes.
2	September 6, 2024	12:03:39 2	Q. And so that means no shaking of the head
3	(Reporter disclosure made pursuant to	12:03:43 3	or nodding because the court reporter cannot
4	Article 8.B. of the Rules and Regulations of the	12:03:46 4	transcribe that. Okay?
5	Board of Court Reporting of the Judicial Council of	12:03:47 5	A. I understand.
6	Georgia.)	12:03:49 6	Q. It's also important that you wait until I
7		12:03:53 7	finish my question so that the court reporter can
12:01:34 8	MR. FERRARIO: Okay. Neal, I plan at	12:03:57 8	take it down and then you can answer. Okay?
12:01:36 9	least like last time to just drop exhibits into	12:04:02 9	A. Yes.
12:01:40 10	the chat if that works and share them.	12:04:05 10	Q. Now, if you need a break feel free to ask
12:01:46 11	MR. MASSAND: Sounds good.	12:04:11 11	for one I would simply ask that you answer any
12:01:47 12	THE WITNESS: I have a clean copy of my	12:04:14 12	question that is pending. Okay?
12:01:50 13	declaration here that I may refer to. I'll	12:04:16 13	A. I understand.
12:01:54 14	refer to what's on the screen; but if I can't	12:04:20 14	Q. And I will try to take breaks from time to
12:01:57 15	read it, I have the paper.	12:04:22 15	time. But, again, if you feel like you need one
12:01:59 16	MR. FERRARIO: Okay. Excellent. Thank	12:04:25 16	earlier, please just let me know. Okay?
12:02:00 17	you.	12:04:29 17	A. Yeah.
12:02:03 18	Okay. Juliana, I guess we're ready if you	12:04:29 18	Q. If for any reason my question is unclear
12:02:05 19	want to swear the witness in.	12:04:33 19	or you don't understand it please ask for
12:02:05 20	WILLIAM K. BOHANNON,	12:04:36 20	clarification. Okay?
12:02:05 21	having been first duly sworn, was examined and	12:04:40 21	A. Certainly.
12:02:22 22	testified as follows:	12:04:40 22	Q. Unless your attorney instructs you
12:02:22 23	EXAMINATION	12:04:45 23	otherwise, you must answer my questions. Okay?
12:02:26 24	BY MR. FERRARIO:	12:04:48 24	A. I understand.
12:02:26 25	Q. Okay. Good morning, Mr. Bohannon. Thank	12:04:48 25	Q. Do you understand that you are under oath
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-6		DRAFT-8	
12:02:29 1	you for joining me. As you recall, my name is Matias	12:04:52 1	today?
12:02:34 2	Ferrario. I'm with Kilpatrick & Townsend, and I	12:04:53 2	A. I do.
12:02:36 3	represent Hisense in these matters.	12:04:55 3	Q. You also understand that this is a
12:02:40 4	Would you state your full name for the	12:04:58 4	cross-examination?
12:02:43 5	record?	12:04:59 5	A. I do. You're cross-examining my
12:02:43 6	A. William K. Bohannon.	12:05:03 6	declaration.
12:02:49 7	Q. Now, Mr. Bohannon, you recall you've been	12:05:07 7	Q. And so it's important that you answer my
12:02:53 8	deposed in related IPR proceedings by me.	12:05:08 8	questions and not try to be argumentative.
12:02:57 9	Do you recall that?	12:05:13 9	Do you understand that?
12:03:00 10	A. Yes.	12:05:14 10	A. I understand.
12:03:01 11	Q. And I went through some instructions on	12:05:16 11	Q. And you understand that your failure to
12:03:06 12	depositions.	12:05:20 12	answer my questions and including being argumentative
12:03:08 13	Do you recall those?	12:05:22 13	can lead to sanction?
12:03:10 14	A. Not entirely.	12:05:24 14	A. I understand.
12:03:12 15	If you have any instructions, you should	12:05:34 15	Q. Now you mentioned a declaration that you
12:03:15 16	repeat them.	12:05:37 16	submitted in connection with the IPR proceedings.
12:03:17 17	Q. Okay. I'm glad to. I was trying to	12:05:41 17	Correct?
12:03:19 18	shorten the deposition length. But as you know there	12:05:41 18	A. That's why we're here.
12:03:22 19	is a court reporter present who is transcribing our	12:05:44 19	Q. And you have a copy of that declaration --
12:03:27 20	discussion.	12:05:47 20	A. I do.
12:03:28 21	Do you understand that?	12:05:48 21	Q. -- with you?
12:03:29 22	A. Yes.	12:05:51 22	A. (Indicating).
12:03:31 23	Q. And so it's important that your answers be	12:05:51 23	Q. Does that declaration have an Exhibit
12:03:35 24	verbal so that the court reporter can take them down.	12:05:56 24	number on it?
12:03:38 25	Okay?	12:05:59 25	A. Case Number IPR2023-01311, U.S. Patent

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-9		DRAFT-11	
12:06:08	1 8,177,382, Exhibit 2'01, Declaration of William	12:09:32	1 original transcript.)
12:06:15	2 Bohannon.	12:09:44	2 Q. (By Mr. Ferrario) All right. Are you
12:06:16	3 Q. Did you say Exhibit 201?	12:09:44	3 able to see this document?
12:06:19	4 A. 2001, 2001.	12:09:47	4 A. I am.
12:06:24	5 Q. Is that the only declaration that you have	12:09:49	5 Q. And this is your CV. Correct?
12:06:27	6 in front of you?	12:09:59	6 A. It is.
12:06:29	7 A. Yeah. I also have the patent in front of	12:09:59	7 Q. And is this up-to-date?
12:06:34	8 me (indicating).	12:10:09	8 A. It is.
12:06:37	9 Q. Thank you for showing me.	12:10:10	9 Q. Now, are you able to see this section that
12:06:39	10 What is the patent number that you have in	12:10:21	10 I am highlighting?
12:06:42	11 front of you?	12:10:24	11 A. I do.
12:06:42	12 A. This is 8,177,382 B2.	12:10:24	12 Q. Okay. And do you see a reference to an
12:06:50	13 Q. Now, does that list John Roberts and	12:10:29	13 addendum?
12:06:55	14 Chenhua You as inventors?	12:10:29	14 A. I do.
12:07:00	15 A. Yes. It does.	12:10:30	15 Q. Is there an addendum attached to this
12:07:02	16 Q. Is it titled Apparatus and Methods For	12:10:36	16 document?
12:07:08	17 Multiplanar Optical Diffusers and Display Panels For	12:10:38	17 A. Well, there is an addendum. I thought we
12:07:10	18 Using the Same?	12:10:42	18 sent it to you the last time.
12:07:11	19 A. Yes. It does. Assignee is Cree from	12:10:43	19 Q. Did you in fact send that to your
12:07:14	20 South Carolina -- or North Carolina.	12:10:46	20 attorney?
12:07:16	21 Q. So, Mr. Bohannon, that's kind of an	12:10:46	21 A. Yes. I didn't fax it. I sent it by
12:07:19	22 example of where I am going to ask you to answer my	12:10:51	22 e-mail, you know, for the last deposition, so unless
12:07:21	23 question and not questions that I didn't ask; is that	12:10:58	23 it's lost in the mail somewhere I'm pretty sure
12:07:26	24 fair?	12:11:01	24 people have it.
12:07:26	25 A. Yeah. That's understandable.	12:11:03	25 MR. MASSAND: Matias, I can confirm that I
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-10		DRAFT-12	
12:07:28	1 Q. So I would just please ask you to answer	12:11:07	1 have it. I can send it to you at a break.
12:07:31	2 my question and not volunteer additional information.	12:11:10	2 MR. FERRARIO: That would be appreciated.
12:07:35	3 Okay?	12:11:13	3 Thank you, Neal.
12:07:41	4 MR. MASSAND: William, I would just	12:11:25	4 Q. (By Mr. Ferrario) Let me get back in
12:07:42	5 instruct you to answer to the best of your	12:11:36	5 here. And since the last deposition, has there been
12:07:44	6 ability.	12:11:42	6 any new engagements in either litigation or IPR work
12:07:44	7 THE WITNESS: I will.	12:11:46	7 that I should be aware of?
12:07:45	8 MR. FERRARIO: Neal, no speaking	12:11:49	8 A. Since the last deposition, no, I don't
12:07:48	9 objections.	12:11:52	9 think so.
12:07:55	10 Q. (By Mr. Ferrario) Now, Mr. Bohannon, I	12:11:53	10 Q. And so the litigation addendum that you
12:07:57	11 believe you submitted a curriculum vitae in	12:11:56	11 sent your counsel whenever that was would be
12:08:01	12 conjunction with your declaration; is that correct?	12:12:03	12 up-to-date; is that correct?
12:08:05	13 A. That's correct.	12:12:05	13 A. Up-to-date. I mean for litigation type of
12:08:10	14 Q. And I will go ahead and place into chat	12:12:09	14 stuff it doesn't cover confidential clients.
12:08:22	15 that document.	12:12:19	15 Q. All right. You mentioned that you had a
12:08:51	16 Are you able to see the document that I	12:12:23	16 copy of the patent at issue for today and I'm going
12:08:53	17 placed in the chat?	12:12:30	17 to put that into the chat here. You're welcome to
12:08:55	18 A. Not yet, but I'm trying. Okay. I see it.	12:12:34	18 refer to your hard copy but I will also be referring
12:09:14	19 Q. Okay. I am going to see if I can open and	12:12:38	19 to the one that I just put in so that we can share.
12:09:19	20 share this document with everyone.	12:12:59	20 Give me a second while I do that.
12:09:27	21 A. Which document?	12:13:31	21 Mr. Bohannon, are you able to see the '382
12:09:29	22 Q. The one I just put in the chat. Just one	12:13:34	22 patent on the screen now?
12:09:32	23 moment, please.	12:13:35	23 A. I do.
12:09:32	24 (Exhibit 2004 was introduced for	12:13:36	24 Q. Is it okay if we prefer to it as the '382
12:09:32	25 identification, not attached at the end of the	12:13:40	25 patent?

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-13		DRAFT-15	
12:13:40	1 A. I understand.	12:16:42	1 is a solid state light emitter; is that right?
12:13:42	2 Q. Now, this is the patent that you reviewed	12:16:48	2 A. You read it correctly.
12:13:45	3 in connection with forming the opinions you provided	12:16:52	3 Q. What is a solid state light emitter?
12:13:49	4 in your declaration. Correct?	12:16:59	4 A. Well, it's usually an LED or a laser.
12:13:51	5 A. Yes.	12:17:05	5 Q. What does LED stand for?
12:13:51	6 Q. And you read the entirety of this patent?	12:17:07	6 A. Light emitting diode.
12:13:57	7 A. I did.	12:17:13	7 Q. So a solid state light emitter emits
12:13:57	8 Q. And did you study it?	12:17:18	8 light; is that right?
12:14:07	9 MR. MASSAND: Objection to form.	12:17:19	9 A. Well, that's what's in the name, solid
12:14:08	10 THE WITNESS: I read it.	12:17:24	10 state light emitter.
12:14:11	11 Q. (By Mr. Ferrario) And approximately how	12:17:24	11 Q. And it uses solid state technology?
12:14:13	12 much time have you spent looking at the patent?	12:17:28	12 A. I'm not sure what you mean by "solid state
12:14:17	13 A. That's hard to estimate because I looked	12:17:33	13 technology." It's like a semiconductor.
12:14:19	14 at so many different documents for this IPR. It's a	12:17:36	14 Q. Well, what is a solid state? What does
12:14:24	15 bunch of prior art you know that other stuff, you	12:17:38	15 that refer to?
12:14:27	16 know, altogether I don't know 40 hours or something	12:17:40	16 A. Well, I think you're talking about a diode
12:14:31	17 like that playing with this stuff.	12:17:45	17 so a light emitting diode comprised of the things
12:14:37	18 Q. And when you were looking at this patent,	12:17:49	18 that you make other kinds of ICs out of, integrated
12:14:39	19 did you read all the disclosures of the patent?	12:17:57	19 circuits.
12:14:43	20 A. What precisely are you meaning?	12:17:57	20 Q. Okay. Thank you. By "ICs" you mean
12:14:47	21 Q. All of the, all of the words, the	12:18:02	21 integrated circuits?
12:14:50	22 background, the claims, all of it, looked at the	12:18:03	22 A. Yes.
12:14:54	23 figures, all of it?	12:18:05	23 Q. Is this claim language limited to any
12:14:55	24 A. I looked at the figures I read the	12:18:10	24 particular type of solid state light emitter?
12:14:57	25 description I read the claims.	12:18:15	25 A. I don't know what you mean by "type."
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-14		DRAFT-16	
12:15:01	1 Q. And did you understand everything in here	12:18:20	1 Q. Are there different types of solid state
12:15:07	2 as you were going through it?	12:18:23	2 light emitters?
12:15:09	3 A. Yes.	12:18:24	3 A. Lasers and diodes, LEDs and lasers
12:15:13	4 Q. And then based on that analysis, you then	12:18:29	4 probably.
12:15:15	5 formed opinions about the claims and the disclosures;	12:18:29	5 Q. Anything else?
12:15:20	6 is that right?	12:18:30	6 A. There's probably other things that, you
12:15:20	7 A. Versus the prior art.	12:18:32	7 know, kind of glow when you run a current through
12:15:27	8 Q. Are you aware that at issue in these	12:18:35	8 them like but I don't think, you know, we're talking
12:15:30	9 proceedings are Claims 1 to 4, 7 to 9, and 11 to 20?	12:18:38	9 about those. I think this thing is based upon LEDs I
12:15:42	10 A. I'm aware of the claims that are listed in	12:18:44	10 mean it's a patent that Cree filed and Cree is a big
12:15:45	11 my declaration. I haven't, I don't have it memorized	12:18:49	11 LED manufacturer, so probably pretty specific to
12:15:50	12 precisely so I can say that my declaration is	12:18:55	12 LEDs.
12:15:53	13 complete and valid.	12:18:55	13 Q. Any particular types of LEDs?
12:15:55	14 Q. But you didn't limit yourself to the	12:19:02	14 A. Well, probably not limited to any
12:15:58	15 review of just those claims, right, you would have	12:19:05	15 particular types. There's probably service emitters
12:16:01	16 reviewed all the claims here in review of the patent?	12:19:09	16 and edge emitters on these types of things, so it's
12:16:04	17 A. Everything.	12:19:13	17 not limited to types.
12:16:11	18 Q. All right. Well, I want to start with	12:19:23	18 Q. And that would be true for all of the
12:16:13	19 your understanding of the claims and here I wanted to	12:19:27	19 claims; is that correct?
12:16:16	20 just start with Claim 1. Okay? Is that okay?	12:19:31	20 A. Well, all of the claims have different
12:16:25	21 A. Yeah I'm waiting for a question.	12:19:34	21 language. All the dependent claims depend on Claim 1
12:16:27	22 Q. So Claim 1 relates to solid state lighting	12:19:38	22 it's true for. You know how dependent claims work
12:16:33	23 device; is that right?	12:19:45	23 I'm sure.
12:16:36	24 A. You read it correctly.	12:19:47	24 Q. Well, then let's go to the first so
12:16:39	25 Q. And one of the components of that device	12:19:53	25 independent Claim 1 is the first independent claim.

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-17		DRAFT-19	
12:19:58	1 Right?	12:22:23	1 Q. Now, is Claim 17 limited to any particular
12:19:58	2 A. It looks like it.	12:22:26	2 type of solid state light emitter?
12:19:59	3 Q. And then the next independent claim is	12:22:29	3 A. Well, it's talking about a plurality of
12:20:04	4 independent Claim 13?	12:22:34	4 solid state light emitters arranged in a
12:20:07	5 A. It looks like it.	12:22:36	5 substantially planar configuration. So if your type
12:20:09	6 Q. And that also recites a solid state light	12:22:40	6 question contains, you know, that type of information
12:20:14	7 emitter; is that right?	12:22:46	7 there we have it, planar configuration.
12:20:15	8 A. It appears to be.	12:22:51	8 Q. Other than the configuration and the fact
12:20:16	9 Q. And it's not limited to any particular	12:22:54	9 there's a plurality of them is Claim 17 limited to
12:20:19	10 type of solid state light emitter. Correct?	12:22:58	10 any other particular type of solid state light
12:20:27	11 A. I'm looking at it. Yeah. I can't scroll	12:23:00	11 emitter?
12:20:35	12 up.	12:23:00	12 A. It doesn't appear to.
12:20:35	13 Q. Like that? I'm sorry. Like this, so you	12:23:15	13 Q. Now I want to direct your attention to
12:20:37	14 can read this part?	12:23:19	14 Column 4 of the patent. You see how we are in the
12:20:41	15 A. Well, it says it's a method. Claim 13	12:23:24	15 '382 patent in Column 4?
12:20:45	16 reads: A method of providing diffused light	12:23:27	16 A. I do.
12:20:48	17 comprising emitting light from a plurality of solid	12:23:30	17 Q. And I want to review with you some of the
12:20:52	18 state light emitters arranged in a planar	12:23:35	18 disclosures in the '382 patent relating to light
12:20:55	19 configuration. So that's kind of the entire preamble	12:23:42	19 emitters, specifically beginning in the paragraph at
12:20:59	20 which gives you a better description than just saying	12:23:49	20 Line 47.
12:21:02	21 it's a solid state light emitter.	12:23:50	21 Do you see this area?
12:21:03	22 Q. Again, that's -- I feel like you are being	12:23:51	22 A. I do.
12:21:08	23 argumentative, Mr. Bohannon.	12:23:53	23 Q. And do you want a minute to look through
12:21:08	24 A. No. I'm not being argumentative. You	12:23:57	24 it? I want to ask you some questions about it.
12:21:11	25 asked me a question.	12:24:00	25 A. Yeah. I want to look through it. So
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-18		DRAFT-20	
12:21:12	1 Q. And the question was is Claim 13 limited	12:24:36	1 you're just talking about the part of that column
12:21:16	2 to any particular type of solid state light emitter?	12:24:40	2 that goes from Line 47 or so down to Line 62 or so.
12:21:20	3 A. So I provided you with my answer. It's	12:24:48	3 Correct?
12:21:24	4 Claim 13 is a method of providing diffused light	12:24:49	4 Q. That's what I want to ask you some
12:21:28	5 emitting light from a plurality of solid state	12:24:50	5 questions about.
12:21:33	6 emitters arranged in a planar configuration. I think	12:24:51	6 Have you had a chance to review that?
12:21:36	7 to be accurate, you have to cite the entire preamble.	12:24:52	7 A. I have.
12:21:43	8 Q. And as it relates to the type of solid	12:24:53	8 Q. So the '382 patent describes a number of
12:21:47	9 state light emitter is it limited to a particular	12:25:01	9 different types of solid state light emitters; is
12:21:48	10 type?	12:25:06	10 that correct?
12:21:50	11 MR. MASSAND: Objection to form.	12:25:06	11 A. I don't know if I would call those "types"
12:21:52	12 THE WITNESS: I don't know what you mean	12:25:09	12 or not. It describes different types or different
12:21:53	13 by "type." Maybe you should explain it or ask a	12:25:17	13 constructions I guess. For example, package light
12:21:57	14 different question.	12:25:21	14 emitting device is including one or more light
12:21:58	15 Q. (By Mr. Ferrario) Well, if you can't	12:25:26	15 emitting diodes. I don't know if that's a type for
12:22:00	16 answer that, that's fine. Your answer is on the	12:25:28	16 you. I'm not sure what you mean by "type."
12:22:04	17 record.	12:25:31	17 Q. I want to use your language. So what
12:22:04	18 Claim 17 is the next independent claim.	12:25:33	18 would you describe it as?
12:22:09	19 Do you see that?	12:25:35	19 A. Well, it's right there in front of us.
12:22:10	20 A. I do.	12:25:41	20 Solid state lighting devices that may include, for
12:22:10	21 Q. And that also recites a plurality of solid	12:25:43	21 example, a packaged light emitting device including
12:22:10	22 state light emitters.	12:25:47	22 one or more light emitting diodes, LEDs, parentheses.
12:22:17	23 Do you see that?	12:25:52	23 In some embodiments light emitters may include one or
12:22:17	24 A. Arranged in a substantially planar	12:25:55	24 more LED emitter chips that are configured to emit
12:22:21	25 configuration.	12:25:59	25 light having one or more dominant wavelengths, et

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-21		DRAFT-23	
12:26:04	1 cetera.	12:28:58	1 MR. MASSAND: Objection to form.
12:26:04	2 Q. All right. Well, I'd like to ask you some	12:29:00	2 THE WITNESS: Well, an embodiment is an
12:26:06	3 questions about that. I want you to use whatever	12:29:02	3 embodiment, something the inventor came up with
12:26:08	4 language and words you're comfortable using.	12:29:06	4 it's in the patent description.
12:26:11	5 And so if I am using the wrong word, let	12:29:09	5 Q. (By Mr. Ferrario) And by the use of the
12:26:14	6 me know just so we can, so I can unpack this and	12:29:12	6 word "some," you understand that not all embodiments
12:26:17	7 understand this section. Okay? Sound fair?	12:29:17	7 may include packaged light emitting devices right?
12:26:22	8 A. I'm waiting for a question.	12:29:20	8 MR. MASSAND: Objection to form.
12:26:24	9 Q. So what is a packaged light emitting	12:29:21	9 THE WITNESS: I'm not sure -- I'm sorry
12:26:30	10 device?	12:29:23	10 for talking over you, Neal.
12:26:31	11 A. I think what they mean is it's versus a	12:29:26	11 I'm not sure that we've construed come
12:26:36	12 wafer. You know, these things are made in wafers and	12:29:28	12 embodiments whether it includes all or not.
12:26:40	13 then the wafers are die stuff. And then the LED	12:29:32	13 Q. (By Mr. Ferrario) I'm asking you your
12:26:42	14 chips are mounted in a package with leads, electric	12:29:34	14 understanding when you read the patent is that how
12:26:46	15 being connected up electrically so they can be turned	12:29:36	15 you understood the phrase "some embodiments"?
12:26:50	16 on and off.	12:29:40	16 MR. MASSAND: Objection to form.
12:26:52	17 Q. All right. So the package would include	12:29:41	17 THE WITNESS: I don't think it's in my
12:26:53	18 an LED chip and wires; is that correct?	12:29:44	18 opinion as to what "some" means. I'm not sure.
12:26:58	19 A. Wiring.	12:29:53	19 It may mean all. It may mean part. Fairly
12:27:02	20 Q. Anything else that's in the package?	12:29:58	20 broad term.
12:27:07	21 A. No. I don't know. None of that stuff is	12:30:02	21 Q. (By Mr. Ferrario) In the next sentence
12:27:09	22 in my opinion. I don't go into great detail of the	12:30:03	22 there's a reference to one or more LED emitter chips.
12:27:12	23 manufacturing process for LEDs in my declaration.	12:30:08	23 Do you see that?
12:27:20	24 Q. All right. I just want to know if you	12:30:09	24 A. I do.
12:27:23	25 understand that as part of your expertise you	12:30:11	25 Q. And those are light emitting diode emitter

