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UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

In the Matter of:

CERTAIN PORTABLE BATTERY

JUMP STARTERS AND COMPONENTS INV. No. 337-TA-1359
THEREOF (II)

_____ /

VIDEOTAPED REMOTE DEPOSITION OF
BRYAN A. LEGATES
Monday, September 25, 2023
6:05 a.m. Pacific Standard Time

Reported by:

Janice M. Kocek, CSR, CLR

Job No. 5436181

2 1 The videotaped deposition of 2 BRYAN A. LEGATES, taken via Zoom 3 videoconferencing, called by the Respondents 4 for examination, reported stenographically by 5 Janice M. Kocek, License No. 084-002871, 6 Certified Shorthand Reporter, Certified LiveNote 7 Reporter, and Notary Public for the State of 8 Illinois, commencing at the hour of 6:05 a.m. 9 Pacific Standard Time, on Monday, September 25th, 10 2023. 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	4 1 APPEARANCES: 2 3 HUSCH BLACKWELL, LLP 4 8001 Forsyth Boulevard, Suite 1500 5 St. Louis, Missouri 63105 6 314.480.1500 7 BY: SAMANTHA SWEET, ESQ. 8 samantha.sweet@huschblackwell.com 9 10 On behalf of Respondents Carku Technology Co., Ltd. 11 PERKINS COIE LLP 12 11452 El Camino Real, Suite 300 13 San Diego, California 92130-2080 14 858.720.5700 15 BY: KYLE R. CANAVERA, ESQ. 16 kcanavera@perkinscoie.com) 17 18 19 20 21 22 23 24 25
3 1 APPEARANCES: 2 ** ALL PARTICIPANTS APPEARING REMOTELY ** 3 4 On behalf of the Complainant, The NOCO Company: 5 JONES DAY 6 901 Lakeside Avenue 7 Cleveland, Ohio 44114 8 216.586.3939 9 BY: JOHN C. EVANS, PH.D., ESQ. 10 jcevans@jonesday.com 11 12 On behalf of the Respondents Winplus North 13 America, Inc., Winplus, NA, LLC, ADC Solutions 14 Auto LLC d/b/a Type S Auto, and Shenzhen Pinwang 15 Industrial Technology Co., Ltd.: 16 HUSCH BLACKWELL, LLP 17 1801 Pennsylvania Avenue, NW, Suite 1000 18 Washington, DC 20006 19 202.378.2300 20 BY: STEPHEN P. BOSCO, ESQ. 21 stephen.bosco@huschblackwell.com 22 -and- 23 24 25	5 1 APPEARANCES: 2 3 On behalf of The Office of Unfair Import 4 Investigations 5 INTERNATIONAL TRADE COMMISSION 6 500 E. Street, SW 7 Washington, D.C., 20436 8 202.205.2000 9 BY: CLAIRE K. COMFORT, ESQ. 10 clare.comfort@usitc.com 11 12 ALSO PRESENT: 13 DEWEY NELSON - Legal Videographer 14 15 16 17 18 19 20 21 22 23 24 25

6 1 INDEX 2 WITNESS PAGE 3 BRYAN A. LEGATES 4 BY MR. BOSCO 9 5 BY MR. EVANS 84 6 7 EXHIBITS 8 9 EXHIBIT DESCRIPTION PAGE 10 Exhibit 1 Bryan Legates LinkedIn Profile 13 11 12 Exhibit 2 Respondents' Subpoena Ad Testificandum to Bryan Legates 28 13 14 Exhibit 3 Email string, Subject: patent Litigation, Inv. No. 337-TA-1359, with attachments LEGATES00000046-00000049 49 15 16 Exhibit 4 Linear Technology, "LT3477, 58 3A, DC/DC Converter with Dual Rail-to-Rail Current Sense" LEGATES00000001-00000020 58 17 18 19 20 21 22 23 24 25	8 1 THE VIDEOGRAPHER: Here begins 2 Volume I in the video deposition of Bryan 3 Legates taken in the matter of Certain 4 Portable Battery Jump Starters and 5 Components Thereof in the United States 6 International Trade Commission, Washington, 7 D.C., Investigation Number 337-TA-1359. 8 Today's date is September 25th, 9 2023. The time on the video monitor is 10 6:05 a.m. This deposition is being held 11 remotely. The witness is located in Los 12 Altos, California. 13 The court reporter is Janice 14 Kocek on behalf of Henderson Legal 15 Services. And I'm the videographer, Dewey 16 Nelson, also on behalf of Henderson Legal 17 Services. 18 Will counsel please introduce 19 themselves and state whom they represent 20 beginning with the party noticing the 21 deposition. 22 MR. BOSCO: This is Stephen Bosco 23 with Husch Blackwell representing the 24 Winplus respondents as that's defined in 25 the subpoena. And also on the deposition
7 1 EXHIBITS 2 EXHIBIT DESCRIPTION PAGE 3 Exhibit 5 USB supply voltage measurements: April 2004 FAE meeting: 4/19/2004 LEGATES00000050 63 4 5 6 7 Exhibit 6 Analog Devices 650 kHz/1.3 MHz Step-Up PWM DC-to-DC Switching Converters, Data Sheet ADP1612/ADP1613 70 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	9 1 is my colleague, Samantha Sweet. 2 MR. CANAVERA: Hi. This is Kyle 3 Canavera from Perkins Coie on behalf of the 4 Carku respondents. 5 MR. EVANS: John Evans of Jones Day 6 here on behalf of complainant, The NOCO 7 Company. 8 MS. COMFORT: Claire Comfort with the 9 Office of Unfair Import Investigations at 10 the United States International Trade 11 Commission. 12 THE VIDEOGRAPHER: Will the court 13 reporter please swear in the witness. 14 (Witness remotely sworn.) 15 THE VIDEOGRAPHER: Please proceed. 16 BRYAN AVERY LEGATES, 17 called as a witness herein, having been first 18 duly sworn, was examined and testified as 19 follows: 20 EXAMINATION 21 BY MR. BOSCO: 22 Q. Good morning. Could you please state 23 your full name for the record. 24 A. Full name Bryan Avery Legates. 25 Q. Mr. Legates, first of all, I just

10 1 want to thank you for being here. I know it's 2 extremely early where you are and I appreciate 3 your time. 4 I wanted to go over a few ground 5 rules. Well, I guess, first of all, I'll just 6 ask, have you ever been deposed before? 7 A. No. Almost, but this is my first 8 time. 9 Q. Okay. Well, then I think all the 10 more importantly we discuss some of the 11 fundamentals of depositions. 12 You understand that you're under 13 oath, correct? 14 A. Correct. 15 Q. And you understand that I'll be 16 asking you questions and, generally speaking, 17 you're going to be obligated to answer those 18 questions. The only reason you wouldn't answer 19 is if there is a privilege issue. 20 Now, is it correct that you're not 21 represented by counsel today? 22 A. That is correct. 23 Q. So I think there's unlikely to be a 24 privilege issue. I guess it would only come up 25 if there were some prior privilege matter	12 1 A. No. No reason. 2 Q. Anyone in the room with you? 3 A. No. Everyone is asleep here, so 4 we're good. And I'm in a separate part of the 5 house, so even -- it's fine, yeah. 6 Q. Do you have your phone with you by 7 any chance? 8 A. Somewhere I do. I can get it out. 9 Q. If you can just make sure it's sort 10 of inaccessible. 11 A. Actually, I'll just make sure it's 12 turned off. No one should be calling me this 13 morning. Okay. 14 Q. And I assume you're using a laptop or 15 a tablet of some type? 16 A. Yeah, I'm on my laptop. 17 Q. Could you just make sure that any 18 messaging feature is disabled, like IM feature, 19 anything like that? 20 A. Yeah, I will do that. I'll close 21 that right now. 22 Q. And then, as I said, this is going to 23 proceed in a question/answer format. I'll try 24 to keep it to blocks of an hour or less. And if 25 there's any time that you need to take a break,
11 1 that -- 2 A. And if there was a question that 3 related to my previous employer that I would 4 consider still confidential, I wouldn't answer 5 it, but that's my understanding of that. 6 Q. And then related to just the back and 7 forth of the deposition, we're obviously doing 8 this remotely. So it's all the more important I 9 think that you wait for me to ask my question 10 before you answer because otherwise we'll just 11 talk over each other. 12 A. Understood. Understood. 13 Q. And related to that, counsel for 14 other parties to this case may lodge objections 15 at various times after I ask a question. Like I 16 said, you're obligated to answer once they lodge 17 their objection and get it on the record. 18 A. Okay. After their objection it 19 sounds like? 20 Q. Yes. We want to give them an 21 opportunity to get their objection on the record 22 and then you proceed with your answer. 23 A. Perfect. Okay. 24 Q. Is there any reason you can't testify 25 competently today?	13 1 please let me know. 2 A. Okay. That's fine. 3 Q. Okay. So first, I'd like to ask you 4 some questions just about your employment 5 background and educational background. And to 6 sort of provide a framework for that, I put a 7 copy of your LinkedIn profile in the exhibit 8 share. 9 Do you see that? 10 A. I do. 11 Q. So I'll mark that as Exhibit 1 if 12 it's not marked already. 13 (Legates Deposition Exhibit 1 14 was marked for identification.) 15 BY MR. BOSCO: 16 Q. Does what I'll call now Exhibit 1 17 look like a copy of your LinkedIn profile? 18 A. Yeah. That's it. Looking quick at 19 the dates. That looks correct. 20 Q. And do you generally keep your 21 LinkedIn profile fairly up to date with your 22 employment history? 23 A. You know, yes. I don't do much 24 social media, but that one I did because a lot 25 of customers used to look at it before visits

