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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
CASE NO. IPR2024-00687
US PATENT NO. 8,808,017

-----X

BIZLINK TECHNOLOGY, INC.,
Petitioner,
v.

ANDERSON POWER PRODUCTS, INC.,
Patent Owner.

-----X

1717 Arch Street
Philadelphia, Pennsylvania

May 21, 2025
9:02 a.m.

DEPOSITION of RONALD P. LOCATI, an
Expert Witness for Patent Owner, held at the
above-entitled time and place, reported
stenographically before Carolyn Crescio, a
Professional Shorthand Reporter and Notary
Public of the State of Pennsylvania.

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A P P E A R A N C E S:

FINNEGAN HENDERSON FARABOW GARRETT & DUNNER, LLP
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-and-

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Chicago, Illinois 60607

BY: JAMES LUKAS, ESQ.

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R. LOCATI

R O N A L D P. L O C A T I, the witness herein,
after having been first duly sworn by a Notary
Public of the State of Pennsylvania, was examined
and testified as follows:

EXAMINATION

BY MR. SMYTH:

Q. Good morning, Mr. Locati.

A. Good morning.

Q. Can you please state your full name
for the record?

A. Ronald Peter Locati.

MR. LUKAS: Jeff, can we make
appearances, too?

MR. SMYTH: Sure. That's a good
point.

So, yeah, so appearances. My
name is Jeff Smyth. I'm from the
law firm of Finnegan Henderson.
With me today is my colleague Ming
Yang, and we are on behalf of the
petitioner, Bizlink.

MR. LUKAS: My name is James
Lukas from the law firm of Greenberg
Traurig representing the patent

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owner, Anderson Power Products and
also the witness.

Q. Mr. Locati, how many times have you
been -- have you provided deposition testimony?

A. Quite a number of times. It's over
a dozen in total. I have to look at my CV to
get the exact number, but it's quite a lot.

Q. When was your most recent
deposition?

A. It might have been three or four
years ago, roughly.

Q. Have you primarily given testimony
in patent cases or other cases in depositions?

A. I would say at least 90 percent have
been patent cases.

Q. And those are primarily as an expert
consultant, witness?

A. Yes.

Q. So you have been through the process
before. You understand sort of how things work,
but I'll do the background stuff anyway. So
I'll be asking you a series of questions today,
primarily about your declaration in this IPR.
If you at any point don't understand my

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questions, please let me know.

A. Will do.

Q. Otherwise, I'm going to assume you understood the question if you are able to provide a response.

A. That's fine.

Q. I will plan to take a break every hour or so, but if you need a break let me know.

A. Okay.

Q. And you understand that you cannot discuss the substance of your deposition with your counsel today during breaks?

A. Yes, I do understand that.

Q. You understand you're under oath here today?

A. Yes.

Q. Is there any reason you're unable to answer any of my questions truthfully and accurately today?

A. No.

Q. So no medication or anything that's affecting your ability to testify today?

A. That is correct, no.

Q. What did you do to prepare for

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today's deposition?

A. A number of things. I reviewed my declaration. I met with counsel and reviewed supporting documents for the declaration including patents.

Q. And when you say you met with counsel, who specifically did you meet with?

A. James Lukas yesterday, and also Ben Gifford last week one day. I don't remember which day.

Q. So sounds like you met to prepare yesterday with Mr. Lukas, right?

A. Yes.

Q. And there was one other day last week that you prepared as well?

A. Correct.

Q. How much time in total would you say you spent preparing for today's deposition?

A. More than 10 hours.

Q. Did you meet with anyone other than that be Mr. Lukas or Mr. Gifford?

A. I did not.

Q. Did you speak with anyone at Anderson Power?

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A. No, I did not.

Q. And you didn't speak with either of the individuals identified as inventors on the 017 Patent?

A. No, I did not. Correct.

Q. And you didn't speak with any former employees of Anderson Power?

A. Not that I'm aware of.

Q. You said you reviewed some materials including your declaration and some exhibits; is that right?

A. I did see patents, if I recall.

Q. Patents. Do you remember specifically, aside from your declaration, which documents you looked at?

A. Including the petition. Dr. Eldering's declaration. And the transcript from his deposition. And there might have been something else. I just don't recall.

Q. So it was your declaration, the petition, Dr. Eldering's declaration and his testimony, correct?

A. At least, yes.

Q. And then you said "patents," as

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R. LOCATI

well, so --

A. Yes.

Q. -- did you review the 017 Patent?

A. I did, yes.

Q. And you reviewed the Winkler
reference?

A. Yes.

Q. And did you review the Kataoka
reference?

A. Yes.

Q. Anything other than those documents
that you reviewed that you can recall today?

A. Nothing I can recall right now.

Q. And you prepared a declaration in
support of Anderson's position in this IPR,
correct?

A. Yes.

Q. I have a copy of that.

(Declaration of Ronald Locati is
received and marked as Exhibit 2001
for identification, as of this
date.)