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-22		DRAFT-24	
12:27:26	1 reviewed the patent so I'm just asking questions	12:30:15	1 chips; is that correct?
12:27:29	2 about the patent that you opined on.	12:30:16	2 A. That's how I would read that.
12:27:32	3 A. Yes. I understand.	12:30:18	3 Q. And those LED emitter chips are configured
12:27:32	4 Q. Okay. Anything else in the packaged light	12:30:23	4 to emit light; is that right?
12:27:37	5 emitting device that you can identify at this time?	12:30:27	5 A. Yes.
12:27:40	6 A. Not from these words in the patent.	12:30:28	6 Q. And that light can be one wavelength or
12:27:44	7 Q. Now, when it says in the patent "some	12:30:36	7 more than one wavelength; is that correct?
12:27:48	8 embodiments," how is it you interpret that?	12:30:40	8 A. Yes. You are reading it word by word.
12:27:53	9 MR. MASSAND: Objection to form.	12:30:43	9 Q. The reference to wavelengths is that a
12:27:56	10 THE WITNESS: I interpret it as meaning	12:30:46	10 color?
12:27:59	11 there is more than one embodiment. I think	12:30:50	11 A. For the most part.
12:28:02	12 there's a couple of embodiments in this patent.	12:30:53	12 Q. And so if you have, for example, blue
12:28:04	13 I can't scroll through it. I can look through	12:30:58	13 light, would that be considered a dominant
12:28:06	14 my own copy and tell you how many embodiments	12:31:03	14 wavelength?
12:28:09	15 there are.	12:31:03	15 A. Well, I don't go into great detail. I
12:28:12	16 Q. (By Mr. Ferrario) And so some	12:31:07	16 don't think I go into any detail about wavelengths in
12:28:16	17 embodiments, it's your understanding that the patent	12:31:09	17 my declaration, I mean.
12:28:19	18 discloses some embodiments that use packaged light	12:31:15	18 Q. Can you answer the question?
12:28:23	19 emitting devices; is that correct?	12:31:16	19 A. What's your question?
12:28:27	20 A. Well, if you look on I guess Page 9 of	12:31:19	20 Q. If you have an LED chip that emits blue
12:28:32	21 Exhibit 1001, you can see that detailed description	12:31:22	21 light, is blue a dominant wavelength?
12:28:36	22 of the embodiments starts in Column 3, around	12:31:28	22 A. That's really hard to say. I mean because
12:28:47	23 Line 40, which you've got on the screen there.	12:31:31	23 they're a lot of these LEDs have a broad spectrum of
12:28:51	24 Q. So in other words you understand it to be	12:31:35	24 light that comes out. And so lasers have one
12:28:54	25 sort of an example of something. Right?	12:31:44	25 particular wavelength. LEDs have a broad wavelength.

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-25		DRAFT-27	
12:31:54	1 Q. Now, the patent discloses that in some	12:35:47	1 you.
12:31:57	2 embodiments the light emitters can include white LED	12:35:51	2 Q. Do you understand there are different
12:32:03	3 lamps; is that correct?	12:35:53	3 types of LEDs than blue light emitting LEDs.
12:32:07	4 A. You have read Line 55 correct.	12:35:56	4 Correct?
12:32:11	5 Q. And in this embodiment the LED is emitting	12:35:59	5 A. So I'm trying to answer your questions
12:32:19	6 blue light; is that correct?	12:36:04	6 here. So Claim 1 is talking about plurality of solid
12:32:22	7 A. It says, it says light emitters 112 may	12:36:08	7 state light emitters that are configured to emit
12:32:29	8 include white LED lamps that include a blue-emitting	12:36:10	8 light. So I didn't think we were construing terms
12:32:32	9 LED coated with a fluorescing compound that may	12:36:16	9 like this.
12:32:37	10 modify the wavelength of at least some light that is	12:36:17	10 Q. I'm not asking you to construe terms. I'm
12:32:40	11 emitted from blue light emitting LED, period.	12:36:20	11 trying to understand how you're interpreting the
12:32:45	12 Q. Now, in the case of this type of light	12:36:23	12 claims and what you understand as an expert, okay, so
12:32:50	13 emitter what does a viewer perceive light to be when	12:36:25	13 let's start with that.
12:33:00	14 blue light is modified by a fluorescing compound do	12:36:27	14 A. Okay.
12:33:07	15 you know?	12:36:27	15 Q. All right. Let me ask the question.
12:33:07	16 A. Well, it's very clear if you read the	12:36:32	16 We've been talking about the different types of LEDs;
12:33:09	17 sentence again, it says in some embodiments light	12:36:37	17 is that right or fair?
12:33:12	18 emitters may include white LED lamps that include a	12:36:37	18 A. You've been talking about what's in
12:33:18	19 blue-emitting LED coated in a fluorescing compound.	12:36:41	19 Column 6 I think it is there on Page 9. That's what
12:33:22	20 So if you read Line 55 carefully you'll see it's	12:36:47	20 we've been talking about.
12:33:25	21 called a white LED lamp.	12:36:48	21 Q. Packaged light emitting devices, right, do
12:33:28	22 Q. Now in your understanding of the patent	12:36:52	22 you recall that?
12:33:32	23 claims are the claims limited to blue light emitting	12:36:52	23 A. In some embodiments, light emitters may
12:33:41	24 LEDs?	12:36:56	24 include, some embodiments may include packaged light
12:33:46	25 A. Well, if you read that whole sentence in	12:37:01	25 emitting device.
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-26		DRAFT-28	
12:33:52	1 that part of the patent it says they're a fluorescing	12:37:02	1 Q. And in some embodiments they include LED
12:33:55	2 compound that may modify the wavelength and some of	12:37:05	2 emitter chips that have one or more dominant
12:34:01	3 the light from the blue light emitting LEDs. So they	12:37:10	3 wavelengths. Right?
12:34:01	4 are talking about generally white LED lamps because	12:37:14	4 A. That's in Line 53. Configured to emit
12:34:06	5 white is a lot of different wavelengths that are all	12:37:18	5 light one or more dominant wavelengths. Yes.
12:34:09	6 put together that makes the light appear white so	12:37:21	6 Q. And then in some embodiments they have a
12:34:14	7 we're not really picking it apart.	12:37:25	7 blue-emitting LED coated with a fluorescing compound.
12:34:17	8 Q. And I guess I'm asking you, Mr. Bohannon,	12:37:28	8 Right?
12:34:20	9 when you read Claim 1, you understand Claim 1 to only	12:37:31	9 A. So it says in some embodiments light
12:34:24	10 be covering these types of LED lights?	12:37:37	10 emitters may include LED lamps that have
12:34:27	11 A. I'm going to go back and look at Claim 1.	12:37:40	11 blue-emitting LEDs coated with a fluorescing compound
12:34:50	12 So Claim 1 is a solid state lighting device	12:37:44	12 that may modify the wavelength of at least some
12:34:54	13 comprising a plurality of solid state emitters	12:37:47	13 light.
12:34:56	14 configured to emit light. So that's the Claim 1.	12:37:50	14 Q. And you understand that to be a
12:35:07	15 What was your question about Claim 1?	12:37:51	15 description of different LEDs. Correct?
12:35:10	16 Q. Do you interpret Claim 1 to be limited to	12:37:56	16 A. I wouldn't necessarily call it "different
12:35:13	17 blue light emitting LEDs?	12:37:58	17 LEDs."
12:35:18	18 A. Claim 1 is what it is. Claim 1 says it's	12:38:01	18 Q. What would you call it?
12:35:21	19 light emitters that are configured to emit light.	12:38:03	19 A. LED that is coated.
12:35:28	20 Q. Is that limited to blue light emitting	12:38:08	20 Q. Are all of them are coated?
12:35:31	21 LEDs?	12:38:11	21 A. It says in some embodiments light emitters
12:35:34	22 A. So we'll just keep going around and	12:38:18	22 112 may include white LED lamps that include a
12:35:37	23 around. Where they're configured to emit light. A	12:38:23	23 blue-emitting LED coated with a fluorescing compound
12:35:40	24 plurality of solid state light emitters that are	12:38:27	24 that may modify some of the light that is emitted
12:35:45	25 configured to emit light. I don't know how to help	12:38:32	25 from the blue light emitting LED.

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-29		DRAFT-31	
12:38:36	1 The next sentence says in some embodiments	12:42:01	1 what's in Claim 1.
12:38:39	2 the fluorescing compound may include a wavelength	12:42:03	2 Q. (By Mr. Ferrario) Mr. Bohannon, you have
12:38:42	3 conversion phosphor that converts some of the blue	12:42:04	3 to answer my questions, please.
12:38:46	4 light into yellow light. And some of the resulting	12:42:07	4 MR. MASSAND: He's answering your question
12:38:51	5 light which is a combination of blue light and yellow	12:42:08	5 you can't force him to box into whatever you
12:38:55	6 light may appear white to an observer.	12:42:12	6 like.
12:38:59	7 Q. Now you understand what's being	12:42:15	7 MR. FERRARIO: No speaking objections.
12:39:02	8 communicated in this section of the patent. Correct?	12:42:16	8 MR. MASSAND: He's answering to the best
12:39:05	9 A. I do.	12:42:18	9 of his ability.
12:39:07	10 Q. When you read Claim 1 and when it recites	12:42:19	10 MR. FERRARIO: We're going to mark all of
12:39:13	11 solid state light emitter, do you understand that to	12:42:21	11 them as argumentative and we'll go back to the
12:39:21	12 refer only to a blue-emitting LED coated with a	12:42:23	12 board and move for sanctions. If he doesn't
12:39:29	13 fluorescing compound that may modify the wavelength	12:42:26	13 understand the question, he can ask me to
12:39:32	14 of at least some light that is emitted from the blue	12:42:28	14 clarify. He's not answering the question. Let
12:39:36	15 light emitting LED?	12:42:31	15 me try it one more time.
12:39:39	16 A. So when I read Claim 1, I do not see the	12:42:34	16 MR. MASSAND: He's answering the question.
12:39:41	17 limitation you are talking about. So when I read	12:42:34	17 Q. (By Mr. Ferrario) Mr. Bohannon, the solid
12:39:50	18 Claim 1 what is claimed, a solid state lighting	12:42:37	18 state light emitter recited in Claim 1 is not limited
12:39:53	19 device comprising a plurality of solid state emitters	12:42:40	19 to include light of any particular dominant
12:39:57	20 that are configured to emit light. It doesn't have	12:42:43	20 wavelength; is that correct?
12:40:01	21 all the other limitations you are talking about.	12:42:44	21 MR. MASSAND: Objection to form.
12:40:05	22 Q. Would the limitation in Claim 1 include an	12:42:47	22 THE WITNESS: So I don't know what you're
12:40:13	23 LED that emits light of a dominant wavelength other	12:42:48	23 asking. A solid state -- Claim 1 reads a solid
12:40:21	24 than blue?	12:42:52	24 state light emitting device comprising a
12:40:24	25 A. So when I read Claim 1 -- I'm looking at	12:42:55	25 plurality of solid state light emitters that are
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-30		DRAFT-32	
12:40:29	1 my own copy of the patent so I can read Claim 1.	12:42:57	1 configured to emit light semicolon. So the
12:40:36	2 It's talking about solid state light emitters that	12:43:01	2 claim is perhaps broader than you would like.
12:40:39	3 are configured to emit light and said multiplane	12:43:11	3 Q. (By Mr. Ferrario) The claim is not
12:40:39	4 light diffuser but at times the light it diffuses at	12:43:13	4 limited to any particular wavelength; is that
12:40:52	5 a distance is configured to receive the light emitted	12:43:16	5 correct?
12:40:52	6 from the plurality, et cetera, et cetera. So I do	12:43:16	6 MR. MASSAND: Objection to form.
12:40:55	7 not see the limitations you are trying to impose on	12:43:17	7 THE WITNESS: So we've been around and
12:41:00	8 that claim.	12:43:19	8 around here. So it's solid state light emitters
12:41:02	9 Q. So there's no limitation on the wavelength	12:43:22	9 that are configured to emit light semicolon. So
12:41:07	10 of light for that solid state light emitter in Claim	12:43:28	10 the claim is broader than you would like, so I
12:41:11	11 1. Correct?	12:43:31	11 can't help you.
12:41:12	12 A. So Claim 1 says a plurality of solid state	12:43:32	12 Q. (By Mr. Ferrario) You are saying broader
12:41:15	13 emitters configured to emit light.	12:43:34	13 than I would like. I mean why do you say that? Are
12:41:21	14 Q. Yeah, so not my question. Again, please	12:43:38	14 you saying that because it can include multiple
12:41:24	15 try to answer my questions. If you don't understand	12:43:41	15 wavelengths?
12:41:26	16 my question, I'm happy to repeat it. So let me ask	12:43:43	16 A. No. Your questions are too, too specific.
12:41:33	17 again.	12:43:49	17 The claim is just -- the claim reads the plurality of
12:41:33	18 The solid state light emitter recited in	12:43:54	18 solid state light emitters that are configured to
12:41:36	19 Claim 1 is not limited to any particular dominant	12:43:56	19 emit light. You want to try to limit that to
12:41:41	20 wavelength correct?	12:43:59	20 something particular. And you want me to agree with
12:41:42	21 MR. MASSAND: Objection to form.	12:44:02	21 that. And I'm not agreeing with that.
12:41:44	22 THE WITNESS: So I didn't know we were	12:44:05	22 Q. I just want your testimony. So if your
12:41:45	23 trying to construe claims here. The claim is	12:44:08	23 testimony is that it's not limited to a particular
12:41:49	24 very simple. It's solid state emitters	12:44:10	24 wavelength, then is that what you're saying?
12:41:51	25 configured to emit light semicolon. That's	12:44:13	25 A. No. What I'm saying is that the Claim 1

UNCERTIFIED ROUGH DRAFT DRAFT-33 12:44:16 1 is a plurality of light emitters that are configured 12:44:19 2 to emit light. I would say period, but it's a 12:44:22 3 semicolon. 12:44:27 4 Q. And so those solid state emitters do not 12:44:31 5 have to be just the blue-emitting LEDs coated with a 12:44:35 6 fluorescing compound that's described here in this 12:44:40 7 specification correct? 12:44:42 8 A. So solid state light emitters configured 12:44:44 9 to emit light is what is described in Claim 1. 12:44:50 10 Q. And Claim 1 is not limited to blue LEDs 12:44:54 11 right? 12:44:54 12 MR. MASSAND: Objection to form. 12:44:55 13 THE WITNESS: Solid state light emitters 12:44:56 14 configured to emit light. 12:45:01 15 Q. (By Mr. Ferrario) Yeah. Is that limited 12:45:03 16 to blue LEDs? 12:45:06 17 A. So it's a solid state light emitter that's 12:45:09 18 configured to emit light. 12:45:13 19 Q. Well, let me try it another way then. I 12:45:16 20 think you are still not answering my question. So 12:45:18 21 let me ask it to you this way is a blue-emitting LED 12:45:22 22 one example of a solid state light emitter? 12:45:31 23 A. So if you go back to that column which I 12:45:36 24 can't scroll on the screen with. 12:45:43 25 Q. This one here?	UNCERTIFIED ROUGH DRAFT DRAFT-35 12:47:46 1 Q. (By Mr. Ferrario) Mr. Bohannon, let's be 12:47:48 2 clear. I'm not seeking your agreement on anything. 12:47:50 3 I am asking a question, and you can answer "yes" or 12:47:53 4 "no." 12:47:53 5 So my question is Claim 1 limited to blue 12:47:56 6 LEDs; and if your answer is "no," that's your answer. 12:48:01 7 What is your answer? 12:48:03 8 A. My answer is that what's described in 12:48:07 9 Claim 1 or what's claimed in Claim 1 is a plurality 12:48:11 10 of solid state light emitters that are configured to 12:48:13 11 emit light. So I didn't think we were going to be 12:48:18 12 caught in a claim construction argument. 12:48:22 13 Q. Let me ask you another way. 12:48:25 14 Is a blue LED an example of a solid state 12:48:31 15 light emitter? 12:48:34 16 A. So you're reading from Column 4 again I 12:48:41 17 guess. So what's your question about Column 4? 12:49:08 18 Q. My question, is a blue-emitting LED an 12:49:13 19 example of a solid state light emitter? 12:49:17 20 A. So it says some embodiments that may 12:49:21 21 include -- light emitters that include, for example, 12:49:27 22 solid state lighting devices, et cetera. In some 12:49:34 23 embodiments -- okay. I'm looking at like Line 52. 12:49:39 24 May include one or more LED emitter chips configured 12:49:42 25 to emit light having one or more dominant
UNCERTIFIED ROUGH DRAFT DRAFT-34 12:45:46 1 A. I don't know which column it is until you 12:45:49 2 get there. I have to get to the right spot so I can 12:46:28 3 see which column I'm reading from. 12:46:31 4 Q. I believe we were in Column 4 if that 12:46:34 5 helps. 12:46:34 6 A. That helps. And so anyway Line 47 that 12:46:40 7 you like so much says in some embodiments the light 12:46:47 8 emitters include, for example, solid state light 12:46:51 9 emitting devices. Some embodiments provide solid 12:46:57 10 state lighting devices that may include a packaged 12:47:00 11 diode, et cetera, et cetera. 12:47:04 12 And some of those are configured having 12:47:07 13 light having one or more dominant wavelengths. So 12:47:10 14 that's in the patent description. That's not the 12:47:13 15 claims. 12:47:15 16 Q. So my original question was is the claim 12:47:19 17 language recited in Claim 1 limited to blue LEDs? 12:47:27 18 MR. MASSAND: Objection to form. 12:47:28 19 THE WITNESS: So I have read Claim 1 to 12:47:31 20 you probably two-dozen times here. And it's 12:47:33 21 basically solid state light emitters that are 12:47:36 22 configured to emit light. It doesn't contain 12:47:39 23 the limitation you're seeking me to agree on. 12:47:43 24 So I can't agree to something that's not in 12:47:45 25 Claim 1.	UNCERTIFIED ROUGH DRAFT DRAFT-36 12:49:45 1 wavelengths. 12:49:52 2 Q. Can you answer my question, please? 12:49:54 3 A. I don't know what your question is. 12:49:56 4 Q. Is a blue-emitting LED an example of a 12:50:00 5 solid state light emitter? 12:50:16 6 A. So I think the Column 4 speaks for itself 12:50:20 7 where it says light emitters 112 may include white 12:50:26 8 LED lamps that include a blue-emitting LED coated 12:50:30 9 with a fluorescing material that may modify the 12:50:34 10 wavelength of at least some light that's emitted from 12:50:37 11 the blue light emitting LED. I think that's pretty 12:50:44 12 clear. 12:50:44 13 Q. That's pretty clear to you? Is that clear 12:50:48 14 to you? 12:50:48 15 A. I just read it to you. I hope it's clear 12:50:51 16 to you. 12:50:52 17 Q. Is red emitting LED an example of a solid 12:51:00 18 state light emitter? 12:51:13 19 A. So we're talking about Claim 1 anything 12:51:18 20 that emits light, light emitting. Plurality of light 12:51:25 21 solid state light emitters that are configured to 12:51:28 22 emit light. So I think that encompasses a whole 12:51:32 23 bunch of stuff. 12:51:33 24 Q. Does that encompass a red emitting LED? 12:51:41 25 A. The claim is not limited to colors like