14 1 and after visits. So -- and I don't do a whole 2 lot of LinkedIn, but I do keep it up to date, 3 yes. 4 Q. Okay. Great. Well, let's -- I 5 guess, first, I'll just start with your 6 educational background. Could you give me sort 7 of a narrative summary of your educational 8 background after high school? 9 A. I went to undergrad at NC State. 10 Most undergraduates are pretty broad but I 11 specialized in kind of analog circuits at the 12 end, senior year for course selection, and then 13 went to Georgia Tech for my master's; also 14 focused on analog electronics, specifically 15 analog IC electronics. 16 Q. And when you say IC, what do you 17 refer to? 18 A. Integrated circuits. So design at 19 the transistor level of semiconductors, yeah. 20 If that makes sense. 21 Q. Okay. And so at NC State, North 22 Carolina State, you got a degree in electrical 23 engineering? 24 A. Electrical engineering both for my 25 bachelor's and for my master's, but I guess the	16 1 So essentially just -- I mentioned my 2 background was IC. So there's IC design and 3 then there's system design. I've done a little 4 bit of both, but most of my time has been spent 5 designing the transistor level circuits and the 6 little black squares you see in any box that are 7 the center of a DC to DC converter basically. 8 Q. Okay. So how long has DC to DC 9 converters been around to the best of your 10 knowledge? 11 A. Well, long before -- actually I don't 12 know. That's a very good question. At least a 13 couple decades -- at least, at least a couple 14 decades before I started looking at it, I'm 15 sure. Because some of the papers were pretty 16 old. 17 Yeah, so in rudimentary forms, 18 they've been around a long time. 40 -- more 19 than 40 years, I would guess, but I'm honestly 20 not sure. Yeah. 21 Q. Okay. So how long were you at 22 National Semiconductor? 23 A. About two and a half years. 24 Q. And then where did you start working 25 after that?
15 1 specialization at both places was more targeted 2 towards analog IC design. 3 Q. Okay. So you have a master's in 4 electrical engineering as well? 5 A. Correct. 6 Q. And then so after you got your 7 master's, what was your first job? 8 A. First job was the National 9 Semiconductor, designing DC/DC converters, again 10 designing integrated circuits here in Silicon 11 Valley. 12 Q. So you mentioned DC to DC converters, 13 and that's something we'll talk about a lot, but 14 might as well, if you can, give a high level 15 explanation of what that is. 16 A. It's really just a kind of voltage 17 regulator that takes one DC voltage and steps it 18 down or up to another or sometimes can keep it 19 at the same, but basically converts one DC 20 voltage into another DC voltage. And that's 21 what I've spent my whole career working on as an 22 IC designer and design manager director; and 23 then now, I'm kind of on the business side of 24 things but still involved on the technical side, 25 too.	17 1 A. Then I went to Analog Devices I think 2 also for about two and a half years doing the 3 same kind of products. 4 Q. So can you give a kind of high level 5 description of Analog Devices, the company, I 6 mean what their business is, at least at that 7 time. 8 A. At that time, and even still a little 9 bit today, they produce a variety of analog 10 semiconductors, some digital, too. But they 11 make a lot of analog integrated circuits for a 12 variety of end markets, if that makes sense. 13 Q. And these are the type of integrated 14 circuits that consumers have in electronic 15 devices that they use all the time, right? 16 A. Pretty much everything imaginable, 17 yes. I would -- yeah, if you look at the full 18 career, I mean, consumer, industrial, 19 automotive, data center, I mean, pretty much 20 every -- every electronic and, even in these 21 days, a lot of mechanical things have a whole 22 lot of DC/DC converters in them for sure. 23 Q. So when you were at Analog Devices, 24 you continued to work on DC to DC converters; is 25 that right?

18 1 A. Correct. Correct. 2 Q. And then it looks like -- well, where 3 did you go next after -- 4 A. Next was Linear Technology where the 5 bulk of my career was spent, I think almost 19, 6 20 years, something like that. 7 Q. Where was -- where's -- where was 8 Linear Technology when you worked there? 9 A. It was based in Milpitas, California, 10 which is the same, it's at the southern tip, 11 kind of the San Francisco Bay. So one of the 12 many towns and cities in Silicon Valley. 13 Q. And what was their business model in 14 general? 15 A. In terms of business model, theirs 16 was a little unique that they focused on the 17 high-end products that we did. We're focused on 18 the top kind of 3 -- 2 to 3 percent of the 19 market. So we tended not to -- not to focus on 20 commodity stuff but on kind of high margin, high 21 value business, if that makes sense. 22 Q. Can you explain a little bit more 23 what the difference is in that market 24 segmentation? What are some of the applications 25 for that high margin?	20 1 examples of the type of companies that would 2 have been customers for Linear Technology? Not 3 asking for, you know, you to confirm that any 4 one company was a customer but just the types of 5 companies. 6 A. No, they're all over the map. So if 7 you look -- I meant to go look at the old 8 financial -- but -- look at the old financial 9 statements. It's all public knowledge even 10 though the company is not around anymore. It's 11 been acquired. But we had a really broad 12 customer base and sold everything, like I said, 13 automotive, industrial, even -- we would say 14 high-end consumer, more the consumer. But we 15 had customers, what we would call, automotive 16 Tier 1s. We had newer automotive customers. We 17 had cell phone customers for early in the -- 18 kind of early up until maybe 15 years ago or 19 something like that. We even did -- focused on 20 high-end cell phones and things like that. 21 But it was extremely broad. Not one 22 or two customers. For some of my products, 23 there would literally be thousands of customers 24 who would be using them because it's very broad. 25 We sold a lot through distribution. That's
19 1 A. Industrial and automotive were some 2 of our biggest segments because they tend to be 3 the customers that value features and 4 performance and are willing to pay for it. So 5 our job was to do -- I mean, they're at -- at 6 the time, a lot of competitors in that space, 7 but I think Linear was known for always coming 8 out with things first and being really 9 innovative and unique and kind of foreseeing 10 trends before they happened. So being first to 11 market, especially with a high performance 12 product lets you price it above others. 13 So basically we try to do performance 14 levels whether it's accuracy or efficiency or a 15 dozen of different things that were always 16 better than the competition and always 17 constantly staying ahead of them and allowed us 18 to charge more for our products. A lot of it 19 was a mindset, too. We had leadership that was 20 pretty firm on what we -- on staying in that 21 market so we walked away from a lot of business 22 that many people would consider low-margin 23 business to keep our profit margins up, just 24 kind of as a general business mentality. 25 Q. Okay. Can you give kind of some	21 1 another way you keep margins up. You sell in 2 smaller volumes. You aren't always chasing huge 3 volumes. And then you provide them really good 4 technical support, and that was a way to grow 5 business at really small to midsized customers. 6 Q. So thinking about the automotive 7 sector, would the customer for Linear typically 8 be like a Ford or would it be some supplier of 9 Ford? 10 A. It typically would be a Tier 1. So 11 later at my time at Linear, I think my LinkedIn 12 profile shows I left in 2019, which -- after 13 Linear was acquired by Analog Devices; but I'd 14 say that last four or five-ish years between 15 whatever, 2014, '15, maybe, and 2019, that's 16 just a guess on the front-end date, we started 17 having a lot of direct involvement with 18 automotive companies because they were trying to 19 do things that some of the Tier 1s maybe weren't 20 doing fast enough. 21 But primarily the people that 22 designed our products in and bought them and 23 that we interfaced with were what you would 24 consider a Tier 1 or a Tier 2. That's a Bosch, 25 that's a DENSO, that's a Quikto (phonetic),

22 1 that's a dozen other ones. So most often 2 Tier 1s in the automotive space. 3 Q. Okay. And so Tier 1 is -- do I 4 understand correctly that Tier 1 is not Ford or 5 GM, but it's like they are top level suppliers? 6 A. That is correct. They break their 7 systems up. They defined -- most auto companies 8 define their cars kind of at a system level and 9 then they break the pieces up and give it to 10 Tier 1s often, some others, that actually design 11 the electronic and mechanical systems for the 12 car. 13 Q. And did you find that your customers 14 were coming to you with capabilities that they 15 wanted and -- and you, I mean Linear -- but 16 capabilities that they wanted and asking Linear 17 to help them with that? 18 A. Yeah, we would do customer visits. 19 Myself and senior members of my team and 20 actually as -- a broad number of people would do 21 four to five weeks of customer visits a year. 22 And partly it's looking at what they're doing 23 with their currently released products and also 24 looking at things they want to try to do for 25 next generation products, and that's where we	24 1 Technology? 2 A. I can look directly. Through 2019. 3 So I think it was just under 19 years at Linear 4 and then two more years at Analog Devices after 5 that that were still working on all the same 6 products and the same teams, just under -- 7 underneath Analog Devices after that 8 acquisition. 9 Q. Okay. And when was the Analog 10 Devices acquisition to the best of your 11 knowledge? 12 A. March 2017. 13 (Stenographer clarification.) 14 MR. BOSCO: Quick with my questions, 15 too. 16 THE WITNESS: No, you're fine. I'll 17 just pause a little bit. 18 BY MR. BOSCO: 19 Q. So can you give just a high level 20 overview of the different positions you had at 21 Linear Technology? You kind of already did, but 22 just lay them out one by one. 23 A. I started there in more -- as a 24 straight IC designer. So just I think senior 25 engineer and then section leader, design
23 1 got new product definitions from. 2 So really hearing from them what they 3 were trying to do and what they were doing today 4 and what they didn't like about their 5 application today and things like that. 6 But, yeah, they would share a lot of 7 information about what they were trying to do 8 and what they wanted to do. 9 Q. And this may be self-explanatory, but 10 what's a new product definition that you just 11 mentioned? 12 A. It's really looking at what kind of 13 analog IC, in my case, DC to DC converters 14 typically, that needed to be designed next. 15 Meaning we have this, you know, 40 products 16 released on the market. These two or three are 17 similar to what they're looking for but not 18 quite. How do we add features to them? How do 19 we add performance? How do we reach a higher 20 power level and make a new product out of that? 21 That simple. Yeah. Next generation of 22 products. 23 Q. Okay. And then just to sort of close 24 the loop on your employment, you referenced this 25 earlier, but how long did you stay at Linear	25 1 manager, design director. And then after the 2 acquisition, I became a general manager. 3 The design director position the last 4 several years were probably kind of 50/50 5 business and technical. Actually, maybe 75 6 technical, 25 business is a better description. 7 But mostly technical roles up until the last few 8 years, and then it was actually running the 9 business. 10 Q. So I feel like it's safe to say you 11 have personal knowledge of Linear Technology's 12 policies with respect to interacting with 13 customers; is that correct? 14 A. That's correct. 15 Q. Do you have familiarity with 16 information that Linear Technologies would post 17 on its website? 18 A. Yes. A lot of the technical content 19 actually came from the design and app team, 20 either my designers or the apps team that we 21 worked really closely with. They were the main 22 producers of technical articles, data sheets, 23 white paper kind of equivalent things like that. 24 Q. But on that topic, what types of 25 documents and information would Linear

