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

RAVIN CROSSBOWS, LLC,	)	
Petitioner,	)	
vs.	)	Case No. IPR2024-00522
	)	Patent No. 8,683,989
MCP IP, LLC,	)	
Patent Owner.	)	

CONFIDENTIAL

VIDEOCONFERENCE DEPOSITION OF MATHEW MCPHERSON
TAKEN ON BEHALF OF THE PETITIONER
FEBRUARY 7, 2025

VIDEOCONFERENCE DEPOSITION OF MATHEW MCPHERSON, produced, sworn, and examined on the 7th day of February 2025, between the hours of 9:00 o'clock in the forenoon and 6:00 o'clock in the evening of that date via Zoom videoconference, before KARA D. INCE, a Certified Court Reporter within and for the State of Missouri, in a certain cause now pending UNITED STATES PATENT AND TRADEMARK OFFICE, BEFORE THE PATENT TRIAL AND APPEAL BOARD, wherein RAVIN CROSSBOWS, LLC, is the Petitioner and MCP IP, LLC, is the Patent Owner.

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* * * * *

(The deposition commenced at 12:59 p.m.)

THE COURT REPORTER: We are on the record. My name is Kara Ince. I am a Missouri Certified Court Reporter, CCR License No. 1348. Today's date is February 7, 2025. Will the witness please raise their right hand.

MATHEW MCPHERSON,

of lawful age, being produced, sworn, and examined on behalf of the Petitioner, deposes and says:

EXAMINATION

MS. RAW: We'll do attorney appearances for the record.

Lydia Raw from Erise IP for Ravin Crossbows, LLC, the petitioner.

MR. COLVIN: Matt Colvin from Fish & Richardson here to represent the witness and MCP IP, Carl Bruce, Josh Griswold, and Ken Hoover may join, but they're not currently present.

BY MS. RAW:

Q. Good afternoon, Mr. McPherson.

A. Good afternoon.

Q. Can you, please, state your name and where you're located for the record.

A. My name is Matt McPherson, and I'm located

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1 **in Sparta, Wisconsin.**
2 Q. Okay. Have you ever had your deposition
3 taken before?
4 **A. Nope.**
5 Q. All right. First time. So I'll go over
6 just a few things at the beginning so we're all on
7 the same page.
8 So, as you can, see we have a court
9 reporter here with us today. She's going to be
10 taking down everything everyone says; so that means
11 two things. One, we do need to give verbal answers;
12 so nodding your head or shaking your head, "no," not
13 going to work. Need to say a verbal "yes" or "no."
14 And, then, the second reminder is to try not to
15 speak over each other.
16 So I will try my best to never speak over
17 you, and I would ask the same courtesy so the court
18 reporter is able to take down the testimony
19 accurately; is that fair?
20 **A. Fair.**
21 Q. Okay. If at any point today I ask a
22 question and you don't understand or you need me to
23 clarify something, I would ask that you just tell
24 me. I'm happy to clarify or rephrase my questions
25 if they're unclear; is that fair?

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1 **A. That's fair.**
2 Q. Okay. And if you answer my question, I'm
3 going to assume that you understood the question;
4 fair?
5 **A. I understand.**
6 Q. Okay. I do like to take a break about
7 every hour. If for any reason you need a break
8 earlier; water, restroom, anything like that,
9 please, just let me know. I just ask that if
10 there's a pending question, you answer the question
11 before we go on break; okay?
12 **A. Yes.**
13 Q. All right. Is there anyone in the room
14 with you right now, other than your attorney,
15 Mr. Colvin?
16 **A. No.**
17 Q. Okay. And did you bring any documents
18 with you today?
19 **A. I did.**
20 Q. Okay. What documents do you have with
21 you?
22 **A. I have the declaration.**
23 Q. Okay. Is there any --
24 **A. And the --**
25 Q. Yep. Sorry, I didn't mean to cut you --