Q. Mr. Locati, can you take a look at
Exhibit 2001?

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R. LOCATI

A. Okay.

Q. All right. Do you recognize this document --

A. Yes.

Q. -- Mr. And -- Mr. Locati?

A. Yes.

Q. And this is a copy of the declaration that you prepared, that was submitted in the IPR?

A. Yes.

Q. Have you prepared any other written reports or analyses related to this matter?

A. No, not that I can recall.

Q. Mr. Locati, how did you go about preparing this declaration that we are looking at, this Exhibit 2001?

A. Can you provide more detail on the question?

Q. Sure. So this is your declaration. Did you -- when did you begin preparing this declaration, would you say?

A. Sometime approximately in February of this year.

Q. So that's February 2025?

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A. Correct.

Q. And how did you go about the process of preparing this declaration?

A. Part of the process involved reviewing the subject patent and the patents provided for by the petitioner, and also reviewing the petition and looking at and examining within the patents, the technology that was described in each.

Q. So you started by reviewing the materials, right?

A. Correct.

Q. And then did you work with someone in preparing this draft of the declaration?

A. Yes.

Q. Who did you work with?

A. Counsel.

Q. Anyone other than counsel?

A. No.

Q. And who drafted the declaration itself? Was it you or counsel?

A. Drafting the actual, let's say, typing and/or --

Q. Yes.

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R. LOCATI

A. Okay. Converting to a Word document?

Q. Yes.

A. Counsel did that at my direction.

Q. So counsel did the actual typing of the declaration itself?

A. Correct.

Q. How did you decide what topics to address in the declaration?

MR. LUKAS: Object to form.

A. "Topics" meaning?

Q. I'll ask a different question. The declaration has a series of opinions, right?

A. Technical opinions, yes.

Q. Did you decide which technical opinions to include in the declaration, or was that decided by counsel?

A. I understand the question now. It was co-decided. Both of us collaborated on that decision as to what to include.

Q. And have you included all of your opinions related in this matter in this declaration?

A. Yes, with the exception that I may

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need to expound on some of the opinions today,
depending on your questioning.

Q. But as you sit here right now,
there's nothing in addition that you need to add
to the declaration?

A. Correct.

Q. You said you prepared -- so you said
counsel drafted the declaration itself. Did
you -- we'll start over.

How much time would you say you spent on
preparing this declaration, in total?

A. More than 30 hours.

Q. And how much of that more than 30
hours was spent reviewing materials?

A. At least half of that.

Q. And was the rest of the time spent
on the actual finalization of the declaration
itself?

A. The rest of the time was spent
executing a number of drafts, additions
corrections, amplifications, in addition to
considering and re-examining the patents,
relooking at -- rereading the patents and the
claims.

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R. LOCATI

Q. So I understand -- just so I understand, so counsel did the typing of declaration itself, but then you reviewed and revised it afterwards; is that right?

A. I participated in the initial draft and thereafter there were a couple of revisions, yes.

Q. How did you participate in the initial draft?

A. I attended a meeting with counsel in Chicago for, I believe, an entire day.

Q. So you traveled to Chicago and met with counsel for the initial meeting?

A. That's correct.

Q. And following that meeting, they provided you with a draft of the declaration?

A. To my recollection, that is the case, yes. Sometime thereafter.

Q. As you sit here today, is there anything you wish to change or correct that's in Exhibit 2001?

A. Not that I can think of at the moment.

Q. Do you recall when this declaration

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was finalized?

A. Yes.

Q. When was it finalized?

A. March 7, 2025.

Q. In paragraph 8 of the declaration, which is on page 3, it says: I'm being compensated for my time in connection with this case at my standard hourly-consulting rate without regard to the outcome of this proceeding.

Do you see that?

A. Yes.

Q. What rate are you being compensated for your work on this matter?

A. I'm getting \$550 an hour.

Q. And if we can turn to paragraph 20 of Exhibit 2001.

And this section of your declaration is entitled: The Bases for My Opinions.

Do you see that?

A. Yes.

Q. And you outline in paragraphs 20 through 24 the things that you considered in preparing the declaration; is that right?

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A. That is correct.

Q. And so one of the things you considered in preparing the declaration is the 017 Patent, right?

A. That is correct.

Q. And the prosecution history of the 017 Patent?

A. That is correct.

Q. In preparing these opinions, you also reviewed the petition for interparties review, correct?

A. Yes.

Q. And the declaration of Dr. Eldering, right?

A. Correct.

Q. And the transcript of the deposition of Dr. Eldering?

A. That is correct.

Q. And you indicated also that you considered the exhibits attached to the petition, right?

A. Yes, that is correct.

Q. Is that all of the exhibits attached to the petition?

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A. Can you rephrase that or ask that again?

Q. Sure. When you say you considered the exhibits attached to the petition, I think there were about 20 exhibits or so. Did you consider all 20 exhibits?

A. I know I looked, at all 20, yes.

Q. In paragraph 22, you say you also reviewed the board's institution decision?

A. That is correct.

Q. And you considered the board's institution decision when you were preparing your declaration; is that right?

A. Yes, I did.

Q. It says you also considered the materials listed above and any other documents cited in this declaration. Did you consider the exhibits that the patent owner submitted with their patent owner response?