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-37		DRAFT-39	
12:51:45	1 you would like it to be. The claim is that it emits	12:54:48	1 A. What does R mean to you as a questioner?
12:51:49	2 light.	12:54:51	2 You're making a question what's the R mean? Does it
12:51:51	3 Q. I'm sorry. Go ahead.	12:54:55	3 mean red? Does it mean rambunctious?
12:51:53	4 A. I'm done.	12:55:00	4 Q. And so is it your testimony that without
12:51:57	5 Q. Does Claim 1 include green emitting LEDs?	12:55:03	5 further explanation by me you do not understand what
12:52:05	6 A. So Claim 1 solid state lighting device	12:55:09	6 "RGB LED" means?
12:52:10	7 comprising a plurality of solid state light emitters	12:55:11	7 MR. MASSAND: Objection to form.
12:52:14	8 configured to emit light, semicolon. We've been over	12:55:12	8 THE WITNESS: I asked a question back. I
12:52:19	9 that about two-dozen times. It emits light.	12:55:13	9 said do you mean R for red are you talking about
12:52:29	10 Q. My question was is a green emitting LED	12:55:18	10 a red LED are you talking about a green LED are
12:52:34	11 included as a solid state light emitter?	12:55:22	11 you talking about a blue LED? Are you talking
12:52:38	12 A. I think you can draw your own conclusions.	12:55:25	12 about these packaged together? Are you talking
12:52:41	13 Q. You need to answer my questions,	12:55:28	13 about them all lit up together whereupon they're
12:52:42	14 Mr. Bohannon.	12:55:30	14 going to look like white light? What are you
12:52:43	15 A. I did answer the question. It says it's	12:55:33	15 talking about?
12:52:47	16 not limited to any colors. It's just light emitters	12:55:34	16 Q. (By Mr. Ferrario) Is there such a thing
12:52:50	17 that are configured to emit light semicolon. Light	12:55:36	17 where a red, blue, and green diode is packaged
12:52:54	18 is light.	12:55:41	18 together such that when they light up they emit white
12:52:58	19 Q. So it would not be limited to a light	12:55:45	19 light?
12:53:02	20 emitting diode that emitted RGB light. Correct?	12:55:46	20 A. No. I'm talking about a system where
12:53:09	21 MR. MASSAND: Objection to form.	12:55:49	21 there's like what's described in Column 4 where
12:53:12	22 THE WITNESS: I'm not sure what you mean	12:55:53	22 you've got some fluorescence on there. So you have
12:53:13	23 by "RGB light."	12:55:57	23 a -- like it says there on Line 55, a blue-emitting
12:53:20	24 Q. (By Mr. Ferrario) Are you familiar with	12:56:00	24 LED with a fluorescing compound and a conversion
12:53:21	25 RGB LEDs?	12:56:06	25 phosphor. And the resulting light -- it says in
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-38		DRAFT-40	
12:53:24	1 A. So are you talking about red, green, and	12:56:09	1 Line 63, the resulting light which is a combination
12:53:27	2 blue? Is that what you mean?	12:56:12	2 of the blue and yellow light may appear white to an
12:53:31	3 Q. I'm asking you are you familiar with the	12:56:12	3 observer.
12:53:34	4 term "RGB LED"?	12:56:16	4 So some people would call that kind of a
12:53:36	5 A. Are you talking about red LEDs, green	12:56:19	5 red, green, and blue, although it's not especially
12:53:40	6 LEDs, and blue LEDs yes or no?	12:56:28	6 called out here. But you see these yellow and blue
12:53:43	7 Q. Is that what you understand RGB LEDs to	12:56:31	7 LEDs a lot to make white light. The reason why it
12:53:46	8 refer to?	12:56:36	8 makes it is because it's not one single spectrum.
12:53:48	9 A. It's your question. I'm asking you for	12:56:42	9 It's a whole, it's a very broad spectrum of light
12:53:52	10 clarification.	12:56:44	10 that ultimately appears white to the observer. So I
12:53:55	11 Q. So you don't understand when I say "RGB	12:56:50	11 don't know what they're talking about.
12:53:58	12 LEDs," you don't understand that phrase?	12:56:52	12 Q. Well, you're the expert. So I am trying
12:54:01	13 A. I want your clarification of what you	12:56:54	13 to understand from you so I need you to --
12:54:03	14 mean, please.	12:56:56	14 A. Well, you're the one who is asking the
12:54:09	15 Q. Are you familiar with LEDs that emit red,	12:56:59	15 questions.
12:54:11	16 green, and blue light?	12:56:59	16 Q. All right. Let me ask it. Are there
12:54:15	17 A. So are you talking about an LED that emits	12:57:01	17 other types of LEDs that make white light besides the
12:54:18	18 red light, an LED that emits green light, an LED that	12:57:05	18 blue and the yellow phosphor type?
12:54:22	19 emits blue light? Is that what you're talking about?	12:57:06	19 A. People are working on that kind of stuff
12:54:28	20 Q. Are you familiar with the term "RGB LED"?	12:57:09	20 all the time.
12:54:32	21 A. I'm asking you what you mean by it because	12:57:11	21 Q. Are there other types like commercially
12:54:35	22 obviously you are trying to make a point here. So	12:57:14	22 available at the time of this invention?
12:54:37	23 what's your question? Please explain.	12:57:17	23 A. I can't recall what was precisely
12:54:40	24 Q. My question is what does "RGB LED" mean to	12:57:21	24 commercially available at the time of this invention
12:54:46	25 you as an expert in this field?	12:57:23	25 so I can't answer that.

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-41		DRAFT-43	
12:57:25	1 Q. Are you aware of LEDs that go by RGB LED	13:06:54	1 distance from the plurality of solid state emitters
12:57:33	2 names that produce white light?	13:06:56	2 that is different from the first distance.
12:57:36	3 A. So what are you talking about? This is	13:06:59	3 Q. And so you understand this part of the
12:57:39	4 the basis of my not being able to understand your	13:07:02	4 claim to recite a multiplane light diffuser that
12:57:42	5 question. You are throwing terminology around but	13:07:06	5 includes at least two diffusion planes; is that
12:57:45	6 not explaining it.	13:07:12	6 correct?
12:57:46	7 Q. So does the RGB LED require, is it	13:07:12	7 A. So the first distance, so a first
12:57:56	8 terminology that requires explanation by me, a	13:07:16	8 diffusion plane that is a first distance and a second
12:58:00	9 lawyer?	13:07:22	9 diffusion plane that is a second distance from the
12:58:00	10 A. Yes.	13:07:27	10 plurality of solid state emitters that's different
12:58:00	11 MR. MASSAND: Objection.	13:07:31	11 from the first distance.
12:58:02	12 THE WITNESS: What do you mean by R? Are	13:07:32	12 Q. And the claim then similarly recites two
12:58:04	13 you talking about red? What do you mean by G?	13:07:36	13 distances, a first distance and a second distance; is
12:58:06	14 Are you talking green? Are you talking --	13:07:41	14 that right?
12:58:11	15 Q. (By Mr. Ferrario) You have the question.	13:07:41	15 A. So the first diffusion plane is a first
12:58:12	16 It's fine if you can't understand it. I mean, if you	13:07:44	16 distance from a plurality of solid state emitters.
12:58:14	17 don't understand it, then that's fine. That's your	13:07:47	17 And a second diffusion plane that is a second
12:58:18	18 testimony.	13:07:50	18 distance from a plurality that is different from the
12:58:18	19 A. I don't understand your question.	13:07:53	19 first distance.
12:58:35	20 Q. Now, moving through the rest of Claim 1 I	13:07:59	20 Q. And the first distance is defined as a
12:58:41	21 want to talk about the next section that begins a	13:08:03	21 distance that is between the plurality of solid state
12:58:47	22 multiplane light diffuser okay.	13:08:12	22 emitters to the first diffusion plane; is that
12:58:54	23 Do you see that?	13:08:21	23 correct?
12:58:57	24 A. It's right in front of me.	13:08:21	24 A. I wouldn't say that's how you would define
12:58:59	25 Q. Okay. Why don't you take a second to	13:08:24	25 it. There where it says the first distance -- if you
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-42		DRAFT-44	
12:59:01	1 review that and then I'll ask you some questions	13:08:29	1 look at the bottom of Claim 1 -- the first distance
12:59:04	2 about it.	13:08:33	2 is a function of the third distance. So I don't know
13:05:54	3 MR. MASSAND: So, Matias, did you have a	13:08:36	3 what you mean by "defined." I would say the function
13:05:57	4 question?	13:08:41	4 of the third distance is more the definition of the
13:05:57	5 MR. FERRARIO: Yes. I asked Mr. Bohannon	13:08:46	5 first distance.
13:05:58	6 to let me know when he was finished reviewing.	13:08:46	6 Q. Let me re-ask it then. So the distance is
13:06:01	7 Q. (By Mr. Ferrario) Are you finishing	13:08:50	7 a measure of space between two things. Would you
13:06:02	8 reviewing, Mr. Bohannon?	13:08:55	8 agree with that?
13:06:04	9 A. Yeah. I was reviewing some of the other	13:08:56	9 A. Well, if you look at, you know, Figure 2
13:06:07	10 things too.	13:09:04	10 you can graphically see what they're talking about.
13:06:07	11 Q. Let me know when you are ready for a	13:09:11	11 Q. Can you answer my question, Mr. Bohannon?
13:06:10	12 question.	13:09:14	12 A. What's your question?
13:06:10	13 A. Go ahead and try.	13:09:17	13 Q. That the first distance is identifying a
13:06:17	14 Q. Have you reviewed the section I asked you	13:09:22	14 distance between two things in the system; is that
13:06:19	15 to look through?	13:09:27	15 fair?
13:06:19	16 A. I have.	13:09:27	16 A. Well, if you look at Figure 3 it shows the
13:06:21	17 Q. So in this section the claim recites a	13:09:30	17 first distance is 147 call out which is between the
13:06:25	18 multiplane light diffuser. Right?	13:09:36	18 bottom of the light emitting devices it looks like on
13:06:30	19 A. That's what it appears to recite a	13:09:40	19 the reflector to the bottom of the first diffusion
13:06:32	20 multiplane light diffuser comprising a first	13:09:45	20 plane.
13:06:36	21 diffusion plane that is a first distance from	13:09:53	21 Q. So when you were reading the claim
13:06:42	22 plurality of solid state emitters.	13:09:55	22 language hereafter, did you limit your understanding
13:06:45	23 Q. And then there's a second diffusion plane.	13:09:57	23 of the claim language to what was shown in the
13:06:50	24 Correct?	13:10:00	24 figures?
13:06:50	25 A. A second diffusion plane that is a second	13:10:01	25 A. No. I did not.

UNCERTIFIED ROUGH DRAFT DRAFT-45	UNCERTIFIED ROUGH DRAFT DRAFT-47
13:10:04 1 Q. Let's focus on the language if we can and 13:10:07 2 go back to the claim language. And here the first 13:10:11 3 distance is a distance that is defined by on the one 13:10:17 4 hand the first diffusion plane and on the other hand 13:10:20 5 the plurality of solid state emitters; is that right? 13:10:27 6 A. Yeah. Multiplane light diffuser including 13:10:30 7 a first diffusion plane that's a first distance from 13:10:34 8 the plurality of solid state emitters. 13:10:37 9 Q. And then the second distance is defined by 13:10:41 10 the space from the solid state light emitters to the 13:10:45 11 second diffusion plane; is that right? 13:10:49 12 A. Yeah. The claim says a second diffusion 13:10:51 13 plane that's a second distance from the plurality of 13:10:56 14 the solid state emitters that is different from the 13:10:58 15 first distance. 13:11:04 16 Q. Now, the distance to the first diffusion 13:11:09 17 plane is one distance and then the distance to the 13:11:14 18 second diffusion plane is a second distance; is that 13:11:20 19 correct? 13:11:20 20 A. According to the claim the second 13:11:22 21 distance. 13:11:25 22 Q. And distance is being measured to the I'm 13:11:30 23 sorry it's defined one of the let me re-ask, let me 13:11:35 24 re-ask the question. One of the points in the system 13:11:41 25 that is a point from which the distance is defined is	13:13:23 1 plane that's configured to transmit diffused light. 13:13:30 2 Q. And so the second plane has a second side 13:13:33 3 that's what your understanding of this claim is, 13:13:35 4 correct? 13:13:38 5 A. It says, the claim says a second side that 13:13:43 6 corresponds to the second plane that is configured to 13:13:46 7 transmit diffused light. So it goes on to say, 13:13:51 8 wherein, the multiplane light diffuser comprises a 13:13:55 9 diffuser that includes a first side of the multiplane 13:13:59 10 light the diffuser plate is configured to define the 13:14:01 11 first diffusion plane. 13:14:07 12 Q. Yeah. So sticking with the second plane, 13:14:09 13 though, I want to make sure your understanding is 13:14:11 14 that the second plane includes a second side as part 13:14:14 15 of the second plane; is that right? 13:14:17 16 A. I want to be clear. About Line 62 it 13:14:57 17 says, second side corresponds to the second plane and 13:15:00 18 that's configured to transmit diffused light. 13:15:05 19 Q. So you understand that to mean that the 13:15:07 20 second plane has a second side. Correct? 13:15:12 21 A. Well, we can both read the claim and come 13:15:14 22 to our own conclusions. So the second side that 13:15:19 23 corresponds to the second plane and that is 13:15:22 24 configured to transmit diffused light. 13:15:34 25 Q. All I'm asking is very simple when you
UNCERTIFIED ROUGH DRAFT DRAFT-46	UNCERTIFIED ROUGH DRAFT DRAFT-48
13:11:47 1 the diffusion plane. Correct? 13:11:54 2 A. You mean a first diffusion plane that's 13:11:57 3 the first distance and the second diffusion plane 13:12:02 4 that is a second distance. 13:12:04 5 Q. Right. So you understand that it's one of 13:12:08 6 the distance where the end points of these distances 13:12:11 7 is the diffusion plane. Right? 13:12:12 8 A. Well, if you read further into the claim 13:12:15 9 you'll see that the second side that corresponds to 13:12:19 10 the second diffusion plane that's configured to 13:12:24 11 transmit diffused light. So the multiplane light 13:12:28 12 includes a first -- so I'll just read it in its 13:12:31 13 entirety from about Line 57. 13:12:36 14 So the multiplane light diffuser includes 13:12:42 15 a first side that corresponds to the first plane that 13:12:45 16 is configured to receive the light. And the second 13:12:49 17 side that corresponds to the second plane that is 13:12:52 18 configured to transmit the light. So that's, that's 13:12:58 19 a better understanding of where the diffusion planes 13:13:03 20 are. 13:13:04 21 Q. And so you understand, for example, that 13:13:08 22 the second plane is referring to the second diffusion 13:13:12 23 plane; is that correct? 13:13:16 24 A. Well, that's what it appears. The second, 13:13:19 25 so the second side that corresponds to the second	13:15:39 1 read that part of the claim do you understand it to 13:15:41 2 say that the second plane has a second side of the 13:15:46 3 plane? 13:15:47 4 A. I understand it the way I understand it 13:15:49 5 which is the way I read it which is the second side 13:15:53 6 corresponds to the second plane and it's configured 13:15:57 7 to transmit diffused light. I can't help you out 13:16:03 8 beyond that. We're not construing claims you want me 13:16:06 9 to agree to your version of interpretation and I just 13:16:10 10 want to read the claim. 13:16:11 11 Q. So you're refusing to answer my question? 13:16:14 12 A. I'm not refusing to answer your question. 13:16:17 13 I'm saying that you -- 13:16:20 14 Q. I'm asking you to answer my questions, if 13:16:23 15 you could, please, whether you like the way I phrase 13:16:27 16 them or not you are obligated to answer my questions. 13:16:29 17 Do you understand that? 13:16:30 18 A. What I understand is you're trying to get 13:16:32 19 me to agree to your version of the claim terminology 13:16:35 20 and I'm not doing it. I am just reading the claim. 13:16:41 21 Q. You're welcome to disagree with my 13:16:43 22 question you simply need to explain. 13:16:46 23 Are you saying that a second side is not 13:16:49 24 included in the second plane? 13:16:53 25 A. No. What I am reading is the claims where

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-49		DRAFT-51	
13:16:55	1 it says quite clearly in plain English that any	13:20:27	1 diffuser sheet configured to define the second
13:17:00	2 person of ordinary skill in the art would understand	13:20:31	2 diffusion plane. So we can argue about it ten times.
13:17:03	3 it says there's a second side that corresponds to to	13:20:38	3 Q. So here the second distance is being
13:17:06	4 second plane and that is configured to transmit	13:20:42	4 measured or one of the points in the distance
13:17:12	5 diffused light that's what is in the claim if you	13:20:44	5 measurement is to the diffuser sheet; is that
13:17:15	6 want to put something else in the claim have fun	13:20:49	6 correct?
13:17:17	7 that's not how it reads to me.	13:20:49	7 A. It says here the diffuser sheet that
13:17:19	8 Q. What does it mean to you that a second	13:20:54	8 includes the second side of the multiplane light
13:17:22	9 side corresponds to a second plane?	13:20:56	9 diffuser is positioned the second distance from the
13:17:26	10 A. It's quite clear. Second side that	13:21:01	10 plurality of the solid state light emitters. That's
13:17:30	11 corresponds to the second plane. I can't help you.	13:21:05	11 the way the claim reads.
13:17:37	12 Q. Does that mean that the second plane	13:21:08	12 Q. And so the diffuser sheet is the second
13:17:40	13 includes a second side?	13:21:12	13 distance from the solid state light emitters; is that
13:17:43	14 A. So again, you're trying to do claim	13:21:15	14 correct?
13:17:45	15 construction here. I'm just reading the claim. It's	13:21:15	15 A. You're reading it wrong. The diffuser
13:17:49	16 plain English 2 person of ordinary skill in the art	13:21:19	16 comprises a diffuser sheet that includes the second
13:17:53	17 would read the claim and understand that a second	13:21:23	17 side of the multiplane light diffuser and is
13:17:55	18 side that corresponds to the second plane as	13:21:27	18 positioned the second distance from the plurality of
13:17:58	19 configured to transmit diffused light, comma.	13:21:30	19 the solid state light emitters.
13:18:06	20 Q. Does that mean that the second plane has a	13:21:33	20 Q. Yeah. What was wrong about what I was
13:18:11	21 second side?	13:21:37	21 reading?
13:18:15	22 A. So again you are trying to con true claims	13:21:37	22 A. More or less the way you left out words.
13:18:18	23 in a way that is not how it's read. It says a second	13:21:42	23 Q. I see. The phrase is "positioned the
13:18:22	24 side that corresponds to the second plane.	13:21:45	24 second distance."
13:18:30	25 Q. Does this language mean that the second	13:21:47	25 What is positioned the second distance?
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-50		DRAFT-52	
13:18:34	1 plane does not include the second side?	13:21:50	1 A. So the diffuser sheet that includes the
13:18:39	2 A. So the claim reads a second side that	13:21:54	2 second side of the multiplane light diffuser and is
13:18:42	3 corresponds to the second plane.	13:21:58	3 positioned the second distance from the plurality of
13:18:47	4 Q. Does that mean that the second plane does	13:22:01	4 solid state light emitters.
13:18:51	5 not have a second side?	13:22:05	5 Q. Yeah you're reading the whole grays I'm
13:18:54	6 A. So it says a second side that corresponds	13:22:07	6 asking you what is the object of the phrase is
13:18:57	7 to the second plane.	13:22:11	7 positioned the second distance? What is positioned
13:19:01	8 Q. What does it mean for aside to correspond	13:22:16	8 the second distance?
13:19:04	9 to a plane?	13:22:17	9 A. So the diffuser sheet that includes the
13:19:07	10 A. I think it's plain English.	13:22:19	10 second side of the multiplane light diffuser and is
13:19:13	11 Q. Can you explain?	13:22:24	11 positioned the second distance from the plurality of
13:19:14	12 A. Explain English. The second side	13:22:26	12 solid state light emitters I think that's a pretty
13:19:16	13 corresponds to the second plane.	13:22:30	13 clear English sentence.
13:19:25	14 Q. Looking at Claim 2, do you see that the	13:22:33	14 Q. So you understand it to mean that the
13:19:30	15 diffuser sheet includes the second side?	13:22:36	15 diffuser sheet is positioned the second distance; is
13:19:36	16 A. I can read, yes.	13:22:39	16 that right?
13:19:38	17 Q. And did you understand that the second	13:22:39	17 MR. MASSAND: Objection to form.
13:19:44	18 plane is the diffuser sheet?	13:22:40	18 THE WITNESS: So the diffuser sheet that
13:19:53	19 A. So you're looking at Claim 2 which depends	13:22:43	19 includes the second side of the multiplane light
13:19:56	20 from Claim 1. So all the limitations of Claim 1 are	13:22:46	20 diffuser. We'll probably have to go back to
13:20:04	21 subsumed or into Claim 2 with the addition of the	13:22:51	21 Claim 1 because Claim 2 is a dependent claim on
13:20:09	22 multiplane light diffuser comprises a diffuser sheet	13:22:55	22 Claim 1 where it says here so the second
13:20:14	23 that includes the second side of the multiplane light	13:23:03	23 diffuser plane is a second distance from the
13:20:17	24 diffuser and is positioned a second distance from the	13:23:06	24 plurality of the solid state emitters. So to
13:20:21	25 plurality of the solid state light emitter. The	13:23:13	25 read the whole part of Claim 1 multiplane light