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1 **A. I'm sorry. Yeah, and I have bow reports**
2 **all from Bill Krenz.**
3 Q. Okay.
4 **A. And, then, I also have a -- one of the**
5 **patents.**
6 Q. Okay. Which patent is it?
7 **A. It's the '868389 -- excuse me -- '8- --**
8 **I'm dyslexic -- 8,683,989-B1.**
9 Q. Okay. Is that all the documents --
10 **A. Sorry about that.**
11 Q. -- you have with you today?
12 (Reporter clarification.)
13 **A. B1, boy -- boy 1, B1.**
14 **So it's -- yeah, 8,683,989-B, as in boy,**
15 **and 1.**
16 BY MS. RAW:
17 Q. Okay. And just to confirm, are there --
18 is there anything else open on your computer right
19 now, other than this video conference link?
20 **A. There is not.**
21 Q. Okay. Is there any reason why you would
22 not be able to give complete, truthful testimony
23 today?
24 **A. No, there is not.**
25 Q. Okay. And you understand you're under

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1 oath today, which is just the same oath you would
2 take if we were in a court proceeding?
3 **A. Yes.**
4 Q. Okay. And the declaration -- well,
5 actually, let me ask this first: So those documents
6 we just went through that you have in front of you,
7 can you confirm that there's no marking, writing,
8 highlighting that you've added to any of those
9 documents?
10 **A. Yeah, this is a clean copy.**
11 Q. Okay.
12 **A. Yeah, completely clean.**
13 Q. Okay. Perfect.
14 I -- I will say throughout the deposition
15 if I refer to any of those documents, I'm going to
16 drop an electronic version in the chat; so the court
17 reporter -- reporter has it; so we have it for the
18 record, but you are welcome to refer to your paper
19 copies, if you have one, at any time. I don't care
20 if you like electronic or paper. That's completely
21 up to you; all right?
22 **A. Yes.**
23 Q. Okay. And the declaration you have in
24 front of you, that's the only declaration that
25 you've submitted in connection with these IPR

proceedings; correct?

A. Yes.

Q. Okay. And you reviewed that declaration to make sure it was completely truthful and accurate before signing it; right?

A. Yes.

Q. Okay. Sitting here today, are you aware of any inaccuracies? Anything you'd want to change about it?

A. No.

Q. Okay. All right. I'm going to add your declaration here to the chat, and we will mark this as Exhibit A.

(Deposition Exhibit A was marked for identification.)

[redacted]

[redacted]

Q. Okay. Can you go to Paragraph 6 of your declaration?

A. Okay.

Q. All right. Do you see that in Paragraph 6, you say, I invented a compound bow cam design that I referred to as the Reverse Wrap cam design?

A. Yes.

Q. Okay. And do you recall when you first conceived of the idea of a Reverse Wrap design?

A. No, I really don't.

Q. In -- let's do this -- in your words, how would -- how would you describe what the Reverse Wrap cam design, that you invented, is?

A. What it is or how it works, would be my question?

Q. Yeah, let's start with just what it -- what it is.

Someone says: What is that, how would you

describe your information?

A. The invention --

MR. COLVIN: Objection. Form. Calls for a legal conclusion.

THE WITNESS: Okay.

A. I would have to look through the patent to really give that full thing again, but it's -- basically, it's a design to allow me to get approximately one-inch longer draw length out of the product.

[redacted]

[redacted]

[redacted]

19 BY MS. RAW:
20 Q. In Paragraph 6, you refer to it as a
21 compound bow cam design.
22 When you -- when you were first designing
23 this -- this Reverse Wrap idea, did you think about
24 how you could apply it to crossbows?
25 A. I don't remember.

1 Q. Okay.
2 A. I mean, if you would have asked me back
3 then, I would have said: Yes, I certainly can put
4 it on a crossbow.
5 Q. Okay.
6 A. Whether I thought that thought or not,
7 I'm -- I don't remember.
8 [redacted]
13 Q. Okay. Would there be any difference to
14 the -- the benefits we've been discussing if the
15 Reverse Wrap was on a crossbow versus a vertical
16 bow?
17 A. That's a great question. You don't
18 trange -- you don't change draw lengths on a
19 crossbow, typically.
20 Q. Okay.
21 [redacted]

[redacted]

[redacted]
9 Q. Okay. Would you -- well, strike that.
10 Did you share the idea for the Reverse
11 Wrap design with anyone before you created the CAD
12 drawings?
13 A. No.
14 Q. At what point in your design process did
15 you share your Reverse Wrap cam design idea?
16 A. I don't know exactly when, but, typically,
17 what I would do is [redacted] **And at**
24 that point, once that first one's built, then I
25 would start showing it.