26 1 Technologies typically post on its website about 2 its products? 3 A. The simplest one I didn't mention, we 4 would do ads and things like that which would 5 show up there and in magazines. But as far as 6 the primary technical content, it was writing 7 either design notes or application notes. 8 Design notes tend to be a little bit 9 shorter. That's one of the articles that you 10 shared that's -- let me make sure I have that 11 right. Yeah. That was what we would call a 12 design note. And that was usually done -- there 13 was Linear Tech magazine that was produced I 14 think it was two or three times a year. Gosh, I 15 can't even remember now. And that was technical 16 articles -- technical articles we would write 17 about newly released products or sometimes older 18 products that were meant to be very practical 19 and trying to help end customers design our ICs 20 in without having to do much work. 21 So we would do all the apps. We 22 would do everything and give them a full circuit 23 even with all the component names, efficiency 24 curves, things like that. Especially valuable 25 for small and midsized customers because it	28 1 also would typically walk you through how to 2 design a typical circuit. That's the majority 3 of the content that we provide. 4 Q. And all of this information would 5 have been publicly available on Linear's 6 website? 7 A. That is correct. We had very few 8 datasheets that were maybe customer specific 9 where it was kind of a custom and we never 10 published it. And to my knowledge, I know less 11 than five of those and none of them are my 12 products. Everything else is publicly 13 available. 14 Q. Okay. So I think you were 15 referencing a document that you had seen before. 16 So let's pick up the second document that should 17 be in the share folder. Let's mark that as 18 Exhibit 2. 19 (Legates Deposition Exhibit 2 20 was marked for identification.) 21 BY MR. BOSCO: 22 Q. Do you have that one up? 23 A. I do. 24 Q. And just at a high level, do you 25 recognize this document?
27 1 saves them engineering time. We basically 2 developed a complete solution and just kind of 3 hand it to them. 4 That was a design note. Those were 5 done in kind of a magazine format. 6 And then there's something called an 7 application note which is usually longer and 8 it's self-contained. So a design note is 9 included in a magazine with a bunch of other 10 design notes and press releases. And then an 11 application note, there's a lot of actually 12 famous Linear Technology ones from those days 13 that became kind of industry standard, but they 14 usually were more of a deep discussion on a 15 single topic or a single part, and it could be 16 five to ten to 20 pages long but usually heavy 17 technical content. The same goal of helping our 18 customers design our products -- or show them 19 how to do things that maybe they don't know how 20 to do already using our products. 21 And then the last one was just a 22 datasheet which is really the document that our 23 customers use when designing anything with our 24 ICs. It specified the parameters we guarantee, 25 the temperature ranges, the package it's in, and	29 1 A. Yeah. I assume you're talking about 2 page 26 where it talks about the design feature? 3 Q. Well, just for the record, let's go 4 to page 1. Just look at the complete document. 5 A. Sorry. Yes. I received this I think 6 several weeks ago. It looks like the full 7 document, yes. 8 Q. Just so the record is clear, this is 9 a subpoena you received, correct? 10 A. That's correct. 11 Q. And then moving along to page 26. 12 On page 26, what do you see? 13 A. That's the first page of an article I 14 wrote about one of my -- one of the products I 15 designed at Linear Technology called the 1618, 16 LT1618. 17 Q. And what -- just so the record is 18 clear, what's the title of this article? 19 A. "Current Limited DC/DC Converter 20 Simplifies USB Power Suppliers." 21 Q. And then at the bottom right of that 22 page, do you see a -- a kind of production 23 number? 24 A. WINPLUS00041761, if that's the... 25 Q. So that's what you see on that page?

30 1 A. That's what I see on that page, yes. 2 Q. Okay. So this article which begins 3 with the Bates number -- we call that a Bates 4 number -- WINPLUS00041761, when was this article 5 published to the best of your knowledge? 6 A. February 2001 is the date the 7 magazine went live. That's what's in the bottom 8 right-hand corner of the same page. And it was 9 written, I don't know, a handful of months 10 before that, before published date. But that's 11 the date it was published, February 2001. 12 Q. When Linear Technology published 13 these journal articles in 2001, can you give a 14 high level overview of all the different ways 15 they would distribute it? Website? Or other 16 means? 17 A. I'm trying to remember. This was 18 20 years ago. I believe -- actually, the most 19 popular way, honestly, was still paper at that 20 time. You -- they had -- we had -- I don't know 21 what the -- what do you call it? Gosh. The 22 number of people that received them but it was 23 pretty high. But a lot of customers value these 24 because they were, again, like kind of a 25 technical magazine. Just like you'd get a	32 1 I joined them I mentioned earlier in my career 2 but they never did very well at it. So they had 3 a really small piece. But my main competitors 4 were Maxim and Texas Instruments. 5 Q. Okay. So going back to the article 6 we've been referencing, can you give a high 7 level -- well, first of all, how many pages is 8 this article? 9 A. One, two, three -- looks like three 10 pages. 11 Q. And so can you give a -- look it over 12 if you need to further and then give a high 13 level overview of what's being described in this 14 article? 15 MR. EVANS: Object to form. 16 THE WITNESS: It's really just -- 17 excuse me. It's really just a collection 18 of circuits that we built and tested, and 19 it's just showing the performance of each 20 of them. 21 BY MR. BOSCO: 22 Q. And what types -- what type of 23 circuits were these? 24 A. These are a variety of circuits. 25 From my standpoint, one's a boost. One's a
31 1 magazine in the mail, we would ship these out to 2 thousands of customers. I honestly have no idea 3 how many. 4 But then they were published online 5 and they were shared. A lot of other websites 6 would repost them and things like that. I think 7 even -- even though that was a long time ago. 8 Just because they were heavy on technical 9 content and that was a little unique. A lot of 10 our competitors still would do more kind of call 11 it marketing fluff, and we were known for doing 12 heavy technical documents that were much more 13 useful for customers. 14 Q. So in your experience, customers 15 would look to this Linear Technology magazine as 16 a resource for technical information? 17 A. Definitely so. Definitely so. For 18 all of our technical documents actually. There 19 are several that you can still see referenced 20 now 30, 40 years later. 21 Q. That's pretty impressive. 22 Who are some of your competitors? 23 You mentioned them a couple times. 24 A. At that time Maxim Integrated. Texas 25 Instruments. Analog Devices did power briefly.	33 1 SEPIC. One's an LED driver. Another LED 2 driver. These are pretty indicative of what 3 customers were looking at the 1618 for at those 4 times. 5 And I believe all of these may have 6 come straight from the datasheet, which is 7 always the first document that kind of goes out. 8 But we would tend to reproduce some of them, 9 sometimes with more data and other things; but 10 also we would do new -- often do new circuits in 11 these things, especially if we had gotten input 12 from customers or things like that. 13 But these look like pretty indicative 14 applications to what we had end customers doing. 15 Q. So the term "USB" is in the title of 16 this article, right? 17 A. Correct. 18 Q. What does that stand for? 19 A. Universal serial bus, I believe. 20 Q. And as of February 2001, did you have 21 customers that were looking for integrated 22 circuits that they could use to assist with USB 23 charging? 24 A. We did. I mean, that's essentially 25 what the top -- well, the first resistive

34 1 voltage regulator but it's powered from the USB 2 bus. That's where the 100 milliamp, and 500 3 milliamp comes from. And it's even labeled 4 such. 5 Q. What figure are you pointing to? 6 A. Sorry. Figure 1 on page 6 as labeled 7 of the design note. 8 Q. Okay. And that -- that's still on 9 page WINPLUS00041761, right? 10 A. That's correct. 11 Q. Okay. So looking at that Figure 1, 12 how much voltage is coming into the circuit? 13 A. 5 volts. 14 Q. And how do you know that? 15 A. It's just labeled 5 volts. 16 Q. Where is that? For someone without a 17 technical background again. 18 (Simultaneous speaking.) 19 THE WITNESS: Sorry. Say again. 20 I'll need to pause. 21 BY MR. BOSCO: 22 Q. Where in the diagram does it say 23 5 volts? 24 A. Top left corner of Figure 1. 25 Q. And then how much voltage is coming	36 1 Q. Can you give us examples of 2 applications that would use 12 volts? 3 A. There's still a lot of -- excuse me. 4 There's still a lot of analog circuitry, 5 amplifiers, things like that that like higher 6 voltage, if they're driving speakers, things 7 like that. 12 is -- I mean, we've talked about 8 -- 12 is an automotive bus, 12, really 14, with 9 a lead acid battery. 10 But 12 has just kind of hung around. 11 I think 5 and 12 and 24 were the three main kind 12 of industrial and any set-top box supplies, and 13 they just kind of held up through time. So it 14 was just a popular voltage for a variety of 15 things. Motors do well at 12 volts better than 16 they do off 5 in some ways. 17 For me, it's just kind of a legacy 18 thing. I've been doing this for 30 years. It 19 seems like they've always had 5-, 12-, 24-, and 20 48-volt supplies. 21 Q. Understood. 22 A. It's industry standard. 23 Q. So stepping back to your 24 February 2001 when this article was published, I 25 take it it was already possible to charge
35 1 out of the circuit. 2 (Stenographer clarification.) 3 THE WITNESS: Yes, top right corner, 4 V out equals 12 volts, top left corner V in 5 equals 5 volts. 6 BY MR. BOSCO: 7 Q. So why would a customer want to 8 change the voltage like this having 5 volts come 9 in and 12 volts come out? 10 MR. EVANS: Objection. Foundation. 11 Sorry. 12 THE WITNESS: No. Go ahead. 13 BY MR. BOSCO: 14 Q. You can answer. 15 A. Okay. Depends on what they're 16 powering from the output. So in this case, you 17 would have a USB supply, but you may have 18 circuits or motors or some other thing that 19 needs more than 5 volts to operate. So you'd 20 step it up to 12 volts depending on what you're 21 trying to do with what is being powered by the 22 12-volt supply. 23 Q. Is 12 volts a common voltage level 24 for applications? 25 A. It is. 12 volts --	37 1 devices using USB and a 5- to 12-volt converter; 2 is that correct? 3 A. Yes, it was possible at that point. 4 I'm not even sure when USB came out, but USB was 5 already being used to power -- that was the 6 benefit of USB bus is it was one of the first 7 ones that actually had power along with it. And 8 it was originally, as you probably know, for a 9 like a mouse or a keyboard or a variety of 10 peripherals that you would attach to a computer, 11 made it really simple. But people figured out 12 really quickly if you had that power available, 13 you could do other stuff with it. So... 14 Q. And so looking at Figure -- 15 A. But yeah, even in 2001, it was pretty 16 heavily used. 17 Q. Looking at Figure 1, since this has a 18 12-volt output, is it fair to say that's not 19 being used for a mouse or a peripheral or 20 something like that? 21 A. That is correct. 22 Q. And how do you know that? 23 A. A mouse or peripheral typically would 24 run right off the 5-volt supply. They were all 25 lower voltage applications. And anything that