A. I don't recall.

Q. Do you recall if you considered the patent owner's preliminary response in this case?

A. I don't recall that either.

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R. LOCATI

Q. Did you review the patent owner response that was submitted prior to it being filed?

A. Excuse me. Can you repeat that?

Q. Sure. There was a patent owner response that was submitted in this IPR. Do you recall if you reviewed that?

A. I don't recall.

Q. You're aware that there's also a co-pending district court case related to this same patent in this IPR, right? You're aware of that?

A. I'm vaguely aware that there's a case, yes.

Q. Are you working -- also working on the district court litigation aspects of this case, or no?

A. I'm not, no.

Q. Did you review any of the documents from the district court case?

A. Not that I recall.

Q. Have you reviewed any of Anderson's infringement contentions in that case?

A. Not that I recall, no.

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Q. More broadly, did you review any of Anderson's contentions related to the 017 Patent, in any context?

A. Not that I recall.

Q. Did you review the parties' claim construction briefing in the related litigation?

A. Not that I recall.

Q. Did you review any of the invalidity contentions in the related litigation?

A. Not that I recall.

Q. Have you ever reviewed any of Anderson's products that practice the claimed invention?

A. No, I have not.

Q. Have you looked at any of the Bizlink products that are accused of infringement?

A. No, I have not.

Q. And you said you have not spoken with either of the two individuals identified as inventors on the 017 Patent, right?

A. That is correct, I have not.

Q. Did you ask to speak with either inventor in connection with this matter?

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R. LOCATI

A. Did I ask to speak with them? No, I did not.

Q. Do you know anything about either of the two inventors or their backgrounds?

MR. LUKAS: Objection. Form.

A. Of the 017 Patent, just to clarify?

Q. Yeah.

A. No, I do not.

Q. Do you have any legal training, Mr. Locati?

A. Formal legal training?

Q. Yes.

A. No, I do not.

Q. In your declaration, you include a section on your sort of understanding of the legal principles, correct?

A. Correct. I'm not an attorney, but I've been advised by attorneys in that regard.

Q. And so is your understanding of the legal principles just what is outlined here in your declaration in paragraphs 11 through 19?

A. As it concerns this case and this report, yes.

Q. And you're not relying on any other

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understanding of the law or the patents standards, other than what is outlined in this part of your report, for this case, right?

A. Correct, not to my knowledge.

Q. And you have no opinions as to whether these correctly outline the patent law or the legal standards, right?

A. Correct. I do not have an opinion on that.

Q. Looking at the section starting at paragraph 25 of your declaration on page 8 --

A. Yes.

Q. -- this section concerns a person of ordinary skill in the art, correct?

A. Yes, it does.

Q. And you have -- you offered in here some opinions on the characteristics of the person of ordinary skill in the art?

A. Yes.

Q. Did you come up with your proposal for a person of ordinary skill in the art yourself, or was that suggested by counsel for Anderson?

A. That is my opinion. For example,

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1 R. LOCATI

2 paragraph 32.

3 Q. So looking at paragraph 32, it says:
4 I believe that a POSITA would have had at least
5 a bachelor's degree in mechanical or electrical
6 engineering or an equivalent field, and at least
7 two years of experience designing or developing
8 electro connectors, right?

9 A. Yes.

10 Q. Did you come up with that yourself,
11 or was that proposed by counsel for Anderson?

12 A. That was -- I created that
13 description.

14 Q. Under your description, you say that
15 they must have a bachelor's degree in mechanical
16 or electrical engineering or an equivalent
17 field, right?

18 A. That is correct.

19 Q. What is an equivalent field?

20 A. One potential equivalent field would
21 be physics.

22 Q. How would you determine what is and
23 isn't an equivalent field?

24 A. If that field relates to the field
25 of electrical connectors, and their design and

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development and testing.

Q. And you say that physics is an equivalent field, right?

A. It could be, yes.

Q. What do you mean "it could be"?

A. Well, it's an example of something that would be equivalent. And I do know some individuals from working in the past that have had physics degrees that were involved in electro-connector design and testing.

Q. What are some other examples of what would be considered -- you would consider to be an equivalent field?

A. I can't think of any right now.

Q. All right. So the ones you can think of right now would be a bachelor's degree in mechanical engineering, electrical engineering or physics, correct?

A. Correct.

Q. And if an individual doesn't have one of those degrees, one of those three degrees in your opinion, they would not be considered a person of ordinary skill in the art?

A. I'm not saying that, no.

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Q. So if a person doesn't have one of those degrees, they could still be considered a person of ordinary skill in the art?

A. I disagree.

Q. Okay. Well, which is it?

A. It's neither. It's in addition to an engineering degree, a bachelor's degree and/or a physics degree, and at least two years of experience designing connectors.

Q. Okay. So -- but under either of those, the first prerequisite is that you have to have a degree in electrical engineering, mechanical engineering or physics, correct?

A. Correct.

Q. And so somebody who does not have an electrical engineering, mechanical engineering or physics degree, no matter how much practical experience they have, wouldn't be considered a person of ordinary skill in the art?