LEXITAS

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Q. Do you recall about when that first physical prototype was created?

A. No, I'm sorry.

Q. Okay. Do you know if that first physical prototype is around still somewhere?

A. Not likely.

Q. Okay. Why do you think that's not likely?

A. We go through so many prototypes, that we would just have a building full of aluminum, you know. I mean, there has been some bows that -- there might be 100- -- 119 was one of my bows, not that one -- there was 119 prototypes just for one of the many, many, many bows that we've built. And over time, of course, we're, like: Well, we don't need that, you know, and then we just melt it down and get what we call pizza money.

Q. Do you -- what- -- what's your best guess for how many different prototypes you made of this Reverse Wrap design before it went into production?

A. You know what, I -- I couldn't guess. I would have to go back and look at all the CAD drawings that I did, but it would be -- it would have been quite a few. That's all I would know.

Q. Okay. So you also reference CAD drawings plural; so I assume the CAD drawings changed

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throughout the design process for a rever- -- Reverse Wrap; is that fair?

(Reporter clarification.)

THE COURT REPORTER: I'm sorry -- I'm sorry. Can you repeat -- "I assume the CAD drawings" ...

BY MS. RAW:

Q. Changed during the design process for the Reverse Wrap?

A. Is -- you want to rephrase that question to me now or ...

[redacted]

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[redacted]

Q. Okay. At what point during the design process did you start referring to the design as the "Mission Menace" bow?

A. I am not sure.

Page 20

Q. Were there any other names that were used for the prototype -- prototypes?

A. Not that I'm aware of.

Q. At any point during the design process, did you get feedback from any nonemployee; so a customer, retailer, other expert, anyone like that?

MR. COLVIN: I'm just -- object to the scope. Counsel, we- -- we're pretty far afield of the declaration here. I've given you a lot of leeway in exploring your different topics here, but we really need to get back to the declaration.

MS. RAW: Okay. I'll ask for a response to my pending question.

[redacted]

[redacted]

7 Q. Okay. Can you turn to Paragraph 9 of your
8 declaration?
9 A. Okay.
10 Q. Do you see in Paragraph 9, you state, The
11 Mission Menace bow was designed in 2008, and
12 launched in October of 2008?
13 A. Yes.
14 Q. Does that refresh your recollection on
15 when you conceived of the Reverse Wrap design?
16 A. I would -- I would say, yeah.
17 Q. Okay. So when would you say you conceived
18 of the Reverse Wrap design?
19 A. Well, the question is: When did I
20 conceive it in my mind, and when did I conceive it
21 for real? That was the -- that was the struggle for
22 me. Obviously, as far as prototype, it would have
23 been 2008.
24 Q. Okay. Would the first CAD drawings you
25 made have also been around 2008?

1 A. Yes, ma'am.
2 Q. Do you recall when your -- you deemed the
3 design ready to go to production?
4 A. I do not.
5 Q. You would -- would you agree that all the
6 testing was complete before the launch date of the
7 Mission Menace bow?
8 A. Yes.
9 [redacted]

[redacted]

1 [redacted]
11 Q. Okay. When one of your -- your company's
12 bows has a -- had a release date, what -- what does
13 "release date" mean to you?
14 A. Well, to me, "release date" means the day
15 it becomes public.
16 Q. Can you go back to Paragraph 7 of your
17 declaration?
18 Do you see in Paragraph 7, you explain
19 that, The Reverse Wrap configuration allows the cam
20 to rotate a greater distance than if the power cable
21 were terminated inboard of the power cable cam's
22 perimeter, and wrapped directly onto the power cable
23 cam.
24 You see that?
25 A. Yes.

Q. Okay. And I -- as we were talking earlier, the "rotating greater distance," is that something you consider a benefit of the Reverse Wrap design?

A. Yes.

Q. And, then, you continue, This greater rotation in turn allows the bow designer more freedom in designing the cam to take up the power cable.

Do you see that?