38 1 needs 12 would be very different, yeah. 2 Q. And so what was the name of the chip 3 again that provided this boost conversion? 4 A. LT1618. 5 Q. And to the best of your knowledge, 6 when was that LT1618 first introduced? 7 A. 2000 maybe. You know, I -- I can 8 look up the datasheet and tell you exactly. Our 9 datasheets show -- well, if I can find the 10 original version. It was prior to 2000. 11 Q. Do you know if it's still being 12 produced? 13 A. It is still being produced and it's 14 actually still selling even -- what's that? -- 15 25 -- whatever, twenty-plus years later, it 16 still sells. 17 Q. So based on that I assume it's 18 correct that it was being sold continuously from 19 sometime in 2000 at least until you left the 20 company and possibly thereafter? 21 A. I know it's still sold today because 22 some of my colleagues who are still there have 23 commented that it still sells, which is -- yeah. 24 Still in production today. 25 Q. Going back to your applications for	40 1 A. Figure 3 is a similar circuit except 2 for it's -- this is in a case where the input 3 voltage and output voltage is similar. So keep 4 in mind when -- this is Figure 3, same page, 5 when these schematics show V-in 5 volts, that's 6 a typical voltage and the plus and minus could 7 be 20, 30, 40 percent, even greater for some 8 applications. 9 That just shows you kind of the 10 typical range was about 5. But this circuit 11 would work down to 2 volts in and up to 12 volts 12 in easily. But this was a typical regulator 13 where the input and the output voltage are 14 close, but if the input voltage moves, you want 15 the output to stay fixed at 5. Called a SEPIC. 16 But it's similar to the first 17 application we discussed, just that it's 18 regulating a different output voltage. 19 Q. What does SEPIC stand for? 20 A. Single-ended primary inductance 21 converter. If you -- if you look at the circuit 22 as it is, there's a lot of similarities that 23 arranges some of the electronic components in a 24 way that can actually step up or step down the 25 output voltage. The previous circuit in
39 1 the LT1618, you mentioned automotive. Can you 2 think of any automotive-related applications 3 that this chip was used for? 4 MR. EVANS: Object to form. 5 Go ahead. 6 THE WITNESS: We covered a broad 7 range of applications. I don't know of any 8 -- I mean, so I can't name you a single -- 9 a particular customer or like this is what 10 they were using it for. But we would know 11 that the end customer would be automotive 12 or industrial or something like that. But 13 I don't have memory of like a specific 14 customer or application that would be 15 tiered -- or marked as automotive. 16 I know we had automotive 17 customers looking at it doing similar 18 applications to this and then we had 19 industrial and otherwise. But as far as 20 the complete details of their end use, I'm 21 -- at this point, I'm not sure. Yeah. It 22 was a long time ago. 23 BY MR. BOSCO: 24 Q. Okay. Looking at Figure 3, can you 25 describe what's depicted in Figure 3?	41 1 Figure 1 can only step up the output voltage. 2 Q. So a SEPIC circuit could be used to 3 step up, but it doesn't have to be used to step 4 up? 5 A. That is correct. We had -- actually, 6 yeah, I'm trying to think if I could remember 7 for 16 -- I had many products that would do 8 these two functions, a boost converter or a 9 SEPIC converter, and the same IC can do both as 10 you see. And some customers would choose a 11 boost and some customers would choose a SEPIC. 12 The biggest thing of a SEPIC is it 13 provides output short protection. So we would 14 have customers that would use a SEPIC for, say, 15 5 volts in to 12 volts out, even though it was 16 stepping up all the time because it has 17 short-circuit protection built into it just with 18 the way the components are arranged. 19 Q. Okay. That's very helpful. 20 So looking on the next page of this 21 document, the page that's labeled 22 WINPLUS00041762. 23 A. Okay. 24 Q. Do you see the heading USB to 12V 25 Boost Converter?

42 1 A. I do. 2 Q. And is that description there is 3 describing what's depicted in Figure 1, right? 4 A. Correct. 5 Q. And then there's another section 6 entitled USB to 5V SEPIC Converter with 7 Short-Circuit Protection, right? 8 A. Right. That's the SEPIC I'm talking 9 about, yep. 10 Q. Okay. And that material that then is 11 under that heading, that's describing a circuit 12 that could be used to step up voltage, correct? 13 A. Yes. If you change one component in 14 that Figure 3 circuit, it could be a 12-volt 15 regulator and it would work just fine. If you 16 just program the output voltage to 12, 17 everything about that circuit would still be a 18 5-volt in to 12-volt converter. It would just 19 now have short-circuit protection and have a 20 couple more components needed to build it. But 21 it would serve -- it could serve the same 22 function as Figure 1. 23 Q. Okay. So we talked about the LT1618. 24 What other integrated circuits do you recall 25 from your time at Linear Technologies could	44 1 A. Correct. 2 Q. So that chip was produced later by 3 Linear Technologies; is that right? 4 A. That was a follow on. Yeah, I think 5 that was released in 2005-ish, I believe. I can 6 confirm that if you want. But it was released a 7 number of years after this one. It was meant to 8 be a follow on to the 1618 and it had a lot of 9 similar customers. And I designed -- I 10 personally designed the LT1618 and then I became 11 the design manager, and one of my engineers 12 designed the 3477 based on a lot of customer 13 inputs who were using the 1618. 14 Q. Okay. And were some of those 15 customers who were using the 1618 interested in 16 using it for USB application? 17 A. Many were, yes. That's why a lot of 18 our earlier applications are kind of tipped that 19 way. 20 Q. And so then was the LT3477 in some 21 respects specifically designed for USB 22 applications or at least to be compatible with 23 USB? 24 A. I won't say it's specifically 25 designed, but definitely it had a lot of USB
43 1 provide similar step-up or boost capabilities? 2 A. There are I want to say hundreds. 3 Many products can do -- those -- those basic 4 functions of stepping up, like a boost 5 converter, or an SEPIC, there are I'll say 6 dozens. Many, many dozens that can do the same 7 function. 8 But the unique thing about the 1618 9 and also the -- LT1618 and the LT3477, which I 10 think I mentioned in an email back, the biggest 11 unique feature about both of those is if they 12 had a current limit loop that you could use at 13 the input or the output. And for USB supplies 14 using it as the input was really helpful to make 15 sure you stayed below the -- the current limit 16 that the USB was supposed to provide. And 17 that's kind of what's shown in Figure 1 and 18 Figure 2. 19 But to answer your question directly, 20 there are -- from Linear, there are dozens and 21 dozens of parts that could do these same 22 functions, just without that input currently. 23 Q. Okay. So let me take that piece by 24 piece. You mentioned the LT3477. Did I get 25 that right?	45 1 applications. 2 Most -- both of those products I 3 would consider very general purpose in that it 4 can do a lot of different things. That's why 5 you see LED driver applications. You see USB. 6 You see other. 7 But I think it's safe to say that 8 some of the earlier interests we received was 9 for USB-powered applications because it was kind 10 of new and there weren't a lot of ICs that could 11 do them very well because they didn't have the 12 current regulation loop. So we definitely had a 13 lot of early customers that were looking at it 14 for powering from the USB. 15 Q. You mentioned that current regulation 16 loop and the current limits with USB. Where 17 would you look to to understand what the current 18 limits were for USB? 19 A. From the 5-volt input. So early 20 specs said that you could -- you had two modes, 21 kind of a low power mode and a high power mode. 22 Low power could provide a 100 milliamps and then 23 after some handshaking you could go to 500 24 milliamps. So 500 milliamps from 5-volt supply 25 is about 2-1/2 watts. And 2-1/2 watts could do

46 1 a whole lot, especially for a mouse or a 2 keyboard. But that's kind of what got people 3 using it is what can they use that 2-1/2 watts 4 for. 5 The biggest advantage, it gets rid of 6 wall warts. It does things like that. You can 7 use your computer or your desktop as a small 8 power supply to do a variety of low-powered 9 things basically. 10 But that resistor that's shown in 11 Figure 1 and Figure 3, there's a .1 ohm 12 resistor. That's really measuring input current 13 that's coming off the USB bus, the 5-volt 14 supply. And it limits it to either 100 15 milliamps or 500 milliamps depending on which 16 mode you're in. And that was the key part of 17 the 1618 and later the 3477 that most other DC 18 to DC converters, ICs did not have, and it made 19 them really useful for USB input stuff. 20 Q. Okay. You mentioned a spec I think 21 in that answer. 22 A. Uh-huh. 23 Q. What spec were you referring to? 24 A. Wow. U.S. -- anything that comes out 25 as a standard bus whether it's Ethernet, USB,	48 1 say it was thorough. Right. Due diligence to 2 make sure you understand. If we have customers 3 -- we had customers who were wanting to power 4 from the USB, so logically, we should make sure 5 that we understood the USB requirements so 6 anything we built or showed them would work with 7 it, if that makes sense. 8 Q. Okay. So I've got another exhibit 9 that I want to go to, but I was thinking maybe 10 we could take a ten-minute break now if that's 11 okay with everybody. 12 A. That's fine. 13 THE VIDEOGRAPHER: We are off the 14 record. The time is 6:49 a.m. 15 (Whereupon, a recess was taken 16 from 6:49 a.m. to 7:02 a.m.) 17 THE VIDEOGRAPHER: We are back on the 18 record. The time is 7:02 a.m. 19 BY MR. BOSCO: 20 Q. Welcome back, Mr. Legates. You 21 should have some additional documents in the 22 file share. If you could open up the one that 23 has the -- is file name Legates several zeros 24 and ends in 45. 25 A. Okay. Sorry. I closed that window
47 1 they typically have a long document that 2 specifies what they can do and what they can't 3 and how the -- USB also has a large digital 4 component to it. It transfers data. I'm 5 talking just about a simple part of the power 6 spec. 7 So I haven't looked at that spec in 8 decades. But the simplest thing to remember 9 about it is that those were the two modes, 10 either 100 milliamps with 5 volts in or 500 11 milliamps with 5 volts in, and it was one of the 12 two -- you could be in one of the two modes. 13 Q. Do you recall looking at those USB 14 specifications at the time you were designing 15 these chips? 16 A. We did. We looked at them quite a 17 bit but just for the power capability. Not for 18 all the data stuff. At that time, we were only 19 interested in what power could provide. 20 Q. In order to ensure that the LT1618 or 21 LT3477 would work well with USB applications, 22 was it necessary for you to consult those USB 23 specifications? 24 A. I don't know if it was necessary. We 25 got a lot of info directly from customers. I'd	49 1 before. I downloaded everything. It looks like 2 you added something else maybe. Okay. 3 Q. I'm going to probably continue to add 4 things here. 5 A. I'll keep this up the whole time 6 then. That's perfect. I apologize. Let me 7 pull that to a separate window. Okay. I see 8 it. So Legates 45. Got it. And -- 9 Q. Okay. 10 A. Okay. Go ahead. 11 Q. All right. Let's mark this as 12 Exhibit 3. 13 (Legates Deposition Exhibit 3 14 was marked for identification.) 15 BY MR. BOSCO: 16 Q. Mr. Legates, at a high level, what is 17 this document? 18 A. This is an e-mail I think I sent in 19 response -- sorry. It's really slow. It's an 20 email I sent in response after you and I had a 21 phone call about when I received the paperwork 22 basically. 23 Q. And when you're referring to 24 paperwork, you're referring to the subpoena you 25 received, correct?