MR. LUKAS: Objection. Form.

A. Under my definition, that's correct.

Q. What about, for example, like an electrician? An electrician might not have a college degree, but they have a lot of

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R. LOCATI

experience with electrical connectors, right?

A. Maybe.

Q. If -- if an electrician didn't have a college degree, had a lot of experience with electrical connectors, could they be a person of ordinary art in the art?

A. I doubt it very much.

Q. But an electrician would understand electrical arcing, right?

MR. LUKAS: Objection. Form.

A. Potentially.

Q. An electrician could potentially understand that putting an insulating material -- use of an insulating material could prevent electrical arcing, right?

MR. LUKAS: Objection. Form.

A. I don't know if they would necessarily.

Q. So in addition to having at least a degree in electrical engineering, mechanical engineering or physics, it's also your opinion that you must have two years of experience designing or developing electrical connectors; is that right?

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A. At least two years, yes.

Q. And there's no amount of education that could compensate for that two years of experience; is that right?

A. It's highly unlikely. Correct.

Q. What do you mean "it's highly unlikely"?

A. To me, my opinion of a person of skill in the art is that they have to have hands-on, practical experience actually designing electrical connectors, in addition to having the theoretical background of a BS degree.

Q. When did you finalize your opinion on a person of ordinary skill in the art?

A. Sometime before March 7th.

Q. Was it, you know, a week before March 7th? At what point in the process? Obviously, the declaration is -- was signed on March 7th.

MR. LUKAS: Objection. Form.

A. Between mid-January and March 7th of this year.

Q. And your opinion on the

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characteristics of a person of ordinary skill in the art is based on all materials that you considered that we talked about earlier?

A. My opinion, based -- my opinion of it, what it requires to be a person of ordinary skill in the art is based in part on that. Also in terms based on my experience with individuals' success or failure in designing -- successfully designing electrical connectors.

Q. So it's based on your personal experience, as well as the materials that you considered in preparing this declaration; is that fair to say?

A. Correct.

Q. In paragraph 26 of the declaration, you say it's your understanding that six factors may be considered when determining the level of ordinary skill in the art.

Do you see that?

A. Yes.

Q. But you didn't provide any analysis of these six factors in your declaration, right?

A. I did some.

Q. Okay. Which factors or -- which

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factors did you discuss or consider in this declaration?

A. For example, the education level of active workers in the field.

Q. Any others?

A. Yes. E, sophistication of the technology. C, prior art solutions to those problems. B, the type of problems encountered in the art. A, the educational level of the inventor. And D, the rapidity with which innovations are made.

Q. Those are the factors. The question I have is -- for example, the prior art solutions to the problems, you have not outlined in paragraphs 25 through 33 anything concerning the prior art solutions to the problems, right?

A. I thought your question was, Did I take those into consideration?

Q. No. My question is: You don't have any analysis of these factors in this declaration?

A. Well, your earlier question before that.

You're correct. Yes, I agree.

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Q. Okay. So the analysis of these six factors, you don't have anything in the declaration doing an analysis of the six factors we talked about, right?

A. Nothing written in addition to what is in 32.

Q. Okay. Are any of your opinions in this case impacted by your definition of "the person of ordinary skill in the art"?

A. Not that I can think of.

Q. All right. I'd like to switch gears a little bit now and talk about the patent. Give me a second, and I'll get you a copy of that.

(A break was taken.)

(017 Patent is received and marked as Exhibit 1001 for identification, as of this date.)

Q. All right. You have had a chance to look at 1001, Mr. Locati?

A. Yes.

Q. And you're familiar with this document?

A. Yes, I am.

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R. LOCATI

Q. This is the 017 Patent. And you have reviewed the entire patent, right?

A. Yes, I have.

Q. When was the last time you looked at it?

A. Last evening.

Q. And the patent itself has five figures or so, right?

A. There are some subsets, but they are labeled 1 through 5B.

Q. So there's figures labeled 1 through 5 and some have A and B, right?

A. Yes.

Q. And there's a short specification explaining the figures on the claimed invention, right?

A. The specification of the patent?

Q. Yes.

A. Yes, there's a specification.

Q. I would like to walk through each of the figures in Exhibit 1001. Start with the figures 1A and 1B. And if you can just explain what is your understanding of what is shown in figures 1A and 1B.

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R. LOCATI

A. Figures 1A And 1B represent prior art.

Q. So figures 1A and 1B are what the people filing the patent identified as what was understood in the prior art; is that right?

A. My understanding is figures 1A and 1B represent an example of prior art that they chose.

Q. Let's turn then to figure 2A and 2B. What is your understanding of what is shown in figures 2A and 2B?

A. Figures 2A and 2B are cross-sectional views of one of the embodiments described in the patent.

Q. And the patent -- the figures in the patent only include a -- this one cross-sectional view, right?

MR. LUKAS: Objection. Form.

Q. Of this embodiment?

A. Can you repeat the question, please?

Q. Sure. So you said that figures 2A and 2B present a cross-sectional view of one embodiment; is that right?

A. I believe that is what I said.

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R. LOCATI

Those were my words.