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-53		DRAFT-55	
13:23:18	1 diffuser including a first diffusion plane it is	13:27:17	1 the solid state light emitters to the first and
13:23:20	2 a first distance from the plurality and a second	13:27:22	2 second diffuser plates shown as the first and second
13:23:24	3 diffusion plane that is a second distance from	13:27:25	3 distances. So I'd like to limit my answer to what's
13:23:26	4 the plurality of light emitters.	13:27:30	4 in my declaration.
13:23:31	5 And then Claim 2 where the multiplane	13:27:32	5 Q. Let's go back to the claim if we can and
13:23:35	6 light diffusing includes a diffusion sheet that	13:27:35	6 if you could answer my question instead of just
13:23:38	7 includes the second side of the first, the	13:27:38	7 arguing.
13:23:41	8 second side of the multiplane light diffuser and	13:27:40	8 Does the language in the claim identify a
13:23:43	9 is positioned a second distance. So you need to	13:27:46	9 particular point in the solid state emitter from
13:23:47	10 read Claim 1 and Claim 2 together to understand	13:27:51	10 which the distance is defined?
13:23:52	11 it, which I'm sure you do.	13:27:55	11 A. So I'm not arguing with you. I'm just
13:23:55	12 Q. (By Mr. Ferrario) Does the claim identify	13:27:58	12 trying to be clear as to what my opinion is. We're
13:24:02	13 a particular point of the second diffusion plane from	13:28:01	13 here --
13:24:09	14 which a measurement is defined?	13:28:01	14 Q. I know what your opinions are. I'm just
13:24:14	15 A. So you're trying to read limitations into	13:28:03	15 asking you to answer my questions we can go through
13:24:16	16 the claims that don't exist.	13:28:06	16 all your opinions, but let's start with the claim
13:24:20	17 Q. Then the other end point of the	13:28:08	17 language.
13:24:24	18 measurement is the solid state light emitter do you	13:28:08	18 Does the claim language identify a
13:24:29	19 see that?	13:28:12	19 particular point in the solid state emitter that
13:24:30	20 A. I do.	13:28:16	20 defines one of the points from which that defines the
13:24:32	21 Q. Does the claim recite any particular point	13:28:21	21 measurement?
13:24:35	22 of the solid state emitter that forms the definition	13:28:22	22 A. So it says the first distance is from the
13:24:42	23 of the distance?	13:28:25	23 plurality of the solid state emitters and the second
13:24:46	24 A. Well, if you so the claims are what they	13:28:28	24 diffusion plane that is the second distance from the
13:24:49	25 are and the claims are quite clear a person of	13:28:31	25 plurality of solid state emitters. So the claim is
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-54		DRAFT-56	
13:24:55	1 ordinary kill in the art can understand what Claim 1	13:28:34	1 broader than what you would like. I can't help you.
13:24:58	2 and Claim 2 mean and then if you look at the	13:28:43	2 Q. And the solid state emitters that are
13:25:00	3 specification you can get the specification which	13:28:44	3 recited it doesn't say in the claim the top of the
13:25:04	4 includes the drawings you can get clarity from those	13:28:48	4 solid state light emitter. Right?
13:25:09	5 distances and I am pretty sure I covered this in my	13:28:51	5 A. So the claim says the first distance from
13:25:19	6 declaration.	13:28:55	6 the plurality of solid state emitters and the second
13:25:22	7 Q. Can you answer my question?	13:29:00	7 diffuser plane that is a second distance from the
13:25:57	8 A. According to my declaration on Page 7,	13:29:01	8 plurality of solid state light emitters. And if you
13:26:04	9 Paragraph 28 I have a Figure 3 and Paragraph 29 I	13:29:03	9 are really confused go look at Figure 3 and read the
13:26:05	10 describe it. And I can read Paragraph 29 to you.	13:29:09	10 patent description where it talks about where it
13:26:13	11 The distance between the top of support	13:29:12	11 graphically shows with arrows and callouts and all
13:26:16	12 structure 114, the bottom of the solid state light	13:29:15	12 that stuff as is shown on Page 7, Paragraph 28 of my
13:26:20	13 emitters 113, which is shown in Figure 3, is referred	13:29:23	13 declaration.
13:26:25	14 to as the first distance as shown at 147 in Figure 3.	13:29:25	14 Q. And the claim language doesn't say the
13:26:33	15 I think the specification is quite clear about the	13:29:28	15 bottom of the solid state light emitters either
13:26:36	16 first and second distances. And you have to look at	13:29:31	16 right?
13:26:41	17 Figure 3 to answer your questions more precisely.	13:29:32	17 A. The claim is broader than what you would
13:26:47	18 Q. Did you limit your understanding of the	13:29:35	18 like. I'm sorry.
13:26:48	19 claims to what was shown in the figure?	13:29:37	19 Q. And the claim doesn't say the middle of
13:26:51	20 A. My declaration is quite clear on what is	13:29:40	20 the solid state light emitter either right?
13:26:56	21 contained in my opinion. So we're basing my opinions	13:29:43	21 A. The claim language says it's a first
13:27:03	22 based on the claims on the specification and the	13:29:47	22 distance from the plurality of solid state emitters
13:27:06	23 figures and the specification clearly calls out the	13:29:50	23 and a second diffusion plane that is a second
13:27:12	24 distances, et cetera, from the bottom of the, between	13:29:54	24 distance from the plurality of solid state emitters.
13:27:15	25 the top of the support structure and the bottom of	13:29:56	25 If you want more clarification look at the patent

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-57		DRAFT-59	
13:29:59	1 description claims are interpreted in light of the	13:33:11	1 A. Okay. It says the diffuser Sheet 142 may
13:30:02	2 patent description as you well know.	13:33:17	2 be positioned a second distance 148 from the surface
13:30:05	3 Q. Now, earlier you referenced Figure 3; is	13:33:20	3 defined. And if you look at Figure 3, which I'm
13:30:10	4 that right?	13:33:24	4 holding up in front of the camera you can see 148.
13:30:10	5 A. Just a minute ago.	13:33:28	5 It called out 148. And 148 is measured from that
13:30:13	6 Q. Did you limit your understanding of the	13:33:32	6 surface to the bottom surface of 142. So you can't
13:30:15	7 claim terms to Figure 3?	13:33:38	7 just take this in an abstract, in a vacuum. You have
13:30:18	8 A. Figure 3 is what is shown in my	13:33:41	8 got to look at the figures and the callouts that are
13:30:22	9 declaration.	13:33:44	9 referred to in the description.
13:30:23	10 Q. Did you limit your understanding of the	13:33:47	10 Q. So you limited your -- and so you limited
13:30:25	11 claim terms to Figure 3?	13:33:50	11 your understanding of the claims to the one
13:30:28	12 A. I don't, I don't state that I've limited	13:33:54	12 embodiment shown in Figure 3 is that what you're
13:30:31	13 anything. The claims are what they are.	13:33:57	13 saying?
13:30:39	14 Q. You also referenced the specification do	13:33:58	14 MR. MASSAND: Objection to form.
13:30:43	15 you recall that?	13:33:59	15 THE WITNESS: I did not say that. I was
13:30:43	16 A. I'm looking at it, yeah.	13:34:02	16 trying to answer your question.
13:30:46	17 Q. And did the specification inform your	13:34:08	17 Q. (By Mr. Ferrario) Figure 3 is just one
13:30:50	18 opinion on where the points within the system one	13:34:09	18 embodiment. Right?
13:30:55	19 would define measurements from?	13:34:14	19 A. So if you go back and look at whatever
13:30:56	20 A. So the specifications call out so if you	13:34:17	20 column that's on where it says reference is now made
13:31:00	21 look at -- I can't see which column you've got	13:34:21	21 to Figure 3 that's a cross sectional view in
13:31:04	22 displayed on the screen. Can you help me. Okay. So	13:34:25	22 accordance with some embodiments of the invention.
13:31:08	23 Column 5. If you go down to like Line 21 or so you	13:34:30	23 So the most you can get out of that is it's perhaps
13:31:14	24 will see references made to Figure 3, which is a side	13:34:35	24 that all embodiments that there may be other
13:31:18	25 cross-sectional view of a solid state lighting device	13:34:38	25 embodiments that do something different but Figure 3
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-58		DRAFT-60	
13:31:22	1 in accordance with some embodiments of the invention.	13:34:42	1 is a cross sectional view of the solid state lighting
13:31:25	2 "Some" means not all. So some embodiments of the	13:34:45	2 device in cans with some embodiments of the
13:31:30	3 invention are shown in that cross-sectional diagram	13:34:49	3 invention, plural so embodiments is plural.
13:31:33	4 of Figure 3 where it clearly shows the distances in	13:35:03	4 Q. Now that we're talking about Figure 3 and
13:31:38	5 all the questions that you have.	13:35:08	5 the solid state light emitters, does the '382 patent
13:31:42	6 Q. Now, in Column 6 I want to ask you about	13:35:16	6 describe how tall those solid state light emitters
13:31:48	7 this sentence right here.	13:35:21	7 are?
13:31:53	8 Do you see it?	13:35:29	8 A. I am not sure it does or it doesn't.
13:31:55	9 A. I see it.	13:35:36	9 Q. At the time of the invention here, how
13:31:59	10 Q. And doesn't the specification state that	13:35:41	10 tall are those invention al solid state light
13:32:02	11 the diffuser sheet is positioned a second distance	13:35:48	11 emitters?
13:32:06	12 from the surface defined by the solid state light	13:35:49	12 MR. MASSAND: Objection to form.
13:32:13	13 emitters?	13:35:50	13 THE WITNESS: So I don't think there's
13:32:13	14 A. It says what it says and then it calls out	13:35:51	14 anything in my declaration that refers to the
13:32:20	15 113 which is a callout for the light emitters.	13:35:53	15 height of the solid state light emitters.
13:32:25	16 Q. What surface of the solid state light	13:35:59	16 Q. (By Mr. Ferrario) Is there anything in
13:32:32	17 emitters?	13:36:00	17 the patent --
13:32:32	18 A. Well, if you read the entirety of that	13:36:01	18 A. If you have my declaration something that
13:32:35	19 paragraph that you're looking at where it says the	13:36:04	19 talks about how tall the light emitters are, please
13:32:43	20 second distance 148 and the first distance 147. And	13:36:07	20 show me.
13:32:49	21 if you look at Figure 3, which has the callouts 148	13:36:11	21 Q. Well, I'm just asking you if you know as
13:32:54	22 and 147, you can see precisely what's being referred	13:36:17	22 one of skill in the art.
13:32:58	23 to.	13:36:17	23 Do you have an understanding of how tall
13:33:07	24 Q. This phrase here doesn't say "bottom	13:36:22	24 these LEDs were at the time of invention?
13:33:10	25 surface," does it?	13:36:26	25 MR. MASSAND: Objection to form.

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-61		DRAFT-63	
13:36:27	1 THE WITNESS: That's too broad of a topic	13:39:14	1 Is it in my declaration or the patent, yes or no?
13:36:30	2 to answer with one simple question.	13:39:18	2 Q. It relates to this issue of distance that
13:36:34	3 Q. (By Mr. Ferrario) Are they do you have a	13:39:22	3 you've raised. Can you answer my question, please?
13:36:36	4 range of heights of LEDs at the time of the	13:39:26	4 Are you familiar with reflective cavities
13:36:44	5 invention?	13:39:28	5 and cavities built into the substrate?
13:36:45	6 MR. MASSAND: Objection to form.	13:39:30	6 A. I don't think I have to answer your
13:36:46	7 THE WITNESS: So I don't think it's, I	13:39:32	7 questions outside the scope of my declaration.
13:36:48	8 don't think it's germane to anything because you	13:39:36	8 Q. Are you refusing?
13:36:50	9 can see the measurements 147 and 148 go to that	13:39:37	9 A. I don't discuss reflective cavities in my
13:36:55	10 surface they're lighting that surface where the	13:39:41	10 declaration yes or no.
13:37:01	11 LEDs 143 are resting upon and it's a surface	13:39:42	11 Q. Are you refusing to answer my question
13:37:05	12 that's used as a measuring starting point for	13:39:44	12 then?
13:37:08	13 147 and for 148. So I don't think anybody cares	13:39:44	13 A. It's outside the scope of my declaration.
13:37:12	14 about the height of the LEDs. They could be	13:39:47	14 If you can show me the scope I'll answer.
13:37:16	15 whatever they want to be. It doesn't matter.	13:39:51	15 Q. If Figure 3, if the LED resided within a
13:37:18	16 Q. (By Mr. Ferrario) Well, but that's just	13:39:57	16 reflective cavity would one of skill in the art
13:37:20	17 in that embodiment right as you testified?	13:40:02	17 understand that the distances would be measured from
13:37:22	18 A. No. It's in some embodiments, plural.	13:40:05	18 the bottom of the LED or the surface of the
13:37:27	19 That's what it says in the patent description.	13:40:09	19 reflector?
13:37:29	20 Q. Not all embodiments then. Right?	13:40:11	20 A. Well, you are going far fielded there.
13:37:32	21 A. Well, it's hard to say what some means	13:40:14	21 That's outside the scope of my declaration big time.
13:37:36	22 generally it doesn't mean all but it means some.	13:40:18	22 You don't see any figures with cavities. If I go
13:37:42	23 Q. To go back to my question are you familiar	13:40:22	23 through this patent, I don't think there's any
13:37:45	24 with or have an understanding of why a typical range	13:40:25	24 figures of cavities. Unless you want me to speculate
13:37:47	25 of heights an LED might have at the time of this	13:40:31	25 wildly about something else.
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-62		DRAFT-64	
13:37:51	1 invention?	13:40:34	1 Q. Are you refusing to answer my question?
13:37:51	2 A. That's not in my declaration.	13:40:36	2 A. No. Your question calls for speculation
13:37:56	3 Q. And just to confirm the '382 patent	13:40:39	3 and it's outside the scope of my declaration and it's
13:38:00	4 doesn't describe LED height or have any ranges of LED	13:40:42	4 outside the scope of the '382 patent. I'm looking at
13:38:04	5 heights. Right?	13:40:46	5 the figures. None of the figures show anything that
13:38:06	6 A. I can verify that let me do a search and	13:40:50	6 could be described as a cavity so you're out of
13:38:09	7 find out.	13:40:52	7 bounds.
13:38:12	8 Q. Well you can do that on your time if you	13:40:53	8 Q. I think you testified that distance ought
13:38:16	9 like during the break.	13:41:02	9 to be defined by both the top surface of the
13:38:18	10 A. Well, I can't answer specifically.	13:41:05	10 reflector and the bottom of the LED; is that correct?
13:38:22	11 Q. Are you familiar with the term "reflective	13:41:09	11 A. So what I described to you is if you go
13:38:27	12 cavities"?	13:41:14	12 back and look at Figure 3, you can see the callout
13:38:31	13 A. Well, that's a very kind of a broad term.	13:41:17	13 that describes, that describes the second distance
13:38:36	14 What's the context are we talking about my	13:41:22	14 148 and you can see the callout 147 that describes
13:38:39	15 declaration or are we talking about the patent or are	13:41:26	15 the first distance. Then you can see the callout 149
13:38:42	16 we talking about something else entirely different.	13:41:31	16 that describes the third distance. So I was showing
13:38:45	17 Q. I want to ask you in the case of, you	13:41:38	17 Figure 3 and part of the description, the patent
13:38:47	18 know, an LED that is placed within a reflective	13:41:42	18 description which describes and explains Figure 3 to
13:38:51	19 cavity of the substrate, say, here (indicating) are	13:41:46	19 you. And none of them had those words you were
13:38:56	20 you familiar with that concept?	13:41:50	20 looking for.
13:38:57	21 A. I think you're outside the scope of both	13:41:52	21 Q. So can you confirm that in your
13:39:01	22 the patent and my declaration. It sounds like you	13:41:56	22 declaration you defined the point from which the
13:39:03	23 want to talk about something else entirely different.	13:41:59	23 measurement or the distance is defined as both the
13:39:08	24 Q. Are you refusing to answer my question?	13:42:04	24 bottom of the LED and the top surface of the
13:39:12	25 A. I don't think your question is pertinent.	13:42:07	25 reflector; is that correct?

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-65		DRAFT-67	
13:42:13	1 A. So I'm going to look at my declaration.	13:45:44	1 A. You're asking me to speculate. The '382
13:42:18	2 I'm trying to answer your question. So if you can	13:45:47	2 doesn't have optical cavities.
13:42:24	3 see on the top of Page 8 which is kind of a	13:45:51	3 Q. So if it had an optical cavity would there
13:42:29	4 continuation of Paragraph 29, Paragraph 29 starts out	13:45:55	4 be a second distance in your opinion?
13:42:41	5 on Page 7, an inventive concept of the '382 patent is	13:45:57	5 MR. MASSAND: Objection.
13:42:46	6 utilizing a distance between the solid state emitters	13:45:58	6 THE WITNESS: You're asking me to
13:42:47	7 and both the first and second diffusion plates in a	13:45:59	7 speculate.
13:42:53	8 multiplane light diffuser to create an optimal	13:46:10	8 Q. (By Mr. Ferrario) Going back to Claim 1
13:42:56	9 display panel. Specifically the distance between the	13:46:15	9 the term "diffusion plane," you understand that to
13:42:58	10 centers of solid state light emitters as referred to	13:46:20	10 recite a diffuser?
13:43:02	11 in the '382 patent is the third distance which is 149	13:46:26	11 A. Well, it says right there in Claim 1 a
13:43:06	12 as I just described. The distance between the top of	13:46:30	12 multiplane light diffuser including a first diffusion
13:43:09	13 the support structure 114/bottom of light emitters	13:46:33	13 plane that is a first distance and the second
13:43:19	14 113 to the first diffuser plate is referred to as the	13:46:37	14 diffusion plane that is a second distance.
13:43:23	15 first distance as shown in 147. The distance between	13:46:43	15 Q. What is a diffuser?
13:43:27	16 the top of the support structure 114 and bottom of	13:46:46	16 A. A diffuser is something that scatters
13:43:30	17 the light emitters 113 to the second diffuser plate	13:46:48	17 light evenly.
13:43:35	18 is referred to as the second distance shown as 148 in	13:46:56	18 Q. How much diffusion must there be for the
13:43:39	19 Figure 3.	13:47:04	19 optical film to be considered a diffuser in this
13:43:44	20 Q. All right. So you are referencing the	13:47:07	20 claim language?
13:43:47	21 bottom of the LED and the top of the support	13:47:09	21 A. Well, I think if you look, if you go back
13:43:54	22 structure as one point; is that right?	13:47:12	22 and look at see there's another figure in there in
13:44:02	23 A. Well, where it says here on Page 8 of my	13:47:18	23 the patent. Let me see. So Figure 2 is kind of a
13:44:07	24 declaration, the distance between the top of support	13:48:02	24 cartoon showing diffusion being spread out with those
13:44:09	25 structure 114/bottom of solid state light emitters	13:48:10	25 diffusers I don't think there's any numbers in the
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-66		DRAFT-68	
13:44:13	1 113. That's the, if you look at the callouts that	13:48:12	1 '382 patent. I think a person of ordinary skill in
13:44:19	2 refer to the double ended arrows 147 and 148, you can	13:48:18	2 the art would know that a diffuser is something that
13:44:23	3 see that the bottom part of the arrow is pointing to	13:48:21	3 makes light diffuse and even across a broad surface.
13:44:28	4 that point.	13:48:28	4 Q. Are you familiar with any ways in which to
13:44:29	5 The bottom of the solid state light	13:48:31	5 measure diffusivity of an optical film?
13:44:31	6 emitter at the top of the support structure bottom of	13:48:36	6 A. Yeah. I've seen that described someplace.
13:44:35	7 the light emitter, it's that line. It's quite clear.	13:48:38	7 I can't remember where.
13:44:39	8 I don't know why I have to go over and over it for	13:48:40	8 Q. And is there a number associated with
13:44:41	9 you.	13:48:42	9 that?
13:44:43	10 Q. What is the top of the support structure	13:48:45	10 A. Well, I've seen it described. I don't
13:44:47	11 and the bottom of the LED are not at the same point?	13:48:48	11 remember where. I don't think there's any numbers
13:44:53	12 Which point defines the second distance?	13:48:50	12 for diffusion ability. I know it varies from being
13:44:58	13 A. You're asking me to speculate, and I'm not	13:48:57	13 very low like practically anything that gets in the
13:45:03	14 willing to speculate for you.	13:49:00	14 way of light diffuses it to some degree but the
13:45:12	15 Q. You don't have an opinion one way or the	13:49:06	15 extent it's diffused is the question which I think if
13:45:15	16 other on that point?	13:49:10	16 we look at -- let me see if I can get there.
13:45:16	17 A. It's not in my declaration, is it?	13:49:20	17 Q. Well, let's focus on the patent if you
13:45:20	18 Q. It's your declaration. You are welcome to	13:49:24	18 would. Is that what you are looking at?
13:45:23	19 point me to a section if you feel it's relevant?	13:49:25	19 A. I'm looking at the patent.
13:45:25	20 A. I was pointing you to paragraphs 29, most	13:49:27	20 Q. The claim language doesn't recite any
13:45:29	21 specifically, which talks about the '382 patent and	13:49:29	21 particular minimum for diffusivity does it?
13:45:33	22 the first and second distances and what they are.	13:49:38	22 A. It just says diffuser. Person of ordinary
13:45:37	23 Q. And so if the LED was sitting in a he	13:49:42	23 skill in the art a person skilled knows those
13:45:39	24 fleck active cavity from which point would the second	13:49:47	24 diffusers do what they say they do. They diffuse
13:45:44	25 distance be defined?	13:49:50	25 light.