50 1 A. Sorry, the subpoena, yes. When I 2 received the subpoena by FedEx, you and I had a 3 phone call. I looked up a little bit based on 4 our discussion trying to remember what I might 5 have or might not have in terms of documents 6 since I left Analog Devices a number of years 7 ago. 8 And this was the only thing -- one, I 9 found a document that was still on my personal 10 computer that dealt with the 1618 and even some 11 3477 stuff. And I looked up a little bit 12 about -- since I knew both parts had similar 13 applications, I just expanded a little bit on 14 some of our discussion I think. 15 Q. Okay. So let's -- looking at the 16 first page of Exhibit 3, there's a heading in 17 your email that says LTE3477, right? 18 A. Correct. 19 Q. Can you just quickly review that 20 paragraph -- actually, strike that. Well, no, 21 I'll go back to what I was going to do before. 22 Can you read that paragraph and let 23 me know if you see anything inaccurate in that 24 paragraph. 25 A. Just read it to myself? Is that	52 1 We talked about this 100 milliamp and 2 500 milliamp limit that was written into the USB 3 spec, but we had many customers that found 4 2-1/2 watts, right, 5 volts in, 500 milliamps is 5 2-1/2 watts of input power available. We had 6 customers trying to do more power than that. 7 Actually, a lot of people it was well known were 8 trying to do more than that. 9 So some of the 3477 was talking to 10 those customers, trying to see how much power we 11 could do. So there was a lot of discussion with 12 customers. You kind of asked the question 13 before. It's been a long time. But we had lots 14 of different customers and lots of different 15 spaces that were looking at running from USB. 16 It's hard to remember all of them. 17 But I can definitely say a lot of 18 them were not happy with the 500 milliamp limit 19 and were trying to do more, and that's where the 20 3477 definition actually came from. You talked 21 about new product definition. We realized the 22 1618 couldn't do enough power for some 23 customers, so we did the 3477 basically. 24 Q. So were any of these 3477 customers 25 trying to charge lithium-ion batteries?
51 1 okay? 2 Q. Yeah. 3 (Witness reviewing document.) 4 THE WITNESS: To my knowledge, 5 everything there is accurate, correct. 6 BY MR. BOSCO: 7 Q. And so the first sentence says 8 (as read): On our call, I mentioned that 9 LT3477, essentially a higher-power LT1618, that 10 also had many customers using it for USB-input 11 applications. 12 Correct? 13 A. Correct. 14 Q. Do you remember any specifics about 15 the USB input applications for the LT3477 and 16 apologize if I've already asked this? 17 A. No, no. The biggest one with 3477 is 18 we were trying -- we were looking at doing much 19 higher power. If you -- if you look at the 20 3477, it's capable of doing almost double the 21 output power, double the power, output power of 22 the 1618. And some of that came from customer 23 interactions who were already using the 1618 and 24 were trying to see could they actually do more 25 power than what the spec said it could. Right?	53 1 A. Yes, they were. 2 Q. And so using the LT3477, they could 3 boost voltage from 5 volts to 12 volts and 4 charge a lithium-ion battery; is that right? 5 A. They could do any voltage they wanted 6 to with the 3477. Right? It's whatever -- 7 whatever battery stack you chose. Typical 8 lithium cell is 4.2 volts. If they're doing a 9 single cell, it would be a 5-volt in to 4.2-volt 10 out SEPIC. If they were doing two cells, it 11 would be a 5-volt in to 8.4-volt SEPIC or boost 12 depending. Or three cells would be 12.6 volts 13 if it was a lithium-ion, yes. 14 Q. And do you recall any customers doing 15 that last configuration you mentioned, three 16 cells, 12 volts? 17 A. We had customers -- yes. I mean, we 18 had customers doing all those things. Like I 19 said, I can't tell you the name and where they 20 were. But that's one of the reasons I shared 21 this schematic is -- that's the reason that 22 schematic is in there. It's -- sorry, it's not 23 labeled, but in this same document, I show a 800 24 milliamp 5-volt to 12-volt boost converter with 25 accurate input current limit, and that's trying

54 1 to do more power from a USB input than its -- 2 the spec says it could and doing 12 volts out. 3 I don't know if this was for 4 lithium-ion or lead acid or DC/DC converter 5 guys. Sometimes we don't care about those 6 things because the voltage -- as long as we can 7 give you the right output voltage, no matter 8 what the load or battery or whatever it is, the 9 DC/DC converter looks the same to us. 10 But do I remember we had lots of 11 people looking at different kinds of batteries, 12 even nickel metal hydride and everything else 13 was really popular back then. 14 Q. What was the last one you used? 15 A. Sorry. Nickel metal hydride. It was 16 a common battery technology. It still is, but 17 lithium-ion has pretty much replaced it, in my 18 opinion, for usability. 19 Q. And you were -- 20 A. The summary statement is we had a lot 21 of people looking at a lot of different 22 applications in a lot of different spaces that 23 would be taking USB to 12 volts, 5 volts, and 24 that included batteries as well. 25 Q. And just to put a little temporal	56 1 silicon, good working products where we could 2 show efficiency curves and give them a Demo 3 Board. But we would typically show a product a 4 year or even sometimes a little more than the 5 released -- the press release date. 6 So it means we would have been 7 working with customers on the 3477 back in 2005, 8 already doing a variety of these kinds of apps. 9 And a lot of these applications that made it in 10 the datasheet and the design notes and things, 11 design, were -- came straight from working with 12 customers and seeing what they wanted to do and 13 assuming they -- others might want to do the 14 same thing. So... 15 Q. Understood. So looking at the first 16 page of Exhibit 3 again, you see the sentence 17 that says (as read): I found the original 18 version (Rev A) archived online here? 19 A. Correct. 20 Q. And then it goes on to say (as read): 21 Which shows the same circuit (but on page 15) 22 with a release day of May 2006. And then 23 there's a parenthetical, right? 24 A. Correct. 25 Q. And the parenthetical says (as read):
55 1 framework on your testimony, what time frame are 2 you referring to when you say a lot of customers 3 were looking at USB application? 4 A. So the 1618 I think I -- actually, I 5 couldn't find a press release for that which 6 would have marked the date. I'm not sure why 7 that's not on the website anymore. But that was 8 I think pre -- that was 2000-ish when the 1618 9 was released. 10 And then I mentioned the 3477. The 11 date of the press release was May 2006. 12 So in that time frame, it would not 13 be hyperbole to say we had hundreds of people 14 talking about these kind of applications. Just 15 because they were taking off and lots of small 16 and big customers were doing it. So the time 17 frame after the 1618 was released and lots of 18 activity with customers, getting ready to define 19 the 3477. 20 So -- and the 3477 we would tend to 21 show a new product -- any -- any Linear 22 Technology product typically would be shown to 23 important customers or any customer who had 24 reasonable interest usually a year or so before 25 release. So we would wait until we had first	57 1 See page 20, bottom right footer - "LT 0506 Rev 2 A" is May 2006 date, first revision when the 3 LT3477 was first released. 4 Correct? 5 A. Correct. We would periodically add 6 new schematics or new technical commentary or 7 even update electrical characteristics and 8 things like that. 9 And as we updated the datasheet, 10 which is kind of the legal -- I say -- it's a 11 document we give to our customers that says this 12 is what we stand behind in production, again, 13 this is our temperature range, this is our 14 pinout, things like that. For many products, we 15 update those were small changes through the 16 years. And the website would take off the old 17 version and only include the new version so that 18 they had the latest and greatest in case a spec 19 changed or something else. 20 So the original version is not on the 21 Analog Devices' website now, but I found that 22 archived. And looking through it, it looks 23 correct from what I know from that part. 24 Q. You talked about -- 25 (Simultaneous speaking.)