Q. And there are no other figures showing different perspectives of this embodiment of figures 2A and 2B; is that right?

MR. LUKAS: Objection. Form.

A. There are other views of the embodiment.

Q. What is another view of that embodiment?

A. Well, for example, 3A, 3B, 4A. And 4B, if I have not said that already.

Q. So these figures, figures 2A and 2B are what -- depict what the applicant claims is the invention, right?

MR. LUKAS: Objection. Form.

A. Can you repeat that?

Q. Yes. Figures 2A and 2B are what the applicant claims are the invention, right?

MR. LUKAS: Objection. Form.

A. No.

Q. Figures 2A and 2B are not what the applicant claims are the invention?

A. Figures 2A and 2B are one embodiment of the invention.

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R. LOCATI

Q. And this is an embodiment of Claim 1 of the 017 Patent, right?

MR. LUKAS: Objection. Form.

A. Figures 2A and 2B represent one embodiment of the invention.

Q. Okay. Figures 2A and 2B represent one embodiment of the invention claimed in Claim 1 of the 017 patent, right?

A. Claim 1 may or may not read directly on that particular embodiment. This is one example of an embodiment of the invention.

Q. You rely on Figures 2A and 2B in your opinions in the declaration, right?

A. I believe I do, yes.

Q. Okay. And you rely on Figures 2A and 2B in your declaration with regard to your understanding of the scope of Claim 1 of the 017 patent, right?

MR. LUKAS: Objection. Form.

A. At least Figures 2A and 2B, yes.

Q. Now, Figures 2A and 2B show just two time points; is that right?

MR. LUKAS: Objection. Form.

A. I don't understand the question.

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R. LOCATI

Q. Sure.

So in Figure 2A, is it your understanding that it depicts the connectors fully connected?

A. If the question is related to two different-mated positions of the connectors --

Q. Uh-huh.

A. -- versus two time points, yes.

Q. Okay. So to put it in your words, Figures 2A and 2B show the connectors in two different positions; is that right?

MR. LUKAS: Objection. Form.

A. Figures 2A and 2B show a cross-sectional view of one embodiment; 2A being one position, 2b being a second position, yes.

Q. Okay. And you understand from specification and the figures that there are other positions other than the two that are depicted in Figures 2A and 2B, right?

MR. LUKAS: Objection. Form.

A. Yes.

Q. So, for example, in another position, the two connectors might be completely disconnected --

MR. LUKAS: Objection. Form.

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R. LOCATI

Q. -- right?

A. That's not described within the
017 patent, but that could be a possibility.

Q. Although it's -- there is no figure
of that in the 017 patent, you still understand
from reading the patent and the disclosure that
that is one position that's possible with these
types of connectors, right?

MR. LUKAS: Objection. Form.

A. I believe the patent is silent on
that.

Q. Okay. But you can nevertheless,
despite the fact that the patent is silent on
it, understand from your review of the patent
that that is a circumstance that would be
possible for these types of connectors, right?

MR. LUKAS: Objection. Form.

A. Not from my review of the patent,
no.

Q. There -- it's also possible that
there would be a position between Figures 2A and
2B in which the connectors are more closely
engaged but still not fully connected; is that
right?

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R. LOCATI

MR. LUKAS: Objection. Form.

A. Based on my practical experience, that is likely, yes, but not based on my reading of the patent, per se.

Q. So you're offering opinions here today not only on your reading of the patent but also based on your practical experience, right?

A. Of course, yes.

Q. Okay. And so it's your understanding within the practical -- in your practical experience that there is a position in which the connectors might be more further engaged than depicted in Figure 2B, yet not fully engaged as depicted in Figure 2A, correct?

MR. LUKAS: Objection. Form.

A. If 2A is fully engaged, yes, I agree.

Q. Okay.

A. There's an infinite number of intermediate positions.

Q. And in one of the positions where the connectors are more fully engaged than as shown in Figure 2B, the Insulating Barriers 200

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R. LOCATI

and 202 would no longer directly block the space
between the two electrical contacts, right?

MR. LUKAS: Objection. Form.

A. I disagree.

Q. Why do you disagree?

A. One, the drawings are not to scale.
Secondly, that view that you're describing is
not depicted within the 017 patent.

Q. And the view that we have in
Figures 2A and 2B are the only views that are
depicted in the 017 patent, right?

MR. LUKAS: Objection. Form.

A. Repeat that again, please.

Q. Sure.

So we're looking at the cross-sectional
view in Figures 2A and 2B, and I think you
indicated earlier that Figures 3A, 3B, 4A, and
4B are also views of the embodiment?

A. Of one embodiment.

Q. Of one embodiment, right.

So all the views, all these
cross-sectional views in the 017 patent, are
from the same perspective, right?

MR. LUKAS: Objection. Form.

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R. LOCATI

A. Of the cross-sectional views of this particular embodiment, my understanding is they were taken from the side. So if you're defining perspective as that side, for example --

Q. Uh-huh.

A. -- side view --

Q. Yeah.

A. -- the cross-sectional view --

Q. Right.

A. -- and the relative positioning of the connectors' different parts are different in each sectional view, the sectional -- the depth of the sectional view may be differently taken in each of these -- I'd have to look back at 4B and 3B to determine that. But...