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-69		DRAFT-71	
13:49:52	1 Q. Yeah. So if a patent like this says it's	13:53:19	1 Q. And they are multiple laser of diffusers?
13:49:57	2 a diffuser, one would know that it diffuses light.	13:53:27	2 A. We both can read the claim. It's a
13:50:00	3 Is that what you're saying?	13:53:31	3 plurality of solid state emitters that are configured
13:50:02	4 A. Let me read in the thing. So if we look	13:53:33	4 to emit light and a multiplane light diffuser, et
13:50:11	5 at the background if you look at Column 1 of the '382	13:53:37	5 cetera, et cetera. Read the claim.
13:50:16	6 patent, it talks about the light illumination that is	13:53:39	6 Q. And there's no numerical limitation on
13:50:30	7 relatively uniform backlighting surface, backlighting	13:53:43	7 diffusivity in the claim. Right?
13:50:35	8 unit.	13:53:45	8 A. It's a relatively broad claim.
13:50:46	9 Q. Where are you in Column 1, please?	13:53:51	9 Q. And there's no numerical limitation on
13:50:49	10 A. Reading background.	13:53:56	10 diffusivity on any of the claims. Right?
13:50:57	11 Q. Yeah. This is talking about -- what is	13:53:59	11 A. Well, you are looking for something that
13:51:00	12 this talking about that you are referring to?	13:54:02	12 diffuses light and provides as it says in the
13:51:02	13 A. Backlighting unit.	13:54:05	13 background up here.
13:51:04	14 Q. I'm sorry?	13:54:07	14 Q. Okay. I need you to answer my question.
13:51:06	15 A. It's talking about a backlighting unit.	13:54:10	15 A. Uniform backlighting unit. So you want it
13:51:13	16 Q. Does it say anything about diffusers in	13:54:16	16 relatively uniform.
13:51:17	17 this section?	13:54:17	17 Q. I understand that. That's not the
13:51:17	18 A. Well, it talks about creating a relatively	13:54:17	18 question. The question is there a numerical
13:51:20	19 uniform backlighting unit. That's the goal of the	13:54:20	19 limitation on the diffusivity of light in any of the
13:51:23	20 invention is to make it so the light is uniform.	13:54:24	20 claims?
13:51:27	21 It's not spotty. It doesn't show dark areas and	13:54:24	21 A. So I think there's an implied meaning
13:51:31	22 light areas. It shows a uniform area and that's an	13:54:28	22 there if you read the claims and letters of
13:51:34	23 indication of how much diffusion people want. They	13:54:32	23 specification that the goal of the invention is to
13:51:37	24 want it to be as much as possible to create a uniform	13:54:35	24 provide uniform the uniformity in that backlighting
13:51:42	25 backlighting unit.	13:54:38	25 unit and uniformity requires a high degree of
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-70		DRAFT-72	
13:51:45	1 Q. But as we focus on the claims here and the	13:54:42	1 diffusion if you don't have any diffusion you are not
13:51:50	2 diffuser there's multiple diffusers that are claimed	13:54:44	2 going to have uniformity you are going to have spots.
13:51:55	3 here.	13:54:48	3 Nobody wants a spot.
13:51:55	4 Is there anything about the claim language	13:54:50	4 Q. You're argumentative again. Is there a
13:51:57	5 itself that would tell one of skill in the art how	13:54:55	5 numerical limitation in the claims regarding
13:52:01	6 much diffusivity an optical film must have in order	13:54:58	6 diffusivity?
13:52:05	7 to qualify as a diffuser?	13:54:59	7 A. Well, you don't need me to answer that you
13:52:08	8 A. So they're using the word a person of	13:55:02	8 can read the claims for yourself.
13:52:14	9 skill in the art would know particularly in the field	13:55:05	9 Q. Again argumentative.
13:52:18	10 that we're working in here which is for LCD display	13:55:08	10 I wish we were to have a jury trial Neal
13:52:23	11 backlighting units. So you want something that gives	13:55:15	11 because this would come off well for us?
13:52:25	12 you a uniform illumination. And, you know, we've all	13:55:21	12 MR. MASSAND: Maybe there will be one day.
13:52:29	13 looked at what uniformity means. You want it to be	13:55:23	13 MR. FERRARIO: Yeah can't wait.
13:52:34	14 the corner is the same as the center. So you want	13:55:25	14 THE WITNESS: It will be fun.
13:52:37	15 uniform and uniformity to me means regardless of	13:55:26	15 Q. (By Mr. Ferrario) Mr. Bohannon, is there
13:52:41	16 where you measure that backlighting unit it comes up	13:55:32	16 any numerical disclosures in the specification of the
13:52:44	17 to the same number, the same amount of light comes	13:55:40	17 '382 patent that relates to the diffusivity of the
13:52:49	18 through the edge of the corner and the center.	13:55:48	18 diffuser that's claimed?
13:52:54	19 Q. And the '382 patent accomplishes that by	13:55:51	19 A. So I thought I already answered that.
13:52:57	20 using multiple layers of diffusers; is that right?	13:55:54	20 Q. We asked the question relative to the
13:53:01	21 A. Well, the claim is talking about a	13:55:57	21 claims. Now I'm asking you relative to the
13:53:05	22 multiplane light diffuser having a furs diffusion	13:55:59	22 specification.
13:53:09	23 plane et cetera and a second diffusion plane and a	13:56:02	23 A. So when I read the claims, when I read the
13:53:13	24 diffuser plane on the second side et cetera et cetera	13:56:04	24 specification, I see they want a uniform backlight,
13:53:17	25 so the claims are what they are.	13:56:09	25 uniformity applies a very high degree of diffusivity.

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-73		DRAFT-75	
13:56:17	1 Q. Are there any numerical expressions of	14:00:55	1 Mr. Bohannon? What would you like?
13:56:21	2 that, quote, unquote, high degree of diffusivity in	14:00:58	2 THE WITNESS: Let's do 20.
13:56:25	3 the '382 patent specification?	14:01:00	3 MR. FERRARIO: All right. We'll be back
13:56:28	4 A. I think your meaning of the word "uniform"	14:01:01	4 on at 2:20.
13:56:31	5 implies it's a hundred percent the same regardless of	14:01:04	5 (A recess was taken at 2:01 p.m., and the
13:56:35	6 where you measure light on the backlight.	14:01:04	6 deposition reconvened at 2:21 p.m.)
13:56:38	7 Q. So you understand the claims require a	14:01:04	7 (Exhibit 2003 was introduced for
13:56:41	8 hundred percent diffusivity?	14:01:04	8 identification, not attached at the end of the
13:56:43	9 A. No.	14:21:23	9 original transcript.)
13:56:44	10 MR. MASSAND: Objection to form.	14:21:23	10 MR. FERRARIO: I've placed into chat
13:56:47	11 THE WITNESS: The specification talks	14:21:27	11 Exhibit 2003 which is the declaration of William
13:56:48	12 about the goal of having a uniform backlight	14:21:30	12 K. Bohannon, and I'm going to share that with
13:56:52	13 unit and uniformity means when you regardless of	14:21:33	13 you, Mr. Bohannon, now. This has Exhibit 2003
13:56:56	14 where you look on the backlight unit you get	14:21:49	14 on it.
13:56:58	15 essentially the same brightness reading, so no	14:21:49	15 THE WITNESS: The one I have says 2001 at
13:57:03	16 spots. But there's no -- I can't help you	14:21:54	16 the bottom of the page there.
13:57:09	17 beyond that.	14:21:55	17 Q. (By Mr. Ferrario) Does the bottom of your
13:57:11	18 Q. (By Mr. Ferrario) There's no testing data	14:21:57	18 page also have Exhibit 2001?
13:57:13	19 in the '382 patent, is there, in relation to	14:22:01	19 A. Yes. You can see it, 2001.
13:57:16	20 uniformity; is that correct?	14:22:03	20 Q. And does it have 31 pages as well?
13:57:26	21 A. Let me see. Well there's the words	14:22:07	21 A. Yes.
13:58:36	22 they're talking about diffuse light as being	14:22:08	22 Q. And if you flip to the end of the paper
13:58:39	23 relatively uniform.	14:22:12	23 copy that you have, is it dated November 30th, 2023?
13:58:44	24 Q. Other than qualitative descriptions is	14:22:18	24 A. Yes. It is.
13:58:49	25 there any data from tests in the '382 patent?	14:22:21	25 Q. And is your signature the one that I am
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-74		DRAFT-76	
13:58:52	1 MR. MASSAND: Objection to form.	14:22:24	1 showing here on the screen?
13:58:57	2 THE WITNESS: I don't talk about testing	14:22:25	2 A. It looks identical to that one.
13:59:12	3 data in my declaration.	14:22:30	3 MR. FERRARIO: So, Neal, can we agree what
13:59:14	4 Q. (By Mr. Ferrario) Are there any	14:22:32	4 Mr. Bohannon is using is the same declaration
13:59:15	5 specifications in the I'm sorry are there is there	14:22:34	5 that is being shown and was submitted as
13:59:19	6 any data in the specification that relates to the	14:22:38	6 Exhibit 2003 in the IPR?
13:59:25	7 amount of brightness for the system disclosed in the	14:22:41	7 MR. MASSAND: Yes. We can agree.
13:59:29	8 '382 patent?	14:22:44	8 Q. (By Mr. Ferrario) All right. Going back
13:59:30	9 A. So if I go back to the '382 patent it's	14:22:45	9 to the patent, Mr. Bohannon, I'll ask you a few more
13:59:37	10 talking about uniformity and evenness and that sort	14:22:56	10 questions about distances and I wanted to start by
13:59:40	11 of thing which is an implied number that you want to	14:23:01	11 looking at Claim 8.
13:59:44	12 have uniformity means it's the same across the area	14:23:09	12 Do you see it?
13:59:50	13 where you can speculate all you want and back out	14:23:10	13 A. I see Claim 8.
13:59:55	14 numbers depending upon how it's measured. There's	14:23:14	14 Q. And Claim 8 refers to the third distance.
14:00:04	15 nothing in my declaration that talks about number,	14:23:23	15 Do you see that?
14:00:07	16 numerical values of the '382 patent's diffuser. Not	14:23:25	16 A. Yes, I can read it.
14:00:13	17 in my declaration.	14:23:28	17 Q. And it talks about a relationship between
14:00:20	18 Q. Not in the '382 patent either right?	14:23:30	18 the third distance and the first distance.
14:00:23	19 A. Well, it's not in my declaration.	14:23:33	19 Do you see that?
14:00:38	20 MR. FERRARIO: Neal, Mr. Bohannon, why	14:23:34	20 A. I do.
14:00:40	21 don't we take a break here. Maybe 15 minutes.	14:23:35	21 Q. And the first distance is approximately
14:00:43	22 We'll come back on at 2:15. Sound good?	14:23:39	22 one half the third distance. Right?
14:00:47	23 THE WITNESS: Well, I may want a few	14:23:42	23 A. You've read that correctly.
14:00:49	24 minutes more than 15, so.	14:23:46	24 Q. Now, Claim 9 also refers to distances; and
14:00:54	25 MR. FERRARIO: How much would you like,	14:23:52	25 this claim refers to the second distance.

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-77		DRAFT-79	
14:23:55	1 Do you see that?	14:28:48	1 A. It's a range between.
14:23:56	2 A. I do.	14:28:52	2 Q. I know you keep repeating the phrase but
14:23:58	3 Q. And this recites that the second distance	14:28:55	3 I'm asking you how you understand it?
14:24:03	4 comprises a distance in a range between the third	14:28:56	4 A. I understand it as a range between.
14:24:07	5 distance and 1.5 times the third distance.	14:28:59	5 Q. Does that include the end points?
14:24:12	6 Do you see that?	14:29:03	6 A. It's a range between. It's a range
14:24:13	7 A. Yeah. I can read it.	14:29:06	7 between.
14:24:14	8 Q. And when you read and understood this	14:29:09	8 Q. I didn't get your answer. Does that
14:24:20	9 claim term, did you understand that the second	14:29:11	9 include --
14:24:26	10 distance could equal the third distance?	14:29:12	10 A. I said it's a range between.
14:24:35	11 A. It's a range between the third distance	14:29:14	11 Q. Yeah. I understand you keep saying the
14:24:38	12 and the 1.5 times the third distance. So when I read	14:29:16	12 phrase. I'm asking you does it include the end
14:24:42	13 that sentence, it's -- it says a range between third	14:29:18	13 points?
14:24:48	14 distance and 1.5 times the third distance.	14:29:21	14 MR. MASSAND: Objection to form.
14:24:53	15 Q. And so I'm trying to understand how you	14:29:22	15 THE WITNESS: It doesn't include, it
14:24:55	16 interpreted the phrase "a range between"?	14:29:25	16 doesn't specifically say end points. It says a
14:25:03	17 A. Did I say that in my declaration?	14:29:27	17 range between. It doesn't also say as close as
14:25:07	18 Q. You interpreted the claim. So I'm trying	14:29:33	18 you can get to the end points either. It says a
14:25:10	19 to understand how you interpreted it and what your	14:29:35	19 range between. 1-1.5 times the third distance.
14:25:15	20 understanding was. And my question is in your	14:29:45	20 So that's as good as I can get for you.
14:25:17	21 interpretation of the claim, can the second distance	14:29:50	21 Q. (By Mr. Ferrario) So you can't answer my
14:25:21	22 equal the third distance?	14:29:51	22 question if your understanding or one of skill in the
14:25:35	23 A. I'm looking through my declaration to see	14:29:57	23 art would read Claim 9 and understand that the range
14:25:38	24 if I discussed that or not. On Page 19 it looks like	14:30:00	24 includes or does not include the end points? I don't
14:27:02	25 the one place where I talk about Claim 9 and the	14:30:05	25 care what the answer is. Just tell me please how you
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-78		DRAFT-80	
14:27:07	1 second distance and all that. So it looks like under	14:30:08	1 understand the claim.
14:27:12	2 heading E Kobayashi does not disclose the second	14:30:09	2 MR. MASSAND: Objection to form.
14:27:15	3 distance is 1-1.5x the third distance of Claim 9. So	14:30:13	3 THE WITNESS: Well, I've told you several
14:27:25	4 maybe it's not definitive in saying it equals 1.5 but	14:30:15	4 times I believe it's the range between the third
14:27:29	5 it looks like it goes from 1 to 1.5 times the third	14:30:17	5 distance and 1.5 times the third distance.
14:27:34	6 distance.	14:30:24	6 Q. (By Mr. Ferrario) Does it include the end
14:27:42	7 Q. You understood the claim language to	14:30:26	7 points?
14:27:44	8 include the end points in the range?	14:30:30	8 A. I understand that wherein the second
14:27:46	9 MR. MASSAND: Objection to form.	14:30:33	9 distance comprises a distance in a range between the
14:27:51	10 THE WITNESS: Well, my declaration doesn't	14:30:36	10 third distance and 1.5 times the third distance.
14:27:52	11 talk about that the way you would like. I just	14:30:43	11 Q. Does it include the end points?
14:27:55	12 say there that in heading E Kobayashi doesn't	14:30:46	12 MR. MASSAND: Objection to form.
14:28:00	13 disclose the second distance is 1-1.5x the third	14:30:49	13 THE WITNESS: So I've answered it. I
14:28:03	14 distance of Claim 9. So I can't be any more	14:30:52	14 guess I should keep count here which point --
14:28:08	15 precise than that.	14:30:55	15 I'm trying to determine at which point you'll
14:28:12	16 Q. (By Mr. Ferrario) And when you read the	14:30:57	16 stop. But I read this as a range between the
14:28:14	17 Claim 9, did you have an understanding of whether it	14:31:00	17 third distance and 1.5 times the third distance.
14:28:17	18 included the end points or not?	14:31:07	18 Q. (By Mr. Ferrario) Is 1 the distance
14:28:19	19 A. Well, we've asked and answered this about	14:31:13	19 between the third distance and 1.5 times the third
14:28:22	20 three times so far. The claim reads a range between	14:31:17	20 distance?
14:28:32	21 the third distance and 1.5 times the third distance.	14:31:18	21 A. So Claim 9 reads, the device of Claim 2
14:28:40	22 Q. It's your understanding that --	14:31:22	22 wherein the second distance comprises a range between
14:28:43	23 A. It doesn't specifically call out the end	14:31:25	23 the third distance and 1.5 times the third distance.
14:28:46	24 points.	14:31:33	24 Q. Is 1.1 between 1 and 1.5?
14:28:46	25 Q. So how do you interpret that then?	14:31:41	25 A. So I read it as a range between the third

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-81		DRAFT-83	
14:31:44	1 distance and 1.5 times the third distance.	14:34:28	1 I give you an answer, and you don't like it. So
14:31:54	2 Q. Does 1 fall in a range between 1 and 1.5?	14:34:28	2 you ask it again. And I give you an answer, and
14:32:01	3 MR. MASSAND: Objection to form.	14:34:28	3 you don't like it. And so you ask again. And
14:32:02	4 THE WITNESS: So I read that as a range	14:34:37	4 we go on and on and on. So I'm answering.
14:32:04	5 between the third distance and 1.5 times the	14:34:38	5 Q. (By Mr. Ferrario) I want the record to be
14:32:06	6 third distance. There is nothing in my	14:34:39	6 clear because the board will see this.
14:32:09	7 declaration that construes that claim any better	14:34:41	7 So just for clarity, does 1.6 fall in a
14:32:13	8 for you, so it's outside the scope.	14:34:46	8 range between 1 and 1.5?
14:32:15	9 Q. (By Mr. Ferrario) Does 1.2 fall in a	14:34:49	9 MR. MASSAND: Objection.
14:32:18	10 range between 1 and 1.5?	14:34:50	10 THE WITNESS: My opinion as stated in my
14:32:21	11 MR. MASSAND: Objection to form.	14:34:52	11 declaration is that I think this language is
14:32:24	12 THE WITNESS: I don't have a discussion of	14:34:58	12 quite clear. It's plain language and it reads a
14:32:26	13 what that 1 to 1.5 includes or doesn't include.	14:35:02	13 range between the third distance and 1.5 times
14:32:30	14 It's outside the scope of my declaration.	14:35:05	14 the third distance.
14:32:34	15 Q. (By Mr. Ferrario) Does 1.3 fall in a	14:35:08	15 Q. (By Mr. Ferrario) And that's your answer.
14:32:36	16 range between 1 and 1.5?	14:35:09	16 Right?
14:32:39	17 MR. MASSAND: Objection to form.	14:35:10	17 A. That's what the claim says.
14:32:41	18 THE WITNESS: Now you're the one who is	14:35:13	18 Q. But that's your answer to my question? I
14:32:44	19 being argumentative.	14:35:15	19 just want to make sure that's clear. Right?
14:32:48	20 Q. (By Mr. Ferrario) Are you going to answer	14:35:17	20 A. That's what the claim says. You're asking
14:32:49	21 my question?	14:35:19	21 me about the claim. I'm telling you how the claim
14:32:50	22 A. I don't think I can answer your question.	14:35:21	22 reads.
14:32:53	23 .it's outside the scope. I don't go into a big study	14:35:40	23 Q. Looking at Claim 1 I want to go back to
14:32:56	24 of the construction of what that "range between"	14:35:42	24 the language and ask you some questions about the
14:33:01	25 means. To me it's plain language, range between.	14:35:45	25 diffuser plate okay. Sound okay?
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-82		DRAFT-84	
14:33:12	1 Q. Does 1.5 fall between a range between 1	14:35:54	1 A. I suppose. I'm waiting for your question.
14:33:18	2 and 1.5?	14:35:58	2 Q. Well, that is a question. I want to ask
14:33:21	3 MR. MASSAND: Objection to form.	14:36:02	3 you if that's okay. So I would appreciate it if you
14:33:21	4 THE WITNESS: So it's a range between the	14:36:04	4 would respond to my questions.
14:33:23	5 third distance of 1.5 times the third distance.	14:36:09	5 Claim 1 recites a diffuser plate but
14:33:33	6 Q. (By Mr. Ferrario) Does 1.5 fall between a	14:36:14	6 doesn't say anything else about that plate. Correct?
14:33:38	7 range between 1 and 1.5?	14:36:24	7 A. You keep moving it around I have to get my
14:33:41	8 MR. MASSAND: Objection to form.	14:36:27	8 own copy of the patent up here. So I'm looking at
14:33:43	9 THE WITNESS: It's outside the scope of my	14:36:54	9 Claim 1. What's your question?
14:33:45	10 declaration.	14:36:56	10 Q. So Claim 1 recites a diffuser plate.
14:33:48	11 Q. (By Mr. Ferrario) Does 1.6 fall within a	14:37:01	11 Do you see that?
14:33:51	12 range between 1 and 1.5?	14:37:02	12 A. I see it.
14:33:55	13 MR. MASSAND: Objection to form.	14:37:05	13 Q. And what is a diffuser plate?
14:33:55	14 THE WITNESS: You're outside the scope.	14:37:08	14 A. It says here it's configured to define the
14:34:00	15 Q. (By Mr. Ferrario) So you're refusing to	14:37:11	15 first diffusion plane.
14:34:02	16 answer?	14:37:18	16 Q. Now, going to Claim 18 it's an independent
14:34:02	17 A. It's outside the scope of my declaration.	14:37:27	17 claim from independent Claim 1.
14:34:05	18 I don't go into a big analysis of each one of these	14:37:29	18 Do you see that?
14:34:09	19 claim terms. We're not doing claim construction to	14:37:30	19 A. Yeah. I'm looking to see it in my
14:34:18	20 my knowledge.	14:37:32	20 declaration where I talk about Claim 18. So I'm
14:34:18	21 Q. Yeah. So just to confirm you have the	14:38:18	21 looking through my declaration, and I don't see a
14:34:21	22 question. You're just refusing to answer it; is that	14:38:21	22 discussion of Claim 18.
14:34:24	23 right?	14:38:26	23 Q. You read Claim 18 in connection with
14:34:24	24 MR. MASSAND: Objection.	14:38:28	24 forming opinions in your declaration, though, right?
14:34:25	25 THE WITNESS: I'm not refusing to answer.	14:38:33	25 A. There is not Claim 18 -- is Claim 18 a