A. Yes.

Q. What do you mean by "more freedom in designing"?

A. Allows it to have a little bit larger window of draw lengths.

Q. Does the power cable configuration in the Reverse Wrap design impact the amount the power cable's wear?

MR. COLVIN: Objection to form.

A. Are you saying does the Reverse Wrap affect the wear of the cable over a standard hookup?

BY MS. RAW:

Q. Right.

A. I would say no.

Q. Okay. Why would you say no?

A. Because if it's designed properly to begin with, you know, they would make sure that the power cable is already pressing into the take-up cam. As long as it's doing that and it's not rotating -- in other words, it's not rolling -- it's -- it's laying down on it, but it's not rubbing on it. In a sense of the -- the terminal, in a normal situation, if that cable is being pulled straight to the terminal and it has to, let's say, move -- 1, 2, 3 -- 4 degrees before it hits the take-up, you could get wear and tear in the terminal -- the cable terminal, which pretty much people don't design it that way because of that very reason, but that is -- I guess, you could say an advantage. Ours -- ours is only unwrapping. If we have to call it one way or another, it -- it potentially could unwrap, but not rub, if that's what it -- that's what I'm trying to say.

[redacted]

BY MS. RAW:

Q. Okay. Can you go to Paragraph 8 of your declaration. And I'm going to refer, specifically, to the last sentence in that paragraph, which is on the next page.

Okay. Do you see the last sentence of Paragraph 8 says -- referring to the -- the patents -- Figures 1 through 3 were based off of the CAD drawings of the cams for the Mission Menace bow, and Figures 4 through 6 were based off of the CAD drawings of the cams for the Monster bow.

Do you see that?

A. Yes.

Q. And you didn't attach the CAD drawings to this declaration; correct?

A. No.

Q. Okay. But the company -- does the company still have those CAD drawings somewhere?

A. Yes.

Q. Did you look back to the CAD drawings you referred to in this paragraph before signing the declaration?

A. I'm assuming I did.

Q. You're assuming you did or you know that you did?

A. I'm pretty sure I did because we would likely be -- have been looking for first date of drawings -- CAD drawings; so I'm assuming I did.

Q. Okay. And were the -- the CAD drawings that you're referring to here, would those be the final CAD drawings of the in-production bows or was -- those be perhaps an earlier version of the CAD drawings?

A. Likely, all of the above, all the way to the beginning.

Q. Okay. The -- for the figures in the patent to be based on the CAD drawings, did you send those CAD drawings to some attorney who worked on those patents?

A. I don't remember.

[redacted]

[redacted]

3 Q. Did you, yourself, create the figures in
4 any of the patents?
5 **A. I can't say that. I don't know.**
6 Q. Okay. Just so the record is clear, you --
7 you don't recall, sitting here today, one way or the
8 other, whether you sent the CAD drawings to the
9 patent attorney who prosecuted these patents?
10 **A. I don't recall.**
11 Q. If the CAD drawings were sent to the
12 patent attorney, are -- are you the one who would
13 have done it, or is there someone else at the
14 company who might have done that?
15 **A. It would not likely have been me.**

[redacted]

1 [redacted]

[redacted]

13 Q. Okay. Do you recall telling someone to
14 send the CAD drawings to the patent attorney?
15 **A. I do not.**
16 Q. Okay. Do you recall ordering two Mission
17 Menace bows near the release date of those bows?
18 **A. It's -- it's something that I would**
19 **typically do, yes.**

[redacted].

[redacted]

11 Q. Do you know where those two Mission Menace
12 bows are now?
13 **A. I do not.**
14 Q. Do you know if anyone's looked for them?
15 **A. We've looked for them, but haven't found**
16 **them. We would go through hundreds of designs. So**
17 **if I -- if I calculated all bow designs that we**
18 **could have held onto all these years, it would be**
19 **in -- probably in the thousands; so we just didn't**
20 **have room for something like that.**
21 [redacted]

[redacted]