Q. So what do you mean by that?

A. They're basically a side view of -- cross-sectional side view.

Q. Okay.

A. The depth of the cut within --

Q. Uh-huh.

A. -- the connector as to where the side view was taken, the cross-sectional view.

Q. There's nothing in the patent

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R. LOCATI

specification that explains what the depth of the patent was, right?

A. There may be. I just don't recall.

Q. Okay. I mean, if you want to take a look real quick -- it's pretty short -- and see if you can indicate any part of the specification that explains what depth of cut was being done.

A. Cross-sectional view 3B, for example --

Q. Uh-huh.

A. -- is taken along the indicated line of Figure 3A as to where that cut is located. The same situation applies to Figure 4B.

Q. Uh-huh.

A. That cross-sectional view is taken along the line as shown in Figure 4A.

Q. Okay. And the cross-sectional lines in Figures 3B and 4B are in the same position, right?

MR. LUKAS: Objection. Form.

A. It's not possible to tell from this a hundred percent, but they do appear to be.

Q. And all cross-sectional views that

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R. LOCATI

are depicted in the 017 patent are from a
lengthwise cross-section, correct?

A. The cross-sectional views in 017
appear to be taken parallel to a longitudinal
axis as a connector, the long axis.

(Court reporter requests
clarification.)

THE WITNESS: Sorry.
Longitudinal or long axis of the
connector.

Q. And there are no figures in the
017 patent showing the cross-section along the
other axis, the short axis, right?

MR. LUKAS: Objection. Form.

A. Which access again would that be?

Q. Across the width of the connector,
the width.

MR. LUKAS: Objection. Form.

A. Width, I don't understand. But,
okay.

Q. Well, right.

So I -- you said that -- let's ask it a
different way.

So all the figures depict the

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R. LOCATI

cross-section, you said, parallel to the longitudinal axis, right?

A. Yes.

Q. Okay. And there are no figures depicting the cross-section from any other perspective, right?

MR. LUKAS: Objection. Form.

A. With the exception that they may be taken at different depths.

Q. But, again, my question, Mr. Locati, is: There are no figures in the patent showing a cross-section other than along -- other than parallel to the longitudinal axis, right?

MR. LUKAS: Objection. Form.

A. The cross-sectional views in the 017 patent appear to be taken in a cutting plane that is situated parallel to the longitudinal axis of the connector.

Q. And that's true of all the figures in the 017 patent, correct?

A. That's my understanding, yes.

Q. Okay. And based on the figures that were provided in the 017 patent, you had no trouble understanding what was the claimed

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R. LOCATI

invention, right?

MR. LUKAS: Objection. Form.

A. Could you repeat that, please?

Q. Sure.

Based on the figures that were included in the 017 patent, you had no trouble understanding the scope of the claimed invention, right?

MR. LUKAS: Objection. Form.

A. That's incorrect.

Q. How so? You say you did have trouble understanding the scope of the claimed invention?

A. No. I'm saying that my understanding of the claimed invention was derived from a reading of the specification, a reading of the claims, and reviewing the diagrams or the figures.

Q. Okay. And based on that information, there weren't any other figures that you needed to see to understand the scope of the invention, right?

MR. LUKAS: Objection. Form.

A. I fully understood the scope of the invention from what is contained in the

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R. LOCATI

017 patent.

Q. In addition to the 017 patent, you also considered some prior references, correct?

A. Yes, that's correct.

Q. I'll provide for you a copy of Exhibit 1004.

(Whereupon, an off-the-record discussion was held.)

(Winkler reference is received and marked as Exhibit 1004 for identification, as of this date.)

Q. All right. Mr. Locati, you're familiar with Exhibit 1004?

A. I am, yes.

Q. Okay. I might refer to this as the Winkler reference.

If I do that, will you understand what we're talking about?

A. I will, yes.

Q. Okay. And did you review -- when was the last time you reviewed the Winkler reference, Exhibit 1004?

A. This morning.

Q. Okay. And have you read the entire

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R. LOCATI

reference?

A. Yes, I have.

Q. Okay. And you understand that Exhibit 1004 was a patent that was owned by Anderson Power, right?

A. It was issued to Anderson Manufacturing Company. My understanding is that is a predecessor-named company to Anderson Power.

Q. And 0 -- Exhibit 0 -- 1004 is a U.S. patent, right?

A. That's my understanding, yes.

Q. Okay. And it's a patent that was issued on June 10th, 1958?

A. That's what I see, yes. Correct.

Q. Okay. And it relates to an electrical connector, right?

A. Yes. Correct.

Q. Okay. I'll come back to that one in a second. You can set it aside for now.

MR. LUKAS: Thanks.

THE WITNESS: Thank you.

THE COURT REPORTER: Yep.

(Kataoka Patent is received and

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R. LOCATI

marked as Exhibit 1005 for
identification, as of this date.)