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-85		DRAFT-87	
14:38:38	1 part of this IPR?	14:41:32	1 stuff in here. Probably that Figure 6 stuff.
14:38:40	2 Q. My question is did you read Claim 18 in	14:41:53	2 Q. Are you referring to Figure 6A or B?
14:38:42	3 forming opinions in your declaration?	14:41:57	3 A. It looks like both of them.
14:38:45	4 A. So where in my declaration do I discuss	14:42:01	4 Q. So those are both examples of a refractive
14:38:49	5 Claim 18 --	14:42:06	5 diffuser?
14:38:50	6 Q. That's not my question.	14:42:06	6 A. I'm not sure.
14:38:51	7 A. -- as a part of this IPR?	14:42:08	7 Q. Well, what does it mean to refract? What
14:38:54	8 Q. My question is did you read Claim 18 in	14:42:12	8 does it mean to refract light?
14:38:57	9 forming opinions that you set forth in your	14:42:15	9 A. Bend.
14:38:59	10 declaration?	14:42:27	10 Q. (Indicating)?
14:38:59	11 A. Well, if it's an opinion set forth in my	14:42:28	11 A. I said to bend.
14:39:02	12 declaration. But I'm asking you is Claim 18 a part	14:42:29	12 Q. To bend. Does it mean to bend in any
14:39:04	13 of this IPR, yes or no.	14:42:31	13 particular way or orientation?
14:39:07	14 Q. Look, I get to ask the questions	14:42:35	14 A. It's another one of those terms I don't
14:39:11	15 unfortunately, Mr. Bohannon. So if you would just	14:42:41	15 think we've construed.
14:39:13	16 answer my questions, this will go a lot smoother.	14:42:47	16 Q. Does one of skill in the art have an
14:39:19	17 A. You kind of need to help me out if you	14:42:50	17 understanding of what that term means?
14:39:21	18 want smoothness here. You're asking me my opinion.	14:42:53	18 A. I'm sure. It's looks like on Column 7 of
14:39:26	19 Q. I am asking you did you read Claim 18 in	14:42:57	19 the patent it talks about, reference is now made to
14:39:30	20 connection with forming your opinions in your	14:43:00	20 figures 6A and 6B which are a side sectional -- a
14:39:32	21 declaration?	14:43:07	21 side cross-sectional view and a top view of a
14:39:36	22 A. All I can say is maybe. I am looking to	14:43:10	22 structured refractive diffuser in accordance with
14:39:39	23 see where in my opinion I talk about Claim 18.	14:43:13	23 some embodiments of the invention.
14:39:44	24 Q. Well, that's not necessary for my	14:43:24	24 So that stuff in Column 7, Line 60 down to
14:39:47	25 questions. And if you don't recall, you can say you	14:43:32	25 Column 8 and 9, 5 -- well, just go on down to about
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-86		DRAFT-88	
14:39:49	1 don't recall. If you didn't you can say, no, I	14:43:37	1 14 or 15 or so. That talks about the refractive
14:39:54	2 didn't. And if you did you can say yes. It's that	14:43:43	2 extrusions and the angles and all of that stuff.
14:39:56	3 simple.	14:43:51	3 Q. Thank you. And are the refractive
14:40:00	4 A. Well, I read the patent in its entirety.	14:43:57	4 extrusions claimed in Claim 18 and shown in figures
14:40:04	5 And you asked me about my opinions in relation to	14:44:05	5 6A and 6B, are those prismatic extrusions?
14:40:07	6 Claim 18. And I'm looking for my opinion in relation	14:44:29	6 A. So where are you getting the terminology
14:40:10	7 to Claim 18 specifically.	14:44:32	7 "prismatic extrusion"?
14:40:16	8 Q. All right. Well, let's try to get back on	14:44:34	8 Q. I'm just asking you.
14:40:19	9 track here and let me just proceed with my questions.	14:44:36	9 A. So I'm not going to speculate. I mean, if
14:40:23	10 Do you see the reference to a structured	14:44:39	10 you look at Column 8 it talks about how these
14:40:26	11 refractive diffuser?	14:44:43	11 refractive extrusions may include a quadrilateral
14:40:30	12 A. Where? Which claim are you talking about?	14:44:43	12 base and four extrusion facets that are configured to
14:40:35	13 Q. 18.	14:44:52	13 converge at the extrusion peak. May be considered
14:40:42	14 A. So the diffuser plate comprises a	14:44:58	14 as crossed linear -- oh, there you go. Refractive
14:40:42	15 structured refractive diffuser that includes a	14:45:00	15 extrusions may be considered as crossed linear
14:40:49	16 plurality of extrusion peaks divided by a plurality	14:45:03	16 prismatic refractive lenselets. In some embodiments
14:40:52	17 of extrusion grooves.	14:45:09	17 refractive extrusions may be configured using other
14:40:59	18 Q. What is a structured refractive diffuser?	14:45:14	18 base shape geometries such as hexagonal, circular,
14:41:02	19 A. Well, I think the claim it's quite clear.	14:45:17	19 elliptical, and/or octagonal, among others.
14:41:07	20 A person of ordinary skill in the art would see that	14:45:21	20 Q. So the extrusions shown in figure A are
14:41:12	21 refractive descriptive diffuser includes a plurality	14:45:26	21 prismatic?
14:41:15	22 of extrusion peaks that are divided by a plurality of	14:45:28	22 MR. MASSAND: Objection to form.
14:41:22	23 extrusion grooves.	14:45:31	23 THE WITNESS: Well, I don't think it says
14:41:23	24 Q. What is a refractive diffuser?	14:45:34	24 that. It says, in some embodiments the
14:41:29	25 A. I think there's probably a picture of that	14:45:38	25 refractive extrusions may be considered as

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-89		DRAFT-91	
14:45:41	1 crossed linear prismatic refractive lenselets.	14:49:19	1 right?
14:45:46	2 So it doesn't have the words you want in there.	14:49:20	2 A. No.
14:45:50	3 I'm reading from Column 8, Line 10 and 11.	14:49:20	3 Q. The '382 patent states that the refractive
14:45:57	4 Q. (By Mr. Ferrario) Yeah. So the reference	14:49:24	4 extrusions 182 may be considered as crossed linear
14:45:59	5 there to "prismatic," does that mean prisms?	14:49:32	5 prismatic refractive lenselets?
14:46:02	6 A. It means crossed linear prismatic	14:49:34	6 A. It says precisely. It's that word
14:46:07	7 lenselets. I don't see a picture in there. So it's	14:49:46	7 precisely. Let's see. I'm not finding the exact
14:46:12	8 hard to see what they're really referring to, and I'm	14:50:18	8 word.
14:46:20	9 not going to speculate.	14:50:18	9 Q. If I can direct your attention to
14:46:21	10 Q. I want you to explain to me. You're the	14:50:20	10 Column 8, Line 10.
14:46:23	11 expert.	14:50:26	11 A. Some embodiments the refractive extrusions
14:46:24	12 So "prismatic" is that referring to the	14:50:29	12 may be considered as crossed linear prismatic
14:46:28	13 shape of a prism?	14:50:34	13 refractive lenselets. So in some embodiments it may
14:46:31	14 A. I'm not sure. I think the terminology is	14:50:42	14 be. I think that's as good as it's going to get for
14:46:37	15 fairly clear, but it's not clear to me exactly what	14:50:44	15 you.
14:46:42	16 he wants in those things.	14:50:45	16 Q. And it references to 182 and figures 6A
14:46:45	17 Q. What does the phrase "crossed linear" mean	14:50:52	17 and B. Correct?
14:46:49	18 to you?	14:50:55	18 A. I don't know what you mean by "correct."
14:46:51	19 A. I think if you look at Figure 6B, you'll	14:50:59	19 Q. I just want to confirm that the
14:46:55	20 see a bunch of drawings.	14:51:02	20 refractive -- I'm sorry. Let me rephrase it.
14:47:00	21 Q. And the drawings show crossed linear?	14:51:04	21 I want to confirm that the crossed linear
14:47:07	22 A. Let's see if it says what's in 6B.	14:51:06	22 prismatic refractive lenselets is referred to in
14:47:22	23 Refractive extrusions. So I'm not sure what the	14:51:10	23 figures 6A and B as element 182?
14:47:27	24 inventor is talking about precisely.	14:51:16	24 A. That appears to be so.
14:47:34	25 Q. The '382 specification to my reading	14:51:18	25 Q. And in Figure 6A the cross section is
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-90		DRAFT-92	
14:47:38	1 refers to refractive prismatic structures as	14:51:21	1 shown as a prism shape. Right?
14:47:48	2 lenselets.	14:51:27	2 A. I don't think so. It looks like a
14:47:53	3 Do you agree with that?	14:51:32	3 triangle.
14:47:54	4 MR. MASSAND: Objection to form.	14:51:32	4 Q. A triangle shape, okay. And then in
14:47:55	5 THE WITNESS: Well, if you look at Line 10	14:51:36	5 Figure 6B it looks like it's a quadrilateral
14:47:57	6 where it says, the refractive extrusions may be	14:51:41	6 extrusion.
14:48:00	7 considered as crossed linear prismatic	14:51:42	7 Would you agree with that?
14:48:02	8 refractive lenselets, it's as good as we're	14:51:43	8 A. No. Does it say what it looks like in 6B?
14:48:09	9 going to get.	14:51:53	9 It looks like, you know, a four sided triangle shape
14:48:10	10 Q. (By Mr. Ferrario) What are lenselets?	14:51:57	10 thing of some sort. We've got the cross section in
14:48:13	11 A. That's a simple term. Everybody	14:52:02	11 the top view. So you can work with that as much as
14:48:16	12 understands.	14:52:05	12 you want. 182 it seems to point to one facet.
14:48:18	13 Q. Is it the same thing as a lens?	14:52:11	13 Q. I see. And I think if I'll direct your
14:48:22	14 A. I think it means some kind of a small lens	14:52:13	14 attention to Line 6 it says, Referring to Figure 6B,
14:48:25	15 or a small lens that's a part of a bigger lens. It's	14:52:17	15 the refractive extrusions 182 may include, for
14:48:29	16 hard to tell.	14:52:21	16 example, a quadrilateral base and four extrusion
14:48:31	17 Q. And then do figures 6A and 6B show	14:52:25	17 facets 188.
14:48:36	18 prismatic lenses then?	14:52:27	18 Do you see that?
14:48:41	19 A. I'm not sure. I mean 6A and 6B show a	14:52:28	19 A. I do.
14:48:47	20 structured, the structured refractive diffuser plate.	14:52:30	20 Q. So you understand that Figure 6B, element
14:48:56	21 So that's as good as it's going to get the structured	14:52:35	21 188 points to an extrusion facet?
14:48:59	22 refractive diffuser plate.	14:52:47	22 A. There is a point to something that would
14:49:02	23 Q. Well, then the '382 patent explains that	14:52:53	23 be called the extrusion facet 188.
14:49:10	24 those structured refractive diffuser plates are made	14:52:53	24 Q. And they converge at a point 184?
14:49:14	25 with crossed linear prismatic refractive lenselets	14:52:57	25 A. They call it a peak, converge at extrusion

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-93		DRAFT-95	
14:53:02	1 peak 184.	14:56:12	1 hexagonal, circular, et cetera, among others. So
14:53:03	2 Q. And these are prismatic structures?	14:56:17	2 it's pretty wide open.
14:53:16	3 A. It says, In some embodiments the	14:56:18	3 Q. It's not just limited to prismatic shapes.
14:53:20	4 refractive extrusions may be considered as crossed	14:56:23	4 Right?
14:53:24	5 linear prismatic refractive lenselets.	14:56:23	5 A. So do you want me to read it again? In
14:53:28	6 Q. And that disclosure to one of skill in the	14:56:26	6 some embodiments the refractive --
14:53:31	7 art would explain that these lenses bend light; is	14:56:28	7 Q. Mr. Bohannon, I'm just asking you it's
14:53:39	8 that right?	14:56:29	8 just not limited to prismatic shapes right I mean?
14:53:39	9 MR. MASSAND: Objection to form.	14:56:32	9 A. I would not agree with you. In some
14:53:44	10 THE WITNESS: I don't see any diagrams	14:56:38	10 embodiments it may include this, that, or the other.
14:53:45	11 that show, you know, what the exact optical	14:56:41	11 Q. Yeah. So some embodiments include
14:53:48	12 properties of these things are. I mean, they're	14:56:43	12 prismatic shapes and some include other shapes; is
14:53:51	13 refractive. So there's some bending going on.	14:56:47	13 that fair?
14:53:54	14 But precisely how they operate is not disclosed	14:56:47	14 A. So some embodiments include -- in some
14:53:57	15 very clearly in here. So we're just speculating	14:56:52	15 embodiments refractive extrusions may be configured
14:54:01	16 from here on.	14:56:57	16 using other base shape geometries such as hexagonal,
14:54:03	17 Q. (By Mr. Ferrario) Does one of skill in	14:57:04	17 circular, elliptical, and/or octagonal, among others.
14:54:05	18 the art need more information to understand how these	14:57:11	18 And there's no drawings to show how those things work
14:54:08	19 would work or is it enough to just describe them as	14:57:14	19 or what they do or what they look like.
14:54:16	20 structured refractive diffusers?	14:57:15	20 Q. One of skill in the art would understand
14:54:20	21 MR. MASSAND: Objection.	14:57:19	21 what those are. Right?
14:54:20	22 THE WITNESS: I would let the words speak	14:57:20	22 A. One of skill in the art would certainly
14:54:22	23 for themselves.	14:57:22	23 read that, those lines, and understand that it was
14:54:24	24 Q. (By Mr. Ferrario) So does one of skill in	14:57:26	24 pretty open to being four-sided or six-sided or
14:54:26	25 the art understand what a structured refractive	14:57:33	25 eight-sided or elliptical or circular or whatever.
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-94		DRAFT-96	
14:54:30	1 diffuser is?	14:57:38	1 Q. So some type of extruded material that
14:54:31	2 A. Well, if you look at the figures in the	14:57:43	2 bends light?
14:54:34	3 description, you can understand what the inventor is	14:57:46	3 MR. MASSAND: Objection to form.
14:54:37	4 trying to describe.	14:57:52	4 THE WITNESS: I'm not necessarily agreeing
14:54:41	5 Q. A quadrilateral extrusion that bends	14:57:55	5 with you. I mean the words here are quite
14:54:47	6 light?	14:57:59	6 clear. If you want to put it in your own
14:54:50	7 A. Well, if you read like at the bottom of	14:58:03	7 format, go right ahead. I don't have to agree
14:54:54	8 Column 7, Referring to Figure 6A, a structured	14:58:07	8 with it.
14:54:58	9 refractive diffuser plate 180 may include multiple	14:58:07	9 Q. (By Mr. Ferrario) Does a lens refract
14:55:04	10 refractive extrusions that may be arranged in a	14:58:12	10 light?
14:55:08	11 pattern including rows and columns.	14:58:14	11 A. Lenses generally refract light.
14:55:13	12 The refractive extrusions may include	14:58:18	12 Q. Does a convection lens refract light and
14:55:14	13 peaks divided by grooves, et cetera, et cetera. And	14:58:24	13 convert it?
14:55:19	14 the peaks may be formed to include a peak angle. And	14:58:25	14 A. So I don't go through a whole structured
14:55:23	15 the diffuser plate may be formed using materials such	14:58:30	15 description of all of the optical elements in my
14:55:29	16 as polycarbonate. So there's a lot of waffle words	14:58:34	16 declaration so you're outside the declaration.
14:55:33	17 in there. "May" is coming on every element in there.	14:58:37	17 Q. Does a concave lens refract light to
14:55:38	18 Q. And in fact it even explains later that	14:58:42	18 spread it?
14:55:41	19 the refractive extrusions don't even have to be	14:58:46	19 A. So I don't describe concave lenses in my
14:55:46	20 prismatic in shape. They can be hexagonal, circular,	14:58:52	20 declaration, do I? I know I talk about bell lenses.
14:55:51	21 elliptical, octagonal, and other shapes. Right?	14:58:57	21 Q. Are you not able to answers the question?
14:55:55	22 A. So the patent doesn't have your words in	14:59:01	22 A. Well, you want me to agree with you on
14:55:58	23 it. The patent reads, In some embodiments the	14:59:03	23 some term, and I'm not going to do that. I mean the
14:56:04	24 refractive extrusions may be configured using other	14:59:06	24 terms are -- my declaration is finished, and we're
14:56:08	25 base shape geometries such as, for example,	14:59:11	25 supposed to be examining that. The patent is what it

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-97		DRAFT-99	
14:59:14	1 is, and we've examined that. And now you're looking	15:01:35	1 questions. And I'll get answers or I don't get
14:59:17	2 for other words and definitions.	15:01:37	2 answers. I don't really care.
14:59:20	3 Q. Well, what words is it "concave" and	15:01:39	3 MR. MASSAND: You are looking for answers
14:59:23	4 "convection" that are problematic for you? Are those	15:01:40	4 outside the scope of his opinion, you know.
14:59:26	5 words difficult?	15:01:46	5 MR. FERRARIO: Objection, form. Object to
14:59:27	6 A. You're just asking me to speculate based	15:01:51	6 form.
14:59:30	7 upon something I'm not sure what.	15:01:51	7 MR. MASSAND: It's outside the scope of
14:59:32	8 Q. So it would require you to speculate in	15:01:52	8 the declaration.
14:59:34	9 order to answer the question whether a convex lens	15:01:53	9 Q. (By Mr. Ferrario) Mr. Bohannon, let's go
14:59:40	10 focuses light?	15:01:55	10 back to the '382 patent if you will, and I want to
14:59:41	11 MR. MASSAND: Objection to form.	15:02:00	11 ask you about 7.
14:59:44	12 THE WITNESS: I don't go through a whole	15:02:09	12 Do you see it here?
14:59:48	13 tutoring session of what lenses do in my	15:02:14	13 A. 7, the device of Claim 2 wherein the
14:59:50	14 declaration.	15:02:19	14 diffuser sheet comprises a diffuser film, a
14:59:53	15 Q. (By Mr. Ferrario) Do you know the answer?	15:02:23	15 brightness enhancing film, a polarizing film, and a
14:59:57	16 A. It's not in my declaration, is it? I	15:02:30	16 substantially clear plate configured to support the
15:00:02	17 thought we were to be cross examined on the	15:02:33	17 diffuser film, the brightness enhancing film, and the
15:00:05	18 declaration. I'm waiting for that to happen.	15:02:38	18 polarizing film, Claim 7.
15:00:07	19 Q. That is fine. I'm just asking you if you	15:02:38	19 Q. Thank you for reading that.
15:00:11	20 know the answer to the question?	15:02:40	20 What is a brightness enhancing film?
15:00:14	21 A. It's not in my declaration is it?	15:02:45	21 A. Well, you know that from the last time
15:00:19	22 Q. Do you know the answer to my question?	15:02:47	22 we've gone on. A brightness enhancing film is that
15:00:22	23 A. It's not in my declaration is it?	15:02:50	23 there is no clear definition of a brightness
15:00:26	24 Q. Well, I tell you what I will be happy to	15:02:53	24 enhancing film, although in this particular patent --
15:00:29	25 confirm what is and what is not in your declaration,	15:02:58	25 let's see if I can find the spot. Let me look on
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-98		DRAFT-100	
15:00:32	1 but I would ask you to please answer my question.	15:03:10	1 this. Give me a minute. I'm finding a spot in the
15:00:35	2 And that is, do you know the answer to the previous	15:03:30	2 patent.
15:00:38	3 question that I asked you?	15:03:30	3 Q. Well, maybe I'll find it for you to speed
15:00:41	4 A. You know I know the answers. I'm not	15:03:32	4 things along.
15:00:44	5 going to explain it to you.	15:03:36	5 Are you looking at this section?
15:00:49	6 MR. MASSAND: Matias, I mean, to the	15:03:37	6 A. If you look at Column 6. Column 6 about
15:00:51	7 extent you are asking questions outside the	15:03:46	7 Line 42 or so.
15:00:53	8 scope of his declaration, you know, he's not	15:03:47	8 Do you see that?
15:00:56	9 here to give you opinions. If it's within the	15:03:51	9 Q. Are you referring to the reference to
15:00:57	10 scope of his declaration, have at it.	15:03:53	10 prismatic brightness enhancing film?
15:01:01	11 MR. FERRARIO: First of all let me say,	15:03:56	11 A. Yes. I am. And references are made. It
15:01:02	12 Neal, you ought to be making your objections.	15:04:03	12 says, Commercial examples of such films may include
15:01:04	13 You can say object to form; object, scope;	15:04:06	13 products such as those available under the name
15:01:08	14 object, hearsay. You know that. That's in the	15:04:09	14 Vikuiti, among others. So that's about as much of a
15:01:10	15 trial practice guidelines. You are welcome to	15:04:15	15 definition of a "brightness enhancing film" you're
15:01:13	16 make those objections. Instead I think it's	15:04:19	16 going to get out of the '382.
15:01:15	17 Mr. Bohannon that's making those objections. I	15:04:22	17 Q. Well, that may be enough. Let's see. I
15:01:16	18 think those objections are improper. I think	15:04:25	18 mean so we know it's a film, right?
15:01:19	19 these are foundational technical questions one	15:04:31	19 A. What's a film?
15:01:21	20 of skill in the art would both know and should	15:04:34	20 Q. That a brightness enhancing film is a
15:01:23	21 answer relevant to his opinions. But this is a	15:04:38	21 film. Right?
15:01:26	22 discussion that we can have with the board.	15:04:38	22 A. A brightness enhancing film is a film. I
15:01:28	23 We'll show the board Mr. Bohannon's testimony.	15:04:42	23 mean, that's pretty clear.
15:01:30	24 We'll go through it all. It's on the record.	15:04:43	24 Q. And the brightness enhancing film enhances
15:01:33	25 So let's save that. Let me just ask the	15:04:46	25 brightness right?