58 1 THE WITNESS: Sorry. It was mainly 2 distributed. The date was really earlier 3 than the current version of the datasheet 4 shows on the Analog Devices' website. 5 BY MR. BOSCO: 6 Q. So in your exhibit share folder, do 7 you see the documents that's labeled Legates and 8 then it ends with 01? 9 A. I do. 10 Q. If you could open that one up and 11 we'll mark that as Exhibit 4. 12 (Legates Deposition Exhibit 4 13 was marked for identification.) 14 BY MR. BOSCO: 15 Q. So can you take a look at that and 16 let me know what it is. 17 A. That is the 34 -- LT3477 datasheet. 18 It looks like the one I sent you that's the 19 original Rev A. 20 Q. So this is the original Rev A that 21 you're referring to in your email that has a May 22 2006 publication date; is that right? 23 A. Correct. 24 Q. And can you just give -- you've done 25 some of this already -- but another summary of	60 1 preliminary -- it would be stamped plainly 2 preliminary and it would have NDA stuff on it, 3 you know, for specific customer use. But they 4 would -- when we gave them a Demo Board and 5 started talking to them, we'd always give them a 6 preliminary version of the datasheet, that's 7 correct. 8 Q. And so then in your email, you -- 9 Exhibit 3, you referred to a circuit on page 15. 10 Can you locate that in Exhibit 4. 11 A. Yes, I'm there. 12 Q. And so at page 15 has two different 13 circuits, correct? 14 A. That's correct. The one at the 15 bottom was the main one I was -- that I sent. 16 But if you look, these two circuits are almost 17 identical to the previous two we talked about 18 with the LT1618. One's a SEPIC and one is a 19 boost. 20 So similar functionality to the two 21 we talked about before. But the one I sent is 22 the bottom of the page of number 15. 23 Q. And, again, the difference between 24 this primarily and the LT1618 circuit is the 25 current limit; is that correct?
59 1 all the different ways this datasheet would have 2 been published as of 2006. 3 A. On the website, datasheets in those 4 days were still provided as paper copies as 5 well. Like a little booklet, a little stapled 6 booklet. Those were the two main ways. At 7 trade shows, they were handed out. All kinds of 8 things like that, even handed directly to 9 customers. 10 But typically put on the website, 11 electronically available through there. They 12 would be on our distributor websites I think at 13 that time. I know today you can go to DigiKey 14 or Arrow or Mouser or others. And when you are 15 looking at parts, it actually has our datasheet 16 link on it as well. So I believe that was done 17 quite a while ago. 18 So basically you could find it 19 electronically or get -- get it mailed to you or 20 handed to you by an LTC employee. 21 Q. And you testified earlier that a 22 datasheet like this would likely have been given 23 to high-level customers even before the official 24 release day, right? 25 A. Yeah. Yes. It would be a	61 1 A. It's mainly the power level, correct. 2 The internal power device of the LT3477 is about 3 twice as big as the 1618 so it can do more power 4 in -- at a high level, this circuit is really 5 similar to what the 1618 does. It just can do 6 it at a higher power level. 7 Q. Now, on this page 15, I don't see the 8 word "USB." Could these circuits have been used 9 for USB application? 10 A. Yes. Anything with a 5-volt typical 11 input could be used to USB. 12 I don't know why we didn't choose to 13 use USB. Maybe because we're violating the USB 14 spec here. If you look at the amount of output 15 power, it's about 2 watts -- sorry. This is -- 16 no, this is more than double that. That's -- 17 this is 10 watts out. 18 So if you look, this power level is 19 about 10 watts out which is higher than you 20 should be able to draw from the USB. So my 21 guess is maybe that's -- that's a guess. I 22 shouldn't guess. But this -- we didn't have USB 23 in the title, that's correct. 24 Q. But your customers, to the best of 25 your knowledge, knew that this could be used for

62 1 USB applications? 2 A. Yes, because they were already trying 3 to do more than 2-1/2 watts from the USB. 4 Q. Okay. So going back to Exhibit 3, 5 your email, you -- there's a second heading that 6 says, "One other document." 7 Right? 8 A. Correct. 9 Q. And do you see, there's a paragraph 10 underneath that, do you see anything in that 11 paragraph that's inaccurate? 12 A. That statement is correct. 13 Q. And then you should have in your -- 14 well, strike that. 15 So the document that you reference in 16 that paragraph was attached to the email you 17 sent me, correct? 18 A. Correct. 19 Q. And you should have it in your 20 ShareFile a document with -- that ends in -- 21 sorry, has the Bates number Legates and ends in 22 50. 23 A. Yep. I have that. It's open now. 24 Q. Let's mark that as Exhibit 5. 25	64 1 laptops were the biggest user of USB supplies at 2 that time. A lot of these people I knew really 3 well, and a simple request was, hey, if you're 4 okay with it, we're seeing a lot of USB stuff, 5 and I'd love -- we're seeing stuff that wants to 6 do more than the 2-1/2 watts, would you be 7 willing to let me just see what your laptop can 8 provide off its USB port. 9 And I said, if you're okay with that, 10 leave your laptop up. If you're not, close it. 11 And when we took a break for lunch, I went 12 around and I plugged my little test circuit into 13 every laptop that's shown here. And I did it, 14 you'll see, at 0 milliamps, 500 milliamps, and 15 750. And 500 was the limit of what the spec 16 says. 17 And in hindsight, I would have done 18 even more current. I wish I would have. 19 But the point of this was to see 20 could we really start doing these applications 21 at higher power levels and they would be able to 22 work with existing hardware in place. That was 23 the goal of this. 24 Q. And so at the top of the spreadsheet 25 there it says, "April 2004 FAE Meeting."
63 1 (Legates Deposition Exhibit 5 2 was marked for identification.) 3 BY MR. BOSCO: 4 Q. Can you take a look at Exhibit 5 and 5 let me know what that is. 6 A. So this is a bunch of measurements I 7 did. Again, the 1618 had been released. The 8 3477 was already in development at this point. 9 We maybe even had silicon on it judging by the 10 date. But we were having so many people asking 11 about USB applications and trying to do more 12 current that I basically built a little test 13 circuit that you see at the bottom. 14 Twice a year, Linear Technology would 15 have technical presentations. Basically all our 16 sales force, our technical sales force would 17 travel in from all over the world, and we 18 presented them new products that are in 19 development that are going to be released like 20 in a year. And that's, as I mentioned -- and 21 then go out and start showing them to the 22 customers, start getting interest, start trying 23 to find sales before it's released. 24 And that was a really good place to 25 look at laptops from all over the world, since	65 1 Do you see that? 2 A. That's correct. 3 Q. Where was the FAE meeting at? 4 A. That's what I mentioned, field 5 application engineers. So Linear and many 6 analog semiconductor companies, they have two 7 kinds of customer engagement, direct customer 8 engagement. One would be a sales engineer. 9 That would be the typical function you imagine. 10 And the other is an FAE, field application 11 engineer. And that is the first line of 12 technical defense to our customer. 13 So if there's a problem, if they're 14 trying to get something working, if they're 15 using a new part and want to understand it, the 16 FAE would be the first person at Linear 17 Technology to help the customer with that. 18 They reside all over the world. They 19 go visit customers three to four days a week. 20 And like I said, they're the first line of 21 defense. 22 And this is a list of mostly FAEs but 23 a handful of other technical people, designers 24 and such, that traveled in for the meeting. 25 But, in general, the names on the left -- let me

66 1 look quickly -- more than three-quarters of them 2 are, quote, "FAEs." These technical salespeople 3 that travel to the customer and they came to 4 Milpitas for this meeting where we're 5 introducing new products to them basically. 6 Q. And were any of the people on this 7 list customers -- 8 A. No. 9 Q. -- or were they all -- 10 A. These are internal LTC employees. 11 Q. But so is it fair to say that 12 everyone on this list at this time and at this 13 meeting was discussing the possibility of using 14 USB for charging applications? 15 A. I don't know about everyone on this 16 list. They let me use their laptop to take data 17 points. But definitely we talked a lot about 18 how USB is taking off as a power supply and that 19 we were doing new products that would try to 20 focus more on the higher power USB we thought 21 was coming, which eventually did come but much 22 later. 23 So I don't know if all of these had 24 customers doing it. I know I can look at the 25 regions they're from and I know a lot of them,	68 1 meeting that's reflected in Exhibit 5, the -- 2 over the following decade, how did USB charging 3 applications evolve over time? 4 MR. EVANS: Object to form and 5 foundation. 6 Go ahead, Mr. Legates. 7 THE WITNESS: They came -- it was 8 prolific. Just how many different kinds of 9 applications were done. How many different 10 industries started looking at them. It 11 just became -- I mean, and even today, you 12 don't even think about -- you don't even 13 think about it, but everything charges off 14 your USB, whether it's the old one or the 15 USBC from your phone, to AirPods to 16 whatever else. 17 So definitely this kind of 18 started back in this time but it's been 19 just growing from then. I guess that's the 20 easiest way to say it. 21 BY MR. BOSCO: 22 Q. Would it be fair to say that as of 23 2014, most electronics manufacturers would 24 consider USB charging as an option? 25 MR. EVANS: Object to form. And
67 1 those parts of the world were definitely looking 2 at it. 3 Q. Looking at this list and the list of 4 names, can you think of any customers that were 5 specifically interested in USB-charging 6 applications at this time? 7 A. I mean, the biggest one which I 8 mentioned before, the biggest first opportunity 9 for the 3477 was actually a cell phone backup 10 battery that was charged from USB and you would 11 carry it around. It's -- I mean, they're 12 ubiquitous now. You can buy them on Amazon, 13 hundreds and hundreds of them. But the first 14 time I remember seeing it was a customer using 15 the 3477 to do a USB to lithium-ion cell, and 16 then they gave that out as a feature on one of 17 their high-end phones. 18 Q. So sort of -- what year did you leave 19 Linear Technologies again? 20 A. 2019 I left Linear Technology or left 21 Analog Devices who had acquired Linear in 2-17 22 but... 23 Q. So this may be a little challenging. 24 It's a little artificial. But thinking about 25 the decade that passed between this -- this	69 1 foundation. 2 Go ahead. 3 THE WITNESS: My opinion it was, yes, 4 very widely known. And again, we had 5 already been talking about it for -- since 6 2000, 2001. So it's logical that it would 7 be pretty widely used by that time, just in 8 broad terms. 9 BY MR. BOSCO: 10 Q. Can you think of, you know, at any 11 time up to 2014 any USB-charging applications 12 that you're familiar with relating to power 13 tools? 14 A. I know we did have customers looking 15 at it for both of these products, but I would 16 not -- details I wouldn't be able to provide. 17 (Simultaneous speaking.) 18 THE WITNESS: Maybe elaborate. We 19 would see some specific -- we would visit 20 customers directly. And we would get input 21 from the FAEs, the ones we mentioned here. 22 And we got so many things -- you can kind 23 of remember general things, but I wouldn't 24 be able to name a customer and definitely 25 not 20 years ago.

