[redacted]



UNITED STATES INTERNATIONAL TRADE COMMISSION

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | |
| CERTAIN SOFT PROJECTILE | ) | |
| | ) | Investigation No. |
| LAUNCHING DEVICES, | ) | |
| | ) | 337-TA-1325 |
| COMPONENTS THEREOF, | ) | |
| | ) | |
| AMMUNITION, AND PRODUCT | ) | |
| | ) | |
| CONTAINING SAME | ) | |
| | ) | |

[redacted]

IN-PERSON VIDEOTAPED DEPOSITION OF

GERALD FULLER

THURSDAY, FEBRUARY 9, 2023

STENOGRAPHIC REPORTER: CHRISTA YAN, CSR NO. 14316

DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
Washington, D.C. 20036
(202) 232-0646



PETITIONERS' EXHIBIT 1035
Prime Time Toys et al. v. Spin Master, Inc.
IPR2023-01461

[redacted]



1 BE IT REMEMBERED that on THURSDAY, the 9TH DAY OF
2 FEBRUARY, 2023, at the hour of 9:02 A.M., of said day, at
3 500 Arguello Street, Suite 500, Redwood City, California
4 94063, before me in-person, CHRISTA YAN, a Certified
5 Shorthand Reporter, State of California, personally
6 appeared GERALD FULLER, who was examined as a witness in
7 said cause; that said transcript format was prepared in
8 accordance with California Code of Regulations Section
9 2473.
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7 Okay. Will the court reporter please administer
8 the oath.
9 GERALD FULLER,
10 the Witness, called on behalf of the Respondents, being
11 duly sworn to state the truth, the whole truth, and
12 nothing but the truth, testified on oath as follows:
13 EXAMINATION
14 BY MR. GROSS:
15 Q Good morning, Dr. Fuller. Could you please state
16 your full name for the record?
17 A Gerald Gendall Fuller.
18 Q And can you please state your home address for
19 the record?
22 Q Thank you.

1 You understand that you are under oath today,
2 Dr. Fuller?
3 A I do.
4 Q And you understand that means you're required to
5 tell the truth to the best of your ability?
6 A I do.
7 Q Is there any reason you cannot give truthful and
8 accurate testimony today?
9 A There's none.
10 Q You're not on any medication or drugs that might
11 impair your ability to provide truthful and complete
12 testimony?
13 A I'm not.

3 Q Do you agree that there was nothing related to
4 the SAP limitation of the asserted claims that was not
5 well-known at the time of the invention?
6 A I cannot think of any.

18 Q Okay. So that gets to the next sentence there,
19 that we just read. So you do agree with Dr. Reitman that
20 adjustments to size, strength, and durability of the gel
21 were all routine and easily accomplished by well-known
22 methods at the time of the invention of the asserted

1 patents?

2 A Of course, it always takes some work.

3 Q Mm-hmm.

4 A But the literature available at the time would

5 provide such guidance.

6 Q So but going back to the first quoted sentence

7 here, do you agree that a POSITA would have known how to

8 produce soft projectile SAP ammunition configured for use

9 with a projectile launcher as of the priority date of the

10 asserted patents?

11 A Yes.