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-101		DRAFT-103	
15:04:49	1 A. Well, they do something. I'm not	15:08:19	1 Q. What does it mean to collect light in the
15:04:52	2 precisely sure if it describes what it's supposed to	15:08:22	2 context of optical films used for displays?
15:04:55	3 do in here.	15:08:26	3 A. I'm not sure what you're getting at. I'm
15:04:57	4 Q. And they're prismatic. Right?	15:08:34	4 not sure what "collect light" means. If you can
15:05:01	5 A. Well, it says here, May include such films	15:08:41	5 explain yourself a little better.
15:05:04	6 as a prismatic brightness enhancing film or a	15:08:42	6 Q. No. That's fine. That's totally fine.
15:05:09	7 multilayer based reflective polarizer film and then	15:08:45	7 I'm not asking you to make up anything. So if you
15:05:15	8 there's the Vikuiti thing. And I'm not sure if	15:08:47	8 don't understand what it means, I'll move on and
15:05:23	9 prismatic is contained within that definition or not.	15:08:50	9 maybe ask another question if I can.
15:05:25	10 I don't think it's completely necessary to be	15:09:08	10 All right. Let's move to -- I'm going to
15:05:27	11 prismatic.	15:09:23	11 drop in the chat for references what you covered in
15:05:27	12 Q. But it may be prismatic; is that right?	15:09:31	12 your report. I've got to stop sharing here for a
15:05:31	13 A. No.	15:09:36	13 second. I'm going to share. This should be coming
15:05:50	14 Q. I'm sorry. Could you repeat yourself?	15:10:21	14 across here. All right. Are you able to see this
15:05:51	15 You were breaking up.	15:10:26	15 document here?
15:05:53	16 A. So if you read from Line 40 on that	15:10:29	16 A. So this is the Kobayashi.
15:05:59	17 Column 6 it says that, In some embodiments the	15:10:29	17 (Exhibit 1006 was introduced for
15:06:05	18 diffuser sheet may include other films such as a	15:10:29	18 identification, not attached at the end of the
15:06:08	19 prismatic brightness enhancing film and/or multilayer	15:10:35	19 original transcript.)
15:06:14	20 reflective film, not shown. And commercial examples	15:10:35	20 Q. (By Mr. Ferrario) Okay. Good. You
15:06:17	21 are those available under the name Vikuiti. I think	15:10:37	21 recognize it. Now, Mr. Bohannon, I've also dropped
15:06:21	22 that's as good as we're going to get for what's in	15:10:39	22 this in the chat, which it should be in a PDF form
15:06:24	23 it. Brightness enhancing film, and you can argue	15:10:43	23 that you should be able to open if you like. Let's
15:06:27	24 about it word by word.	15:10:47	24 just go through this document. So do you see how
15:06:29	25 Q. I'm not arguing. I'm just asking you	15:10:49	25 this is labeled as Exhibit 1006?
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-102		DRAFT-104	
15:06:32	1 questions.	15:11:05	1 A. Yes. I see that, 1006. Pages 1 through
15:06:32	2 So the brightness enhancing film here	15:11:12	2 14.
15:06:36	3 disclosed in the '382 includes prismatic refractive	15:11:13	3 Q. And you recognize this as a Japanese
15:06:41	4 structures; is that right?	15:11:15	4 unexamined patent application. I think you called it
15:06:42	5 A. It doesn't say those words. It says a	15:11:21	5 Kobayashi. Right?
15:06:46	6 prismatic brightness enhancing film, BEF.	15:11:23	6 A. It's an English translation of it. It's
15:06:50	7 Q. Does the brightness enhancing film bend	15:11:26	7 not the actual one.
15:07:00	8 light?	15:11:26	8 Q. Okay. And this is a document you are
15:07:05	9 A. I'm just saying, I mean, you know, we've	15:11:31	9 familiar with. Right?
15:07:08	10 argued about this stuff on the other IPRs. Some of	15:11:32	10 A. Yes. I've seen it before. I read it.
15:07:14	11 them have special qualities that do something to	15:11:35	11 Q. Now, Kobayashi relates to backlight unit;
15:07:16	12 enhance the brightness. Whether it actually works or	15:11:55	12 is that right?
15:07:19	13 not is another question.	15:11:55	13 A. What do you mean by "relates to"?
15:07:27	14 Q. I'm sorry? If you can say that again.	15:11:58	14 Q. I'm sorry. Well, I'll be more precise
15:07:29	15 A. You can get the Vikuiti thing from 3M and	15:12:00	15 then. I know you like to read things. The title of
15:07:34	16 play with it all you want.	15:12:04	16 Kobayashi's invention is entitled backlight unit.
15:07:36	17 Q. Does the brightness enhancing film	15:12:06	17 Right?
15:07:39	18 disclosed by the '382 patent include prismatic	15:12:06	18 A. Yes.
15:07:44	19 structures?	15:12:17	19 Q. And it's a backlight unit for display
15:07:46	20 A. Well, it's referred to as a prismatic	15:12:21	20 devices. Right?
15:07:49	21 brightness enhancing film, BEF. So, I mean, the	15:12:22	21 A. Yes.
15:07:55	22 words are there. So I don't know what more you want.	15:12:24	22 Q. And it uses LEDs as light sources?
15:08:01	23 Q. That's enough.	15:12:31	23 A. Yes.
15:08:09	24 Does a BEF collect light?	15:12:31	24 Q. And then it mentions reducing the
15:08:15	25 A. What do you mean by "collect light"?	15:12:36	25 eye-catching lamp image.

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-105		DRAFT-107	
15:12:38	1 Do you see that?	15:16:50	1 Q. And 4, the line goes to the plate.
15:12:38	2 A. I do.	15:16:54	2 Correct?
15:12:39	3 Q. What is eye-catching lamp image?	15:16:56	3 A. What do you mean by "line"?
15:12:44	4 A. Spots. You don't want to see bright	15:16:59	4 Q. Do you see a line between the Number 4 and
15:12:57	5 spots. It's like I was talking about with the '382	15:17:02	5 the structure shown?
15:12:59	6 patent. And the purpose for the '382 patent was	15:17:03	6 A. Oh, you mean the callout. Yes. I see a
15:13:03	7 providing a uniform backlight so you wouldn't see	15:17:09	7 squiggly line.
15:13:05	8 spots.	15:17:10	8 Q. And it goes to the plate. Correct?
15:13:08	9 Q. All right. Thank you. So Kobayashi	15:17:14	9 A. It goes to the plate which consists of a
15:13:13	10 discloses a backlight unit with two diffusing plates.	15:17:17	10 lens. It goes to the lens, plate 4.
15:13:25	11 Right?	15:17:27	11 Q. So the lens in this figure is that shown
15:13:27	12 A. Not necessarily. It's a backlight unit	15:17:32	12 as the triangles on top of the plate and the bottom
15:13:33	13 with a Fresnel lens in the place of one diffusing	15:17:37	13 of the plate?
15:13:43	14 plate. I mean, I would call it a lens plate rather	15:17:39	14 A. That's the way Fresnel lenses are built.
15:13:45	15 than a diffusing plate.	15:17:47	15 Q. The lens are these triangles on top?
15:13:47	16 Q. Okay. So I understand what you call it.	15:17:51	16 A. Well, it's more than triangles. You know,
15:13:49	17 But Kobayashi calls it a diffusing plate 4. Right?	15:17:54	17 the Fresnel lens is a lens. It's like a circular
15:13:56	18 A. Kobayashi says diffusing plate with a lens	15:17:58	18 thing like a record player, you know, where you've
15:14:03	19 having total light transmittance and light	15:18:01	19 got grooves and structure that focus the light.
15:14:08	20 diffusivity of 0.5 to 30 percent, which is a really	15:18:10	20 Q. So did you understand Kobayashi to only
15:14:14	21 low percentage for diffusivity. I mean, 0.5 percent	15:18:14	21 disclose Fresnel lenses as part of diffusion plate 4?
15:14:20	22 diffusivity is basically not there. I mean, anything	15:18:21	22 A. It's pronounced Fresnel. The S is silent.
15:14:25	23 is going to scatter that much light. A piece of	15:18:26	23 It's French.
15:14:28	24 plain glass will probably be 0.5 percent diffused.	15:18:26	24 Q. So did you understand Kobayashi to only
15:14:39	25 Q. Can you answer my question? . Kobayashi	15:18:28	25 disclose Fresnel lenses as part of the diffusing
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-106		DRAFT-108	
15:14:54	1 calls it a diffusing plate 4 with a lens. Correct?	15:18:34	1 plate?
15:14:59	2 A. Yes.	15:18:36	2 MR. MASSAND: Objection.
15:15:02	3 Q. And Kobayashi also calls it diffusing	15:18:36	3 THE WITNESS: Well, it says if you look on
15:15:06	4 plate 5. Correct?	15:18:39	4 Page 6 -- so it says at the bottom of Page 5
15:15:10	5 A. You said called it diffusing. So there's	15:18:44	5 which continues to Page 6 it says, Lensed
15:15:14	6 diffusing plate 4, and there's diffusing plate 5.	15:18:46	6 diffusing plate 4 has a lens shape on at least
15:15:18	7 Q. So there are two diffusing plates. Right?	15:18:51	7 one side.
15:15:26	8 A. There appears to be so.	15:18:52	8 Various lens combinations are conceivable
15:15:30	9 Q. Now, diffusing plate 4 has a refractive	15:18:54	9 such as general uneven R lens shape, prism
15:15:37	10 structure on it. Correct?	15:18:58	10 shape, pyramid shape, glider lens shape, Fresnel
15:15:40	11 A. Diffusing plate 4 is a lens.	15:19:03	11 lens shape, moseye lens shape, lenticular lens
15:15:49	12 Q. Diffusing plate 4 includes a lens in some	15:19:12	12 shape but preferably with a Fresnel lens.
15:15:54	13 embodiments of Kobayashi. Correct?	15:19:16	13 The light incident surface of the
15:15:57	14 A. Diffusing plate 4 is a lens in the figures	15:19:17	14 diffusion plate in the vicinity of the LED
15:16:04	15 and the description.	15:19:20	15 located in the center is Fresnel with convex
15:16:06	16 Q. Let's look at the figures here. Diffusing	15:19:25	16 toward the light, cone with an apex angle, et
15:16:13	17 plate 4 is shown in this Figure 1 of Kobayashi.	15:19:30	17 cetera. So he goes on to describe the Fresnel
15:16:20	18 Correct?	15:19:34	18 lens in great detail.
15:16:21	19 A. Let me get to Figure 1.	15:19:39	19 Q. (By Mr. Ferrario) So Kobayashi also
15:16:28	20 Q. Is that correct? Diffusing plate 4 is	15:19:40	20 discloses prism-shaped lenses?
15:16:30	21 shown in Kobayashi?	15:19:47	21 A. It says preferable with Fresnel lens.
15:16:33	22 A. So I'm going to scroll down to see	15:19:51	22 Q. I didn't ask you which he preferred. I'm
15:16:37	23 Figure 1. So diffusing plate 4, the lens or	15:19:54	23 asking you if Kobayashi also discloses prism-shaped
15:16:41	24 diffusing lens or the Fresnel lens, plate 4 is there	15:19:59	24 lenses?
15:16:48	25 in Figure 1.	15:19:59	25 A. Yes. It does. R shape lens, prism shape,

UNCERTIFIED ROUGH DRAFT DRAFT-109	UNCERTIFIED ROUGH DRAFT DRAFT-111
15:20:04 1 pyramid shape, glider lens shape, et cetera. 15:20:08 2 Q. Does Kobayashi also disclose a diffusing 15:20:13 3 plate 4 without a lens, any type of lens? 15:20:22 4 A. Not to my knowledge. It says diffusing 15:20:26 5 lens, diffusing plate 4. So in the description the 15:20:30 6 title of plate 4 it's a lens diffusing plate. It has 15:20:35 7 a lens shape on at least one side. So I think it 15:20:38 8 shuts out anything other than a lens diffusing plate. 15:20:46 9 Q. So do you see this Comparative Example 1? 15:20:53 10 A. Where? 15:20:56 11 Q. I'm sharing the screen with you. At '78 15:21:12 12 do you see this? 15:21:15 13 A. I see that. 15:21:16 14 Q. Does Comparative Example 1 disclose a 15:21:19 15 diffusing plate 4 without a lens function? 15:21:27 16 A. I'm not sure what Comparative Example 1 is 15:21:30 17 there for. 15:21:33 18 Q. I didn't ask you what it was there for, 15:21:35 19 Mr. Bohannon. I just asked you if that example 15:21:38 20 discloses a diffusing plate 4 without a lens 15:21:41 21 function? 15:21:43 22 A. It's a comparative example. I don't know 15:21:45 23 what they're comparing it to. I'm taking issue with 15:21:47 24 the title "comparative example." 15:21:49 25 Q. I'm not asking you to take -- I mean, you	15:23:57 1 A. So what part are you actually trying to 15:24:00 2 refer me to? This is a Kobayashi reference? 15:24:04 3 Q. Yes. And, I mean, it's kind of what is at 15:24:07 4 heart, what the heart of Kobayashi goes to, which is 15:24:11 5 the distance between the diffusers. 15:24:14 6 A. What page? 15:24:14 7 Q. I'm looking at Paragraph '20, which I am 15:24:17 8 sharing on the screen here with you. And you're 15:24:22 9 familiar with this because you provided testimony on 15:24:25 10 this. Let me know when you are there. 15:24:31 11 A. The paragraph that says, A is 10 15:24:35 12 millimeters or more; B is 10 to 100? 15:24:35 13 Q. That's what I am going to ask you some 15:24:37 14 questions about. 15:24:42 15 So in Paragraph '20 Kobayashi discloses 15:24:45 16 the ratio of A to B. 15:24:49 17 Do you see that? 15:24:53 18 A. The ratio of A to B is preferably in the 15:24:59 19 range of 0.2 to 1.0. 15:25:02 20 Q. That's what I am referring to. Are you 15:25:05 21 familiar with that disclosure in Kobayashi? 15:25:06 22 A. Yeah. I read it before, and I want to go 15:25:08 23 back and make sure that I know what it means. 15:25:10 24 Otherwise, you will ask me questions that I can't 15:25:12 25 answer.
UNCERTIFIED ROUGH DRAFT DRAFT-110	UNCERTIFIED ROUGH DRAFT DRAFT-112
15:21:52 1 can take issue with it, but can you answer my 15:21:54 2 question? 15:21:55 3 Does it disclose a diffusing plate 4 15:21:57 4 without a lens? 15:21:59 5 A. It says what it says. But I'm not sure 15:22:02 6 what they mean by "comparative example." If it's 15:22:07 7 part of the invention or just something they threw up 15:22:11 8 for fun. 15:22:52 9 MR. MASSAND: Is this a good spot for a 15:22:54 10 five- or 10-minute break? 15:23:00 11 MR. FERRARIO: Yeah, maybe. We've only 15:23:02 12 been going for a little bit here. May I get 15:23:05 13 through one more section? Is that okay just 15:23:07 14 while we're in this reference? I'm trying to 15:23:09 15 see if I can figure this out. 15:23:11 16 MR. MASSAND: Yeah. It's fine. It's 15:23:13 17 totally fine. It's fine with me if it's fine 15:23:17 18 with William as well. 15:23:18 19 THE WITNESS: I'm okay. 15:23:24 20 Q. (By Mr. Ferrario) So I want to talk to 15:23:26 21 you about the ratio disclosed by Kobayashi and I'm 15:23:44 22 here in Paragraph '20. And so just for foundation 15:23:47 23 you understand that Kobayashi discloses a distance A 15:23:51 24 and a distance B and then talks about the ratio 15:23:54 25 between those two distances. Right?	15:25:14 1 Q. Well, why don't we go to the figure just 15:25:17 2 to orientate ourselves. So you understand that A 15:25:21 3 refers to the distance between the LED and the second 15:25:28 4 diffusion plane. Right? 15:25:31 5 A. So I am looking at Figure 1, I guess, 15:25:33 6 where A is measured from the top of the box marked 1, 15:25:38 7 which I guess is referring to the light emitters. So 15:25:41 8 we're going from the top of the light emitter box to 15:25:44 9 the top of plate 5. And that's called A. 15:25:52 10 And B is from the middle of the light 15:25:55 11 emitter box to the middle of the next adjacent light 15:25:59 12 emitter box, and that's marked B. 15:26:02 13 Q. So the ratio is between this second 15:26:06 14 distance and third distance B, A over B. Right? 15:26:12 15 MR. MASSAND: Objection to form. 15:26:19 16 THE WITNESS: I think it's A over B. 15:26:22 17 Okay. 15:26:27 18 Q. (By Mr. Ferrario) And that ratio -- okay. 15:26:30 19 So that ratio that Kobayashi discloses says 15:26:35 20 preferably .2 to 1. Right? 15:26:40 21 A. Preferably in the range of .2 to 1. 15:26:46 22 Q. So that's Kobayashi's preferred ratio. 15:26:51 23 Correct? 15:26:52 24 A. The ratio of A to B is preferably in the 15:26:55 25 range of 0.2 to 1.

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-113		DRAFT-115	
15:26:59	1 Q. But Kobayashi discloses ratios broader	15:29:51	1 declaration. That's what I am looking for to see
15:27:01	2 than that. Right? That's just the preferred	15:29:54	2 where in my declaration I talk about Kobayashi taking
15:27:05	3 embodiment?	15:29:57	3 data.
15:27:07	4 MR. MASSAND: Objection to form.	15:30:01	4 Q. Okay. Well, you can study your
15:27:09	5 THE WITNESS: I'm not sure where he talks	15:30:03	5 declaration maybe during the break.
15:27:11	6 about broader than that.	15:30:06	6 MR. FERRARIO: You want to take a break?
15:27:14	7 Q. (By Mr. Ferrario) So you didn't	15:30:08	7 You want ten minutes?
15:27:15	8 understand Kobayashi when you read it to disclose	15:30:12	8 MR. MASSAND: That would be good.
15:27:18	9 ratios broader than the preferred range? Is that	15:30:15	9 THE WITNESS: Sure.
15:27:21	10 what your testimony is?	15:30:15	10 MR. FERRARIO: Great. Be back on at 3:40.
15:27:23	11 A. No. I mean, you obviously got this thing	15:30:21	11 (A recess was taken at 3:30 p.m., and the
15:27:27	12 up here. I mean, where does it talk about "broader"?	15:40:39	12 deposition reconvened at 3:40 p.m.)
15:27:33	13 Q. Well, I'm asking you about your	15:40:39	13 Q. (By Mr. Ferrario) So we were talking
15:27:36	14 understanding and how you interpret it.	15:40:42	14 about Kobayashi. Let me share my screen again. I
15:27:37	15 A. I'm trying to understand it. So I need to	15:40:51	15 think we were just about to talk about some of the
15:27:40	16 know where it says "broader." I can't find it in the	15:40:52	16 testing that Kobayashi did with his system.
15:27:49	17 PDF. Where does it talk about outside the range?	15:40:55	17 Do you remember that, Mr. Bohannon?
15:27:57	18 Q. I'm asking for your understanding of	15:40:57	18 A. Yes. I remember you wanting to talk about
15:27:59	19 Kobayashi; and if your understanding is that it's	15:41:00	19 it.
15:28:02	20 limited to that preferred range, that's fine. If you	15:41:02	20 Q. Now, Kobayashi set up a test system that
15:28:05	21 understood that it disclosed ranges broader than	15:41:06	21 involved two LEDs, right?
15:28:09	22 that, then that's fine too. But what I am hearing is	15:41:11	22 A. So this testing set is not in my
15:28:11	23 that you only understood Kobayashi to disclose a	15:41:16	23 declaration. I went back through the declaration and
15:28:14	24 preferred range of .2 to 1?	15:41:23	24 as you suggested to look and see if I had anything in
15:28:22	25 A. I'm not sure if I can answer. I'm trying	15:41:26	25 there about testing, and I do not. For example, on
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-114		DRAFT-116	
15:28:24	1 to understand where we talk about "broader." I'm	15:41:32	1 Page 11 I talk about Kobayashi describes a backlight
15:28:27	2 looking in Kobayashi. I'm looking in my declaration.	15:41:39	2 having multiple LEDs, et cetera. And a diffusing
15:28:32	3 And I don't, I'm not finding "broader." Maybe you	15:41:42	3 plate having total transmissions of 80 to 98 percent.
15:28:37	4 know where it is.	15:41:47	4 Light diffusivity of 0.5 to 30.
15:28:44	5 Q. I do know where it is, but why don't we	15:41:54	5 So I have got numbers of the performance
15:28:46	6 move on.	15:41:55	6 that Kobayashi expects from those elements. But I
15:28:47	7 A. Where is it?	15:41:58	7 don't have anything in there about this testing
15:28:50	8 Q. It's not my job to do your job.	15:42:00	8 configuration that you are talking about.
15:28:53	9 Let me ask you Kobayashi provides some	15:42:04	9 Q. Did you review the testing in connection
15:28:59	10 data, right, it did an empirical study on its	15:42:07	10 with forming opinions about Kobayashi?
15:29:05	11 invention. Right?	15:42:10	11 A. I reviewed Kobayashi's patent but I have
15:29:10	12 A. So Kobayashi provides data. What do you	15:42:13	12 no opinion of the testing stuff in my declaration, so
15:29:12	13 mean by "data"?	15:42:17	13 it's outside the scope.
15:29:14	14 Q. I'm saying it did a study, took	15:42:20	14 Q. So are you refusing to answer questions
15:29:17	15 measurements, and it provided results. Right?	15:42:22	15 about the testing data?
15:29:21	16 A. What did he take measurements of?	15:42:25	16 A. I thought you were going to cross-examine
15:29:24	17 Q. Well, I mean, it's in your declaration.	15:42:27	17 me on the declaration.
15:29:26	18 A. Yeah. I'm just trying to be clear because	15:42:30	18 Q. I am, but are you refusing to answer
15:29:29	19 you want me to be accurate.	15:42:35	19 questions about the testing data?
15:29:32	20 Q. Yeah. But do you recall that about	15:42:36	20 A. I mean, it's outside the scope.
15:29:34	21 Kobayashi, that it made measurements and put together	15:42:40	21 Q. So I want to ask a few questions and let's
15:29:38	22 an invention, measured brightness, uniformity, did a	15:42:43	22 just confirm you are refusing to answer the questions
15:29:46	23 qualitative assessment? Do you recall all of that	15:42:46	23 and then we can move on.
15:29:49	24 about Kobayashi?	15:42:48	24 Did you understand Kobayashi's testing
15:29:50	25 A. Well, you said I put that in my	15:42:52	25 system to include two LEDs?