70 1 But it is true we had customers 2 from automotive space, from power tools, 3 from medical equipment, from cell phones, 4 from pretty much anything imaginable 5 looking to power from USB. I think that's 6 safe to say. 7 BY MR. BOSCO: 8 Q. And would it have been challenging 9 for these customers who wanted to power using 10 USB to use one of Linear Technology's boost 11 converters? 12 MR. EVANS: Object to form and 13 foundation. 14 Go ahead, Mr. Legates. 15 THE WITNESS: You could use any of 16 the applications we showed in the data 17 sheets and do it at a basic level pretty 18 easily, I think. 19 BY MR. BOSCO: 20 Q. Sorry. I'm just reviewing a couple 21 things quickly. 22 I'm going to put another exhibit into 23 the share. 24 (Legates Deposition Exhibit 6 25 was marked for identification.)	72 1 A. I can tell -- I can tell you quickly. 2 Analog Devices -- like I said, I was at Analog 3 Devices for a couple years and left and went to 4 Linear. And in the handful of years after, they 5 actually started copying some of Linear 6 Technology's parts that they saw in high-volume 7 applications. And -- but sometimes they would 8 slightly change the part numbers. I'm not 9 really sure why because part numbers are not 10 typically an issue. Hang on. 11 And I was just trying to see -- I 12 believe it might be via actual just a different 13 -- no, it is -- I don't know if they're pen for 14 pen compatible but 1611 is the name -- is the 15 part that -- wow, sorry. This video has my -- 16 the LT1611 and LT1613 were two very popular 17 boost converters that preceded some of mine. 18 That's why the names are really similar. Things 19 in the 1600s were done initially by my boss and 20 then by me and some others on my team. 21 And so this part is kind of in that 22 space doing similar products. So this is not a 23 second source; but, yes, I'm roughly familiar 24 with this product because we had seen it at some 25 point competing with our kind of family of
71 1 BY MR. BOSCO: 2 Q. Do you see a document that has a file 3 name ADP1612_1613? 4 A. I do. 5 Q. Could you open that one up. 6 A. Downloading now. Give me a minute. 7 I don't know why that's so slow. 8 Yeah, there it goes. Okay. 9 Q. Are you familiar with this document, 10 taking a quick look at it. I understand it has 11 a lot of pages. 12 A. Actually, this is a part that I 13 believe was released after I left Analog 14 Devices, but I'm maybe vaguely familiar would be 15 the term. I know the product number because it 16 -- it was meant to try to copy some LTC parts 17 that my boss actually designed years ago. 18 That's the reason I recognize it. 19 Q. What parts was it designed to copy? 20 A. I believe it was 13 -- gosh -- 1615. 21 It may -- it may be the actual 1612 and -13 name 22 that's used here. That's what I'm trying to -- 23 can I look to confirm that or no? 24 Q. Absolutely. Look at any page you 25 want in the document.	73 1 products is maybe the way to say it. 2 Q. Okay. This datasheet that's 3 Exhibit 6, does it -- is it a datasheet for a 4 boost converter? 5 A. Yeah. It's a basic boost converter. 6 Q. And could this be used with USB? 7 A. Let me look at the input voltage 8 range and whatever else. Give me a minute. 9 Their datasheets are set up a little bit 10 different. Yes, it could be. 11 Q. Is there anything in this document 12 that would give you an indication of the date 13 that it was available? 14 A. Let me see how their -- 15 MR. EVANS: I'll just object to form 16 and foundation. 17 Go ahead. 18 THE WITNESS: This one does not -- 19 Analog Devices has a very different 20 datasheet format. I'm not sure when this 21 was released, but I know it was -- I'm not 22 sure when it was initially released, but it 23 was definitely after the period we talked 24 about. But reasonably in the early 2000s. 25

74 1 BY MR. BOSCO: 2 Q. Okay. So if you look at the second 3 page of the document at the bottom, do you see 4 where it says, "Revision History"? 5 A. Oh, there we go. Yeah, they do 6 theirs -- oh, yeah, there we go, yep. But it 7 doesn't -- does it have dates with that? 8 Revision history 4/11. Yes, I see it. Sorry. 9 We only started including this much later. 10 Q. When you say "we only started 11 including this," you mean Linear Technologies? 12 A. Yes. Linear Technology, typically we 13 did not publish a revision history when we 14 updated the datasheet. I think near the end of 15 my time there, we started including something 16 like this on the very last page. And this -- 17 Analog Devices obviously did this earlier. 18 Q. You were an Analog Devices employee 19 for a couple years; is that right? 20 A. Yeah, kind of book-ending my time at 21 Linear. I joined Analog Devices before Linear, 22 and then I worked at Linear for 19 years and was 23 acquired. And then I've worked at Analog 24 Devices for two years after the acquisition. 25 Q. Okay.	76 1 MR. BOSCO: I'm sorry. Which exhibit 2 -- which number did we mark this as, just 3 for the court reporter? 4 THE STENOGRAPHER: The last one was 5 6. 6 MR. BOSCO: The 01. 7 THE STENOGRAPHER: Let me search. 8 MR. BOSCO: My fault. 9 THE WITNESS: Exhibit 1 was my 10 LinkedIn profile. I remember that. I 11 think this was the second one, but I 12 haven't been writing them down. 13 MR. BOSCO: Not your job. 14 THE WITNESS: Sorry. 15 (Whereupon, a discussion was had 16 off the record.) 17 BY MR. BOSCO: 18 Q. So looking at Exhibit 4, Legates 01, 19 when you look back through this document and 20 provide any information you can on indicators of 21 when this document was published, I know you've 22 already testified some about that but anything 23 intrinsic to the document that shows you when it 24 was published? 25 A. It's really just the final page 20,
75 1 A. So kind of the bookended my time at 2 Linear. 3 Q. Just based on your experience as an 4 Analog employee, at the bottom of page 2 where 5 it says, "Revision History," what's your 6 understanding of the different dates that those 7 revisions were released? 8 A. That the data sheet -- 9 (Simultaneous speaking.) 10 MR. EVANS: Hold on -- hold on a 11 second. Sorry. 12 Objection to foundation. 13 Go ahead. 14 THE WITNESS: Just that the datasheet 15 was released in April of 2009. And then 16 the other dates show that when changes were 17 made to the datasheet updates or 18 corrections or things like that. But this 19 would suggest the part was released in 20 April 2009. 21 BY MR. BOSCO: 22 Q. Okay. Thanks. You can put this one 23 aside. 24 We can go back to Legates 01. 25 A. Okay.	77 1 bottom right corner, the LT0506, that's a May 2 2006. 3 Q. So that's at the bottom right, the 4 final page of the document? 5 A. Yeah. This is for the 3477 again. 6 That was -- the bottom right page shows this is 7 Rev A, which is released when the part -- 8 product is initially released. And that's the 9 date that the datasheet was released and the 10 part was released. 11 Q. Okay. So -- 12 A. The datasheet was released. 13 Datasheet was released. 14 Q. Just so the record is clear, you're 15 looking at the page that says LEGATES and then 16 it ends with 20, the Bates number, correct? 17 A. That is correct. And it's page 20 of 18 that datasheet. So the big 20 is on the 19 left-hand side of the page. It's LEGATES 20 20 referenced. And the bottom right corner shows 21 the LT0506 date Rev A I talked about. 22 Q. And this is a document that would 23 have been created in the ordinary course of 24 business at Linear Technologies, correct? 25 A. Correct.

78 1 Q. And based on your almost two decades 2 of experience at Linear Technologies, your 3 understanding of the label LT0506 is that that 4 means this document was released on -- in 5 May 2006; is that right? 6 A. Correct. 7 Q. And insofar as you know, was that 8 dating scheme used throughout your time at 9 Linear Technologies? 10 A. Yes. 11 Q. So I'm going to change gears a little 12 bit. 13 Okay. Are you familiar with a term 14 called passive cell balancing? 15 A. Yes. 16 Q. What's your understanding of what 17 that term means? 18 A. When you stack a number of battery 19 cells together, they don't match perfectly, and 20 if you charge them all with the exact same 21 current, eventually some cells in the string 22 will reach their max charge voltage. And you 23 don't want to charge it past there for damage of 24 shortening the life of that cell or damaging it 25 or catching on fire or something else.	80 1 experience, customers were talking about 2 active and passive cell balancing prior to 3 that time. 4 BY MR. BOSCO: 5 Q. Did Linear Technologies have any 6 integrated circuits that were used for passive 7 cell balancing? 8 A. No. They were looking at active cell 9 balancing pretty early. I can -- I -- first -- 10 I can probably look up the dates with some time 11 and find it, but passive cell balancing didn't 12 require any real semiconductor content or not 13 the kind of things we were looking at. But 14 active cell balancing we had a lot of interest 15 in for a while. Because it's a big power saver. 16 Has real power problems. Anyway. 17 Q. Does passive cell balancing, is it 18 fair to say that that's kind of a less 19 sophisticated technology than active cell 20 balancing? 21 A. I'm not sure I think of "less 22 sophisticated" is the right word. From my 23 standpoint, it takes less of a semiconductor 24 content that we would want to provide. But 25 typically, yeah, it requires less semiconductor
79 1 So when you have a lot of these 2 stacked up in a -- in series, you want to divert 3 current around the cells that are already fully 4 balanced -- sorry, that are already fully 5 charged. 6 And there's two ways to do that. One 7 is passive cell balancing, meaning if you -- 8 I'll use an example. Three battery cells and 9 you stack them up and let's say the one in the 10 middle reaches full charge first but you want to 11 keep charging the top and the bottom, you need 12 to divert current around the one on the bottom 13 to keep the cells balanced. That's where the 14 passive balancing. 15 And active balancing just means you 16 have fancier circuitry and sensing to do that. 17 But it's to keep -- it's for a safety mechanism 18 and also battery life and things like that when 19 you're charging a number of cells in series. 20 Q. So based on your experience, was 21 passive cell balancing known before, say, 2017? 22 MR. EVANS: Objection. Form. 23 Foundation. Calls for expert testimony. 24 Go ahead. 25 THE WITNESS: Yes. Based on my	81 1 components. It's usually resistors and some of 2 the things like that. Really simple bypass 3 circuits. 4 Q. Do you think that passive cell 5 balancing -- strike that. 6 Based on your personal experience and 7 knowledge, did passive cell balancing exist as 8 of the year 2000? 9 A. I don't know about the year 2000. 10 Q. How about the year 2010? 11 A. Yes, based on my experience. 12 MR. BOSCO: Okay. I know we've only 13 been going 40 minutes. I'm getting close 14 to I think what will be the end of my 15 exhibits. But I'd like to take maybe 16 another ten-minute break if that's okay 17 with everybody and review things. 18 THE VIDEOGRAPHER: We are off the 19 record. The time is 7:41 a.m. 20 (Whereupon, a recess was taken 21 from 7:41 a.m. to 7:52 a.m.) 22 THE VIDEOGRAPHER: We are back on the 23 record. The time is 7:52 a.m. 24 BY MR. BOSCO: 25 Q. So Mr. Legates, let's look back