Q. I'm handing you a copy of
Exhibit 1005.

Are you also familiar with this document?

A. Yes. Yes, I am.

Q. What is Exhibit 1005?

A. It's a patent issued May 22nd, 2012,
8182278 --

(Court reporter requests
clarification.)

THE WITNESS: 8182278.

A. To Kataoka, United States patent.

Q. When was the last time you reviewed
this document?

A. This morning.

Q. Okay. And you've read this document
in its entirety as well?

A. Mostly.

Q. What do you mean "mostly"?

A. May not be every word verbatim, but,
yes, every paragraph at least touched on.

Q. So are there any sections of this
patent that you didn't read?

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R. LOCATI

A. Any sections?

Q. Yeah.

A. No.

Q. So you read the whole thing?

A. I read all sections.

Q. Okay.

A. Like I said, maybe not every word
but all sections.

Q. Okay. And these are the two primary
prior art references that are addressed in your
declaration, correct?

A. Yes.

Q. Okay. Did you review any other
prior art in preparation for your deposition
today?

A. I did, yes.

Q. Okay. Do you recall which other
ones you reviewed?

A. Yes.

Q. Which ones?

A. Poliak.

Q. Any others?

A. And to my recollection, there was a
Winkler 2.

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R. LOCATI

Q. Any others?

A. Not that I recall basing my opinions in my report on.

Q. All right. In looking at your report, you have offered opinions related to -- let's start with Winkler, with the Exhibit 1004. Okay? And specifically, I guess, just looking at the table of contents of your report.

So you have an opinion that -- with regard to the Winkler Exhibit 1004, you've offered opinions related to Claim Limitations 1F, 1G, 1H, 1 -- and 1I; is that right?

A. Yes, uh-huh.

Q. Okay. And then you also have an opinion related to Claim 4?

A. Correct.

Q. Okay. And your opinions for those limitations is that they are not anticipated by Winkler; is that right?

MR. LUKAS: Objection. Form.

A. Could you repeat the question?

Q. Sure.

So for Claim Limitations 1F, 1G, 1H, 1I and 4 -- Claim 4, you have opinions that they --

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R. LOCATI

you offered opinions that they are not
anticipated by the Winkler reference, right?

A. Can you repeat that list of --

Q. Sure.

A. -- challenged claims?

Q. So it's Limitations 1F, 1G, 1H,

1I --

A. Yes.

Q. -- and Claim 4.

A. Thank you. Right.

Q. You've not offered opinions on any
of the other limitations of Claim 1, correct?

(Court reporter requests
clarification.)

MR. SMYTH: Right.

MR. LUKAS: Objection. Form.

A. So it's clear, you haven't offered
any opinions with regard to the other
limitations as regard to being anticipated by
the Winkler reference?

MR. LUKAS: Objection. Form.

A. To my recollection, that's accurate.

Q. Okay. And then with regard to
Claims 7, 8, 10, 11, and 12, you have opinions

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R. LOCATI

as to whether those claims would be obvious in
view of the Winkler reference in combination
with other prior art; is that correct?

MR. LUKAS: Objection. Form.

A. Please repeat the question.

Q. Sure.

So with regard to Claims 7, 8, 10, 11, and
12, you have opinions as to whether those claims
would be obvious over the Winkler reference in
view of other prior art, correct?

A. Correct.

Q. Okay. And you have not included any
opinions on other elements in relation to the
Winkler reference, right?

MR. LUKAS: Objection. Form.

A. To my recollection, that's accurate.

Q. Okay. And then with regard to the
other prior art reference, Kataoka, you have
included opinions with -- related to
Limitation 1D and 1I and whether Kataoka
anticipates those two limitations, right?

A. Yes.

MR. LUKAS: Objection. Form.

Q. And you also have included opinions

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R. LOCATI

related to Claims 2, 3, and 4 as to whether
Kataoka anticipates those claims, correct?

MR. LUKAS: Objection. Form.

A. Yes.

Q. And you have opinions regarding
Claims 7, 8, 9, and 10 and whether they're
obvious over Kataoka in view of other prior art
references, right?

MR. LUKAS: Objection. Form.

A. Yes.

Q. And you have no opinions based on
any other elements in relation to the Kataoka
reference, right?

MR. LUKAS: Objection. Form.

A. Not that I recall.

MR. SMYTH: I think now might be
a good time for a quick break.

(A break was taken.)

Q. All right, Mr. Locati. I'd like to
go talk a little bit about some of your opinions
with regard to Exhibit 1004, the Winkler
reference.

And as you indicated before, you
understand that Winkler reference is a patent

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R. LOCATI

that was owned by Anderson or in the Anderson affiliated entity, right?

A. That's my understanding, yes.

Q. Okay. And you're aware that Anderson has identified that reference in the past on its website as patents that cover products?

(Court reporter requests clarification.)

MR. LUKAS: Sure.

Q. It's your -- you're aware that Anderson has in the past identified the patent that is the Winkler reference, on its website, as covering Anderson's products?

MR. LUKAS: Objection. Form.