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-117		DRAFT-119	
15:42:56	1 A. Where does it say two LEDs?	15:47:20	1 Cathode Fluorescent Lamps. And then he talks the
15:43:03	2 Q. Are you saying here today you don't have a	15:47:23	2 devices. And then he talks about with the increase
15:43:05	3 knowledge about that?	15:47:26	3 in luminous efficiency of light-emitting diodes now
15:43:08	4 A. It wasn't in my declaration. I just told	15:47:31	4 makes it possible for their use in lighting or
15:43:10	5 you that.	15:47:33	5 backlighting devices.
15:43:16	6 Q. Paragraph 47 where Kobayashi describes	15:47:40	6 Q. All right. So these are light-emitting
15:43:21	7 measuring brightness by setting each diffusing plate	15:47:42	7 diodes discussed by Schiavoni that are similar or
15:43:26	8 4, 5 and measuring brightness directly above each LED	15:47:46	8 same as the solid state light emitters of the '382
15:43:30	9 1 and between the left and right LEDs?	15:47:52	9 patent. Right?
15:43:33	10 A. I can read. I see that.	15:47:53	10 MR. MASSAND: Object to the form.
15:43:36	11 Q. So you see that as disclosing a left and	15:47:54	11 THE WITNESS: I'm not sure if they're
15:43:38	12 right LED?	15:47:55	12 similar or the same. You know, it is what it
15:43:41	13 A. Yes. But this is not in my declaration.	15:47:59	13 is. There's some LEDs in there.
15:43:44	14 Q. And it measures brightness directly above	15:48:03	14 Q. (By Mr. Ferrario) And then Schiavoni
15:43:47	15 each LED?	15:48:06	15 discloses an optical system for use in the display
15:43:50	16 A. I can read. It's not in my declaration.	15:48:12	16 unit. Right?
15:43:58	17 Q. So Kobayashi never tested a full array of	15:48:14	17 A. Well, he describes, you know, his
15:44:02	18 LEDs. Correct?	15:48:16	18 invention is based on this concept of sectorization,
15:44:04	19 A. I am not answering. I can't speak to what	15:48:21	19 so.
15:44:08	20 he did or didn't do.	15:48:22	20 Q. Again, if you could -- I know you want to
15:44:08	21 (Exhibit 1012 was introduced for	15:48:26	21 be a lawyer and do our --
15:44:08	22 identification, not attached at the end of the	15:48:28	22 A. I don't want to be a lawyer.
15:44:20	23 original transcript.)	15:48:29	23 Q. You just need to answer my questions.
15:44:20	24 Q. (By Mr. Ferrario) I'm popping into chat	15:48:33	24 A. I'm trying to answer your question.
15:44:56	25 Exhibit 1012.	15:48:35	25 Q. Okay. It discloses an optical system,
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-118		DRAFT-120	
15:44:58	1 A. Which is?	15:48:38	1 right, for use in the --
15:44:59	2 Q. This is the certified translation of	15:48:40	2 A. An optical system is for sectorizing. So
15:45:07	3 Schiavoni. I don't know if that's the correct	15:48:43	3 it's a little bit different from the other stuff.
15:45:13	4 pronunciation. Let me know when you have got it and	15:48:46	4 Q. Well, we'll get to that. Let's just
15:45:15	5 open it up.	15:48:49	5 create the foundation and then we'll get to that.
15:45:28	6 A. I see it there.	15:48:51	6 So you agree that Schiavoni discloses an
15:45:30	7 Q. Do you recall reviewing this reference in	15:48:54	7 optical system for use in the display?
15:45:32	8 connection with forming your opinions in your	15:48:57	8 MR. MASSAND: Objection to form.
15:45:35	9 declaration?	15:49:00	9 THE WITNESS: He describes a sectorization
15:45:35	10 A. I do. That's in my declaration.	15:49:02	10 system for use in lighting devices or displays.
15:45:42	11 Q. And Schiavoni is titled Optical System For	15:49:08	11 So I think he's opening, he's focused on kind of
15:45:45	12 Lighting Device, Lighting Device and Method of	15:49:12	12 the broader commercial lighting systems as well
15:45:48	13 Controlling the Device. Correct?	15:49:15	13 as backlights.
15:45:51	14 A. That's what it reads.	15:49:20	14 Q. (By Mr. Ferrario) So let's talk about his
15:45:56	15 Q. And Schiavoni discloses backlight system.	15:49:22	15 optical system since you can't seem to get to it.
15:46:05	16 Right?	15:49:31	16 But I believe that you gave us in your declaration
15:46:14	17 A. Let me see if he calls it a backlight	15:49:35	17 that Schiavoni is focused on sectorization; is that
15:46:16	18 system or not. Yeah. I guess if you look at Page 3,	15:49:47	18 right?
15:46:48	19 Rear lighting or backlighting devices, backlight or	15:49:47	19 A. Well, that's what it appears Schiavoni is
15:46:52	20 BLU for backlighting unit, are widely used for LCD	15:49:52	20 focused on.
15:46:57	21 screens, et cetera.	15:49:54	21 Q. And that the optical system in Schiavoni
15:47:01	22 Q. And it discloses using light emitting	15:49:58	22 ensures that the light sources do not significantly
15:47:04	23 diodes as the light sources. Right?	15:50:03	23 mix. Right? That's your testimony?
15:47:13	24 A. It says, The increase in luminous	15:50:08	24 A. So I just want to be accurate in here. So
15:47:19	25 efficiency. And then he talks about some are Cold	15:50:33	25 quoting from Schiavoni on Page 4 and in my

UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-121		DRAFT-123	
15:50:38	1 declaration on Page 15, Paragraph 48 where I start	15:53:19	1 Q. I'm referring to 71.
15:50:45	2 Paragraph 48 is, Page 4 is Schiavoni states "to	15:53:22	2 A. Paragraph 71. So that's what I was
15:50:50	3 control the sectorization of normal luminance so that	15:53:28	3 looking at, Paragraph 71 and 70 and 69. And you
15:50:52	4 for a given row of point sources, or a given extended	15:53:34	4 referred to my declaration. We're supposed to be
15:50:58	5 source occupying a row, the average profile along a	15:53:37	5 cross-examining me on my declaration which is what I
15:51:05	6 direction orthogonal to the sources does not mix	15:53:40	6 am trying to do in answering your questions.
15:51:08	7 significantly with the average luminance profile of a	15:53:43	7 Q. Right. So let me restart then. So my
15:51:11	8 neighboring row."	15:53:48	8 question was then, you know, based on your
15:51:14	9 Schiavoni -- this explains that in	15:53:51	9 understanding of Schiavoni in Paragraph 1 [sic] you
15:51:19	10 Schiavoni the purpose is to control the local	15:53:53	10 conclude that the purpose of optical system 100 in
15:51:21	11 contrast and reduce electrical power by dimming one	15:53:58	11 Schiavoni is to ensure that the light from the light
15:51:26	12 or more LED's output to create dark areas or sectors	15:54:01	12 sources do not significantly mix. Correct?
15:51:28	13 on the screen when needed. So that's Schiavoni.	15:54:05	13 A. So you said Paragraph 1?
15:51:33	14 Q. Yeah. And so your understanding of	15:54:11	14 Q. 71.
15:51:35	15 Schiavoni is limited to the idea that it is directed	15:54:12	15 A. You mean 71.
15:51:41	16 at controlling sectorization of normal luminance.	15:54:19	16 Q. Are you having a hard time hearing me?
15:51:45	17 Right?	15:54:22	17 A. No. You said 1. You didn't say 71. So
15:51:46	18 A. I wouldn't characterize it like that. You	15:54:25	18 you threw me off there. Paragraph 1, I was looking
15:51:49	19 said "limited to." I mean, I'm quoting from	15:54:28	19 for Paragraph 1. I thought that's what you were
15:51:53	20 Schiavoni.	15:54:31	20 referring to.
15:51:54	21 Q. Oh, so Schiavoni has other and broader	15:54:32	21 Q. Let me re-ask the question. I thought I
15:51:59	22 teachings than just directing to control	15:54:35	22 said 71. So based on your understanding of Schiavoni
15:52:03	23 sectorization. Is that your testimony?	15:54:40	23 then in Paragraph 71 you conclude that, The purpose
15:52:06	24 MR. MASSAND: Objection to form.	15:54:44	24 of optical system 100 in Schiavoni is to ensure that
15:52:08	25 THE WITNESS: So I say what I say in	15:54:48	25 the light from the light sources do not significantly
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-122		DRAFT-124	
15:52:12	1 Paragraph 48. And this explains that Schiavoni	15:54:52	1 mix. Right?
15:52:18	2 the purpose is to control the local contrast and	15:54:53	2 A. That's exactly what I've got on there.
15:52:21	3 reduce power by dimming one or more LED's output	15:54:57	3 Q. And then you further conclude that based
15:52:25	4 to create one or more dark areas on screen.	15:55:00	4 on that understanding of Schiavoni, that Schiavoni is
15:52:27	5 Q. (By Mr. Ferrario) And then based on that	15:55:06	5 antithetical to the purpose of the diffuser of the
15:52:29	6 understanding of Schiavoni in Paragraph 71 you	15:55:09	6 '382 patent which is to spread out the light from the
15:52:33	7 conclude that, The purpose of optical system 100 in	15:55:13	7 light sources to achieve an even luminance profile.
15:52:38	8 Schiavoni is to ensure that the light from the light	15:55:20	8 Correct?
15:52:41	9 sources do not significantly mix.	15:55:20	9 A. Absolutely correct.
15:52:43	10 Is that your testimony?	15:55:23	10 Q. And so it's your understanding that
15:52:46	11 A. So this is for ground, what is it, Ground	15:55:24	11 Schiavoni is not directed to achieving an even
15:52:54	12 7. Schiavoni and Lim in view of a POSITA fail to	15:55:32	12 luminance profile. Right?
	13 render obvious Claims 1 --	15:55:33	13 A. That's exactly what Schiavoni says.
	14 THE COURT REPORTER: I'm sorry. I don't	15:55:35	14 Q. And then it's further your understanding
	15 know what you're saying. I can't see what	15:55:38	15 that the diffuser in Schiavoni is not directed to
	16 you're reading.	15:55:43	16 achieving an even luminance profile. Correct?
	17 THE WITNESS: Oh, I'm reading from my	15:55:48	17 A. That's absolutely right.
15:53:08	18 declaration. Sorry.	15:55:49	18 Q. And in support of that testimony you cite
15:53:08	19 Q. (By Mr. Ferrario) Can you just answer my	15:55:53	19 to the language in Schiavoni on Page 4 that
15:53:10	20 question?	15:55:59	20 discussions the control of sectorization of the
15:53:10	21 A. Well, you referred me to Paragraph 69 in	15:56:05	21 normal luminance. Right?
15:53:13	22 my declaration, so I wanted to read it.	15:56:09	22 A. Yeah. Where it says right there at the
15:53:15	23 Q. No, 71.	15:56:10	23 top of the page it says, Page 4 where it says, The
15:53:16	24 A. I can read the stuff you are referring to,	15:56:13	24 average of the profile of the normal luminance along
15:53:18	25 can't I?	15:56:20	25 a direction orthogonal to the sources does not mix

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DRAFT-125		DRAFT-127	
15:56:24	1 significantly with the average luminance of the	15:59:14	1 he won't mix the rows.
15:56:27	2 neighboring row.	15:59:16	2 Q. (By Mr. Ferrario) So you need to answer
15:56:28	3 Q. Based on that understanding of Schiavoni	15:59:17	3 my questions, but the homogenization of the luminance
15:56:30	4 is how you reached your conclusions in Paragraph 71.	15:59:20	4 refers to diffusing light. Correct?
15:56:33	5 Correct?	15:59:23	5 MR. MASSAND: Objection to form.
15:56:34	6 A. Well, there's probably more to it than	15:59:26	6 THE WITNESS: So he's talking about
15:56:36	7 that. He talks about the sectorization kind of	15:59:28	7 homogenization of the luminance for that row.
15:56:41	8 throughout his patent so not just Page 4 but	15:59:32	8 So he's diffusing it in a row but the rows don't
15:56:44	9 elsewhere.	15:59:36	9 mix.
15:56:45	10 Q. Now, you don't cite any of this section	15:59:37	10 Q. (By Mr. Ferrario) So there's two
15:56:52	11 that I'm sharing with you of Schiavoni in your	15:59:38	11 functions here. One is to diffuse lights within a
15:56:55	12 declaration. Right?	15:59:40	12 row and also be able to sectorize between rows; is
15:56:57	13 A. Which section?	15:59:44	13 that correct?
15:56:59	14 Q. So let's just go through it. Schiavoni is	15:59:44	14 A. Yes. And it's sectorizing between rows
15:57:03	15 talking about the first optical element when it's	15:59:47	15 where it doesn't mix the light. One row doesn't mix
15:57:07	16 talking about sectorization. Correct?	15:59:51	16 with the other row so you can turn it off and make a
15:57:10	17 A. What do you mean "the first optical	15:59:54	17 dark spot.
15:57:12	18 element"?	15:59:55	18 Q. But within a row he's mixing light. He's
15:57:13	19 Q. So on Page 3 it says here, The first	15:59:58	19 diffusing light. Right?
15:57:15	20 optical element according to the invention. Do you	15:59:59	20 A. So you're going to have a bunch of rows on
15:57:19	21 see that?	16:00:02	21 the screen that's toward sectorization not
15:57:19	22 A. I do.	16:00:10	22 homogenizing the whole thing.
15:57:21	23 Q. And Schiavoni discloses that it has two	16:00:12	23 Q. When you reached your conclusion in the
15:57:25	24 functions. Right?	16:00:14	24 declaration, you only cited one function of the
15:57:27	25 A. You mean he calls it a double function?	16:00:17	25 optical element; isn't that true?
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DRAFT-126		DRAFT-128	
15:57:31	1 Q. Yes. And you see that as having two	16:00:19	1 MR. MASSAND: Objection.
15:57:33	2 functions. Right?	16:00:20	2 THE WITNESS: What do you think I left
15:57:33	3 A. Well, I see it says it has a double	16:00:23	3 off?
15:57:36	4 function.	16:00:25	4 Q. (By Mr. Ferrario) Were you trying to hide
15:57:37	5 Q. And the first function listed is the	16:00:26	5 the fact that the optical element homogenizes light?
15:57:41	6 homogenization of the luminance. Correct?	16:00:31	6 MR. MASSAND: Objection to form.
15:57:45	7 A. So you've got to read the whole sentence.	16:00:33	7 THE WITNESS: No. I quote the stuff.
15:57:47	8 The homogenization of the luminance so that for each	16:00:37	8 Homogenizing the light in a row, this is all
15:57:52	9 row of point sources, the average of the normal	16:00:39	9 double function stuff where the rows are
15:57:55	10 luminance along a direction is significantly wide,	16:00:42	10 homogenized but one row doesn't talk to the
15:57:58	11 meaning that the curve of the luminance along is	16:00:45	11 other row. So you can turn the spot off and
15:58:04	12 sufficiently planar. So it is what it is there.	16:00:48	12 make a dark spot on the screen. I mean, it's
15:58:09	13 He's got his homogenization along the row, the	16:00:52	13 trying to get the best of both possible worlds,
15:58:15	14 extended source, and then he sectorizes it.	16:00:55	14 and I don't think it works. I'm not hiding
15:58:19	15 Q. And, Mr. Bohannon, homogenization of the	16:01:04	15 anything.
15:58:23	16 luminance refers to diffusing light. Correct?	16:01:11	16 Q. (By Mr. Ferrario) We won't let you hide
15:58:28	17 MR. MASSAND: Objection to form.	16:01:13	17 anything anyways. That's why we're here.
15:58:36	18 THE WITNESS: So let's see. Yeah. On	16:01:13	18 (Exhibit 1013 was introduced for
15:58:49	19 Page 3 to Page 4. So you need to read the next	16:01:13	19 identification, not attached at the end of the
15:58:55	20 dotted point on Page 4 where it controls the	16:01:13	20 original transcript.)
15:58:58	21 sectorization so that for a given row of point	16:01:29	21 Q. (By Mr. Ferrario) All right. I dropped
15:59:02	22 sources, the average along a direction	16:01:29	22 into chat Exhibit 1013. It's prior art Lim. Let me
15:59:05	23 orthogonal doesn't mix significantly with the	16:01:40	23 know once you have it.
15:59:07	24 average luminance profile of a neighboring row.	16:01:58	24 A. Oh, there we go.
15:59:10	25 So he has got it homogenized within a row, but	16:02:08	25 Q. Let me share this. Now you're familiar

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DRAFT-129		DRAFT-131	
16:02:11	1 with this prior art reference as well; is that right?	16:17:26	1 Q. And those are described as plate edge
16:02:14	2 A. Yeah. I am.	16:17:31	2 supports. Right?
16:02:15	3 Q. And this is directed to a backlight unit.	16:17:31	3 A. Yes, I can read that.
16:02:22	4 Correct?	16:17:36	4 Q. Now, there's no description in the '382
16:02:23	5 A. This appears to be so.	16:17:42	5 patent of any of the optical characteristics of the
16:02:28	6 Q. And this uses LED chips. Correct?	16:17:47	6 diffuser supports. Correct?
16:02:32	7 A. It appears to be so.	16:17:51	7 A. I don't think there's anything in my
16:02:35	8 Q. And those are light emitting diodes.	16:17:52	8 declaration about optical characteristics of the '382
16:02:39	9 Correct?	16:17:57	9 diffuser support either.
16:02:39	10 A. Yeah.	16:18:01	10 Q. And by saying "either," that's
16:02:48	11 Q. Okay.	16:18:03	11 confirmation that there's no disclosure of the
16:02:52	12 MR. FERRARIO: Why don't we take a	16:18:06	12 optical characteristics of the diffuser supports in
16:02:55	13 ten-minute break and let me go through and see	16:18:10	13 the '382 patent. Right?
16:02:58	14 what else I have. Come back on at 4:12.	16:18:14	14 A. I don't think so.
16:03:03	15 Does that work?	16:18:18	15 Q. Now, figures 5B, C, and D show the
16:03:05	16 THE WITNESS: It should.	16:18:26	16 diffuser supports spaced about every two LEDs; is
16:03:08	17 (A recess was taken at 4:03 p.m., and the	16:18:33	17 that right?
16:14:35	18 deposition reconvened at 4:14 p.m.)	16:18:33	18 A. I don't think that's important.
16:14:35	19 Q. (By Mr. Ferrario) So, Mr. Bohannon, I'd	16:18:39	19 Q. In other words the claims aren't limited
16:14:37	20 like to share with you and ask you some questions	16:18:41	20 to any particular spacing of diffuser supports to the
16:14:44	21 about '382 patent and in particular Claim 4 which	16:18:44	21 LEDs. Right?
16:14:53	22 recites, The device of Claim 2 comprising a plurality	16:18:46	22 A. Well, I want to read the claim to be sure
16:14:57	23 of diffuser supports.	16:18:51	23 before I say "right" blindly. So it just looks like
16:15:00	24 Do you see that?	16:19:02	24 where the distal end or the far end of the support is
16:15:01	25 A. Yeah.	16:19:07	25 configured to support the diffuser sheet.
UNCERTIFIED ROUGH DRAFT		UNCERTIFIED ROUGH DRAFT	
DRAFT-130		DRAFT-132	
16:15:30	1 Q. And so you reviewed this claim and	16:19:17	1 Q. Right. So no limitation on spacing or
16:15:32	2 corresponding disclosure in connection with forming	16:19:19	2 anything like that?
16:15:37	3 opinions in your expert declaration. Correct?	16:19:24	3 MR. MASSAND: Objection to form.
16:15:42	4 A. Yeah.	16:19:26	4 THE WITNESS: As long as it's configured
16:15:42	5 Q. So I just want to ask you, go to Column 7	16:19:27	5 to support the optical elements. I mean, that's
16:15:47	6 where it talks a little bit about the diffuser	16:19:33	6 a part of the claim language that you can't skip
16:15:52	7 supports, the top of Column 7 it says, Referring now	16:19:36	7 over.
16:16:00	8 to Figure 5B, the solid state lighting device may	16:19:46	8 Q. (By Mr. Ferrario) So no limitation on
16:16:05	9 include multiple diffuser supports 164.	16:19:47	9 spacing. Correct?
16:16:08	10 Do you see that?	16:19:50	10 A. Say that again, please.
16:16:09	11 A. I do. I'm going to look at 5B so we're	16:19:51	11 Q. No limitation on spacing. Correct?
16:16:19	12 clear.	16:19:56	12 MR. MASSAND: Objection to form.
16:16:19	13 Q. Please do. You understand that they're	16:19:58	13 THE WITNESS: So it says in Claim 4,
16:16:21	14 configured to support the diffuser plate 140. Right?	16:20:00	14 wherein, the proximal end, or the nearest end,
16:16:38	15 A. Well, 5B looks like it's only supporting	16:20:03	15 configured to be positioned proximate the
16:16:44	16 140. 5C is supporting 140 and 142. And 5D is	16:20:07	16 plurality of solid state emitters and a distal
16:16:51	17 supporting 140 and 142. So there's several different	16:20:10	17 end is configured to support the diffuser sheet.
16:16:55	18 versions of it there.	16:20:14	18 So that kind of broadly defines how they should
16:16:56	19 Q. Okay. And I think the disclosures in	16:20:17	19 be arranged.
16:17:00	20 Column 7 relating to Figure 5B and then further on	16:20:26	20 MR. FERRARIO: I have no further
16:17:06	21 relating to Figure 5C describe the diffuser support?	16:20:28	21 questions. Pass the witness.
16:17:14	22 A. There's also 5A, though.	16:20:30	22 MR. MASSAND: We have no questions at this
16:17:19	23 Q. Now, 5A shows a different type of diffuser	16:20:33	23 time.
16:17:22	24 support. Right?	16:20:33	24 MR. FERRARIO: Mr. Bohannon, thanks for
16:17:23	25 A. It does.	16:20:34	25 your time.

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1	Juliana, we will need something. I don't	16:20:36
2	know what your time line is. Like any chance we	16:20:40
3	can get a rough by like Monday?	16:20:46
4	(Discussion regarding receipt of rough	16:20:46
5	draft.)	16:20:57
6	MR. MASSAND: I do want to read and sign.	16:22:57
7	THE COURT REPORTER: You just need an	16:23:05
8	electronic transcript?	16:23:07
9	MR. MASSAND: Correct.	16:23:09
10	MR. FERRARIO: Yes. Electronic only for	16:23:10
11	me as well.	16:23:12
12	(Whereupon, the deposition was concluded	16:24:47
13	at 4:24 p.m.)	16:24:47
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