7 Q. Do you know if those two Mission Menace
8 bows were shipped to you, or just dropped off at
9 your office, or how they got to you?
10 A. That's a good question.
11 I would say 100 percent, it was just
12 dropped off.
13 Q. Have you ever had any bows shipped to your
14 house?
15 A. Not that I know of, ever. When I can pick
16 it up, you know, or have somebody drop it off.
17 Q. Would you consider those -- I believe that
18 you said earlier that you haven't reviewed any of
19 the filings that MCP IP has made in the IPRs; is
20 that correct?
21 A. Let me try un- -- let me try to understand
22 that. What -- what do you mean by that; reviewed
23 other IPRs? You mean outside of my patent stuff, is
24 what you're saying? I mean ... yeah.
25 Q. Yes. Just documents filed in the IPR,

[redacted]

1 specifically. Not the patents, but -- but I mean --
2 A. On -- on this case? Oh, no. I don't -- I
3 don't recall.
4 Q. Okay. Would you agree that it's important
5 for all of the statements made by your attorneys in
6 those filings to be truthful and accurate?
7 A. Of course.
8 Q. And you would agree that it's important
9 for your employees to be completely truthful in any
10 declarations that they've signed in the IPRs?
11 A. Yes.
12 Q. And have you reviewed any of the
13 declarations, other than your own, of course, that
14 were presented in the IPR?
15 A. I have not.

[redacted]

[redacted]

[redacted]

BY MS. RAW:
Q. Then I will just ask this: Mr. McPherson, is there anything in your declaration that would support the statement that the Mission Menace bow was first shipped to customers on September 26th of 2008?
A. No.
Q. Okay. Are you aware of any evidence that would support that statement?
A. I am not.
Q. Okay. Would you consider yourself a -- when -- when you acquired those two Mission Menace bows, did you consider yourself a customer?
A. Absolutely not.
MS. RAW: Okay. Let's take a 10-minute break, please.
MR. COLVIN: Okay. Thanks.

THE WITNESS: Okay.
(A recess was taken from 1:46 p.m. to 2:00 p.m.)
BY MS. RAW:
Q. All right. Mr. McPherson, can you go, again, to Paragraph 9 of your declaration, please.
A. Yes.
Q. Okay. And, again, that first sentence notes that the Mission Menace bow was launched in October 2008?
A. Yes.
Q. Was the -- was October 2008 the first -- the first month that the Mission Menace bow was commercially available?
A. I honestly don't know. I- -- I'm not sure.
Q. So you don't know if it was commercially available prior to its launch?
A. Well, no, no. I mean, it was launched in October, but I just don't know what day or anything.
Q. Okay. Because I believe you testified earlier that you don't consider yourself the first customer of the Mission Menace bow?
A. No.
Q. Okay. So whatever -- whatever date the

first customer actually placed an order for a Mission Menace bow, that would be your understanding of when the -- the bow became commercially available; right?
A. Yes.
MS. RAW: Okay. No further questions.
MR. COLVIN: Okay. No further questions here.
MS. RAW: Okay.
MR. COLVIN: That will conclude the deposition. Oh, sorry, before we go off the record, I want to mark this transcript "confidential."
MS. RAW: Thank you very much for your time, Mr. McPherson, and for your flexibility in moving it earlier; so we could have our afternoon back.
THE WITNESS: Yeah, it's good for all of us. Thank you.
MS. RAW: Okay.
THE COURT REPORTER: Read and sign on this one, Mr. Colvin?
MR. COLVIN: Yes, please, same. We don't need anything special.
(The deposition concluded at 2:01 p.m.)

CERTIFICATE OF REPORTER

I, Kara D. Ince, a Certified Court Reporter for the State of Missouri, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Kara D. Ince
Missouri Supreme Court
Certified Court Reporter

ERRATA SHEET

Witness: Mathew McPherson

RAVIN CROSSBOWS, LLC v. MCP IP, LLC

Date Taken: February 7, 2025

Page #____ Line #____

Should read:

_____

Reason for change:

_____

Page #____ Line #____

Should read:

_____

Reason for change:

_____

Page #____ Line #____

Should read:

_____

Reason for change:

_____

Witness Signature: _____

STATE OF)
)
COUNTY OF)

I, Mathew McPherson, do hereby certify:

That I have read the foregoing deposition;

That I have made such changes in form and/or substance to the within deposition as might be necessary to render the same true and correct;

That having made such changes thereon, I hereby subscribe my name to the deposition.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed this ____ day of _____, 20___, at _____.

_____
Notary Public

My commission expires: _____

_____
Mathew McPherson