82 1 quickly to Exhibit 2 which was the subpoena 2 itself. 3 A. Okay. All right. 4 Q. And then, as you'll recall, on 5 page 26 is the article you authored, correct, 6 that we discussed earlier? 7 A. Let me get there. 8 Q. Page 26 of the PDF. 9 A. Yep. That's correct. 10 Q. Okay. So -- and I apologize if this 11 is redundant, but this article, to the best of 12 your knowledge, was published on -- at least as 13 of February 2001; is that correct? 14 A. That is correct. 15 Q. And at least either in 2001 or 16 sometime thereafter, it would have been posted 17 on Linear Technology's website; is that correct? 18 A. That is correct. 19 Q. And would you agree that it would 20 have been posted on the Linear Technology's 21 website before 2014? 22 A. Definitely before 2014. 23 Q. And this describes a chip called the 24 LT1618, correct? 25 A. Yes.	84 1 have questions. And then depending on 2 that, it's possible that I may ask some 3 follow-up questions. 4 THE WITNESS: Okay. 5 MR. BOSCO: Thank you very much for 6 your time. 7 THE WITNESS: Uh-huh. 8 MR. CANAVERA: I don't have any 9 questions at this time. 10 MR. EVANS: Claire, how about you, 11 why don't you -- 12 MS. COMFORT: The staff doesn't have 13 any questions. 14 EXAMINATION 15 BY MR. EVANS: 16 Q. Okay. Mr. Legates, my name is John 17 Evans. I'm with Jones Day representing NOCO, 18 the complainant in this investigation. I have 19 just a couple of questions for you. 20 A. Okay. 21 Q. In the share folder, there's the 22 document beginning with LEGATES and it ends in 23 45. 24 Could you bring that up, please. And 25 let me know when you have it.
83 1 Q. And is it correct that you personally 2 designed that chip? 3 A. That is correct. 4 Q. And you -- earlier in your testimony 5 you discussed the chip called LT3477. Is it 6 correct that although you didn't personally 7 design that, you had input on the design of that 8 chip? 9 A. Correct. I defined that chip and 10 then one of my engineers designed it. But I did 11 the definition for it. 12 Q. And the article on page 26 of 13 Exhibit 2, that's a document that Linear 14 Technologies created in the ordinary course of 15 business, correct? 16 A. Correct. 17 Q. And I believe you testified to this 18 earlier, but this document would have been 19 conveyed one way or another to hundreds or 20 thousands of Linear Technology's customers; is 21 that correct? 22 A. That's correct. 23 MR. BOSCO: So at this time I have no 24 further questions for you, Mr. Legates. 25 The attorneys for the other parties may	85 1 A. I have it. 2 Q. Okay. In the way that emails get 3 produced in litigation, it puts the first email 4 in the chain all the way down at the bottom. So 5 I'm going to ask you to go to the second-to-last 6 page which has the number LEGATES48 on it. And 7 can you let me know when you're there. 8 A. I'm there. 9 Q. All right. And at the bottom there, 10 it says, "From LinkedIn Message, Tuesday 11 August 8, 9:44 a.m. Patent Litigation 12 Consultation." 13 Can you see that? 14 A. I can. 15 Q. And that's a message from Mr. Bosco 16 to you dated August 8th, 9:44 a.m.? 17 A. Correct. He messaged me in LinkedIn 18 and I just copied it over here because it's 19 easier e-mailing than going back and forth on 20 LinkedIn messenger. 21 Q. Did you discuss whether you would 22 serve as a consultant in this litigation? 23 A. No. 24 Q. Okay. So you're not serving as a 25 consultant for any party in this investigation?

86 1 A. I am not. 2 Q. Are you being compensated for your 3 time in response to this subpoena or for 4 testifying today? 5 A. I am not. 6 Q. All right. Let's go to the first 7 page here. It's the 1:45. Let me know when 8 you're there, please. 9 A. Okay. I'm there. 10 Q. And under the heading where it says 11 "LT3477," it says, "On our call." 12 Do you see that? 13 A. I do. 14 Q. And did you have a call with 15 Mr. Bosco regarding this case? 16 A. We had a phone call -- he reached out 17 to me initially on LinkedIn. I replied back to 18 him through email and we had a -- I don't 19 know -- maybe ten-minute phone call, maybe 20 shorter, just kind of covering the history of 21 the 1618 and some other stuff. But yes, I had a 22 phone call with him after that. 23 Q. Okay. And did you discuss the 24 subject matter of your testimony with Mr. Bosco 25 during that phone call on September 7th?	88 1 further questions for you. Thank you, 2 Mr. Legates. 3 THE WITNESS: You're welcome. 4 MR. BOSCO: I'm happy to go off the 5 record. 6 THE VIDEOGRAPHER: We are off the 7 record. The time is 7:59 a.m. 8 (Whereupon, a discussion was had 9 off the record.) 10 THE VIDEOGRAPHER: We are back on the 11 record. The time is 8:00 a.m. 12 MR. BOSCO: So Mr. Legates, I have no 13 further questions, and thank you for your 14 time today. 15 As we were discussing during the 16 break, you do have the opportunity to 17 review your transcript if you'd like and 18 correct any errors and you'll receive a 19 copy of the transcript from the court 20 reporter at some point. 21 THE WITNESS: Okay. 22 THE VIDEOGRAPHER: We are off the 23 record. The time is 8:01 a.m. 24 (Time concluded: 8:01 a.m.) 25
87 1 A. I did not discuss the subject matter. 2 Q. Okay. You only talked about the 3 LT1618? 4 A. I talked about the 1618. Talked 5 about the article that was -- we mentioned 6 before that was included on the subpoena 7 document. And then I think that's when I 8 mentioned the 3477 and I said there's another 9 part very similar. I said I don't think I have 10 -- I've left Linear Technology Devices years 11 ago. I don't know that I have any real 12 documents to offer. And that was the one piece 13 I found. And I felt like given the date, the 14 3477 release date mattered and the original 15 datasheet. 16 So literally we talked kind of in 17 those same terms. And then I just followed up 18 providing documents that I could find and 19 thought might be relevant. 20 Q. Okay. And apart from your email here 21 on LEGATES45 and the other emails in this 22 exhibit, have you had any other communications 23 with any of the parties in this case? 24 A. No. 25 MR. EVANS: All right. I have no	89 1 STATE OF ILLINOIS) 2) SS: 3 COUNTY OF COOK) 4 5 I, Janice M. Koczek, CSR, CLR, 6 No. 084-002871, do hereby certify: 7 That the foregoing remote deposition of 8 BRYAN A. LEGATES, was taken at the time and 9 place therein set forth, at which time the 10 witness was put under oath remotely by me; 11 That the testimony of the witness and 12 all objections made at the time of the 13 examination were recorded stenographically by 14 me, were thereafter transcribed under my 15 direction and supervision, and that the 16 foregoing is a true record of same. 17 I further certify that I am neither 18 counsel for nor related to any party to said 19 action, nor in any way interested in the outcome 20 thereof. 21 IN WITNESS WHEREOF, I have subscribed 22 my name this 3rd day of October, 2023. 23 24 _____ JANICE M. KOCEK, CSR, CLR CSR NO. 084-002871 25

90 1 ACKNOWLEDGMENT OF DEPONENT 2 I, _____, do hereby 3 acknowledge that I have read and examined the 4 foregoing testimony, and the same is a true, 5 correct and complete transcription of the 6 testimony given by me, and any corrections 7 appear on the attached Errata Sheet signed by me. 8 9 10 11 _____ 12 (DATE) (SIGNATURE) 13 14 15 NOTARIZATION (If Required) 16 State of _____ 17 County of _____ 18 Subscribed and sworn to (or affirmed) before me 19 on this _____ day of _____, 20 2023, by _____, proved 21 to me on the basis of satisfactory evidence to 22 be the person who appeared before me. 23 24 Signature: _____ 25 (SEAL)	92 1 ACKNOWLEDGMENT OF DEPONENT 2 I, _____, do hereby 3 acknowledge that I have read and examined the 4 foregoing testimony, and the same is a true, 5 correct and complete transcription of the 6 testimony given by me, and any corrections 7 appear on the attached Errata Sheet signed by me. 8 9 10 11 _____ 12 (DATE) (SIGNATURE) 13 14 15 NOTARIZATION (If Required) 16 State of _____ 17 County of _____ 18 Subscribed and sworn to (or affirmed) before me 19 on this _____ day of _____, 20 2023, by _____, proved 21 to me on the basis of satisfactory evidence to 22 be the person who appeared before me. 23 24 Signature: _____ 25 (SEAL)
91 1 STATE OF ILLINOIS) 2) SS: 3 COUNTY OF COOK) 4 5 I, Janice M. Koczek, CSR, CLR, 6 No. 084-002871, do hereby certify: 7 That the foregoing remote deposition of 8 BRYAN LEGATES, was taken at the time and place 9 therein set forth, at which time the witness was 10 put under oath remotely by me; 11 That the testimony of the witness and 12 all objections made at the time of the 13 examination were recorded stenographically by 14 me, were thereafter transcribed under my 15 direction and supervision, and that the 16 foregoing is a true record of same. 17 I further certify that I am neither 18 counsel for nor related to any party to said 19 action, nor in any way interested in the outcome 20 thereof. 21 IN WITNESS WHEREOF, I have subscribed 22 my name this ^ DAY day of September, 2023. 23 24 _____ 25 JANICE M. KOCEK, CSR, CLR CSR NO. 084-002871.	

A	ADP1612_16...	35:14 43:19	75:15,20	20:13,15,16
a.m 1:19 2:8	71:3	46:21	archived 56:18	21:6,18 22:2
8:10 48:14	ads 26:4	anymore 20:10	57:22	36:8 39:1,11
48:16,16,18	advantage	55:7	arranged	39:15,16
81:19,21,21	46:5	Anyway 80:16	41:18	70:2
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88:11,23,24	ago 20:18 29:6	51:16 82:10	Arrow 59:14	available 28:5
able 61:20	30:18 31:7	app 25:19	article 29:13	28:13 37:12
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