A. I'm not sure I am aware of that.

Q. Okay. I'll hand you Exhibit -- this is 1012.

MR. LUKAS: Thank you.

(Anderson Power printout is received and marked as Exhibit 1012 for identification, as of this date.)

Q. All right. Mr. Locati, this is

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R. LOCATI

Exhibit 1012. It was submitted with the IPR petition.

And this is -- you reviewed this exhibit as part of the materials you considered for this case, right?

A. I don't recall.

Q. Oh, okay. And do you see, looking at the patent number in the top right-hand corner -- or I guess it's not really the corner. Let's start again.

Do you see the patent numbers on the bottom of the first page of Exhibit 1012?

A. I see a lot of numbers at the bottom. They're -- if they are patent numbers, okay.

Q. Okay. And the number on the top row all the way to the right is 2838739.

Do you see that?

A. Yes.

Q. Okay. And that matches the patent number for the Winkler reference, Exhibit 1004, right?

A. The number is same number, yes.

Q. Okay.

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R. LOCATI

A. I just don't know what these numbers -- it doesn't preface what these numbers are on this document, that I can tell.

Q. Okay. You can set that one aside. Let's go to your opinions. I'll have you turn to -- let's go to paragraph 78. It's on page 31 of your declaration.

Are you there?

A. Yes, yes. Thank you.

Q. Okay. And this is in the section of your declaration discussing your opinions as to why you believe the Winkler reference does not disclose Limitation 1F; is that correct?

A. Yes.

Q. Okay. And so we are clear, as outlined in paragraph 65, Limitation 1F recites the second electrical contact being configured to laterally engage with the connecting surface of the first electrical contact, when the first connector is mated with the second connector.

A. I'm sorry. Was that a question?

Q. Oh, sorry. No.

Was that correct, that's what Limitation 1F concerns?

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R. LOCATI

A. Yes.

Q. Okay. So turning back to paragraph 78, your opinions in this section refer to Figure 4 from the Winkler reference, correct?

A. In this entire section, there are others as well. But, yes, Figure 4 is included.

Q. Okay. And particularly with paragraph 78, it's talking about what Figure 4 of Winkler reference shows, correct?

A. Yes.

Q. And you say that: Winkler's Figure 4 illustrates the engagement between the convex-end portions 34 along the Line 4-4.

You see that?

A. Yes.

Q. Where in Winkler does it say that the engagement is along Line 4-4?

A. It depicts and says that in Figure 2, in combination with at least one, potentially more, sections within the specification.

Q. So in paragraph 78, you cite to Column 1, Line 33 and 34, right?

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R. LOCATI

A. Yes.

Q. As evidence of showing engagement along the Line 4-4, right?

MR. LUKAS: Objection. Form.

A. That is one reference, yes.

Q. And those lines state that Figure 4 is a cross-sectional view taken on the Line 4-4 of Figure 3, right?

A. Yes.

Q. Okay. It doesn't say anything about engagement along the Line 4-4, right?

A. That specific wording does not include the word "engagement."

Q. Okay. And that wording doesn't suggest engagement along Line 4-4 either, right?

A. The wording describes what the view is and where the section's taken, but it does not describe engagement.

Q. Okay. The other part of the specification you identify in paragraph 78 is Column 3, Lines 14 through 27, right?

A. Yes.

Q. Okay. And Column 3, Lines 14 through 27 don't mention Line 4-4 at all, right?

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R. LOCATI

A. There's no specific mention of 4-4 within that -- those Lines 14 through 27. However, it relates directly, in my opinion, to that cut line or that cross-section line.

Q. But there's nothing in this section that says that -- there's nothing in Lines 14 through 27 of Column 3 that says that engagement was along Line 4-4, right?

A. In my view, it does directly relate to Line 4-4.

Q. That's not the question, though. The question is: There is nothing in Column 3, Lines 14 through 27 that indicates that the engagement is on the Line 4-4, right?

A. I disagree. The indication is there.

Q. And so it's your opinion the indication is there despite that Line 4-4 is mentioned nowhere in that section of the specification?

A. That is correct.

Q. Okay. Continuing in paragraph 78 of your declaration, you state that: Winkler's Figure 4 shows that convex-end portions are

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hooked or interlocked -- or are in hooked or
interlocked engagement with each other at
approximately a 45-degree angle.

Do you see that?

A. Yes.

Q. Okay. And you cite the same parts
of the specification for that statement, right?

A. Yes.

Q. Okay. Again, looking at Column 1,
Lines 33 to 34, it says nothing about a
45-degree angle, right?

A. Figure 44 -- or excuse me.

Figure 4 does include Line 4-4, which is a
cutting plane in order to obtain Figure 4
cross-sectional cut view. The specific word may
not be in the description of Figure 4 within the
specification.

Q. Lines 33 and 34 of Column 1 are just
explaining what Figure 4 is, right?

A. Yes.

Q. Okay. And just state that it was a
cross-sectional view taken on the Line 4-4,
right?

A. That is what it says there.

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R. LOCATI

Q. Okay. And if you turn back to Column 3, Lines 14 through 27, there is nothing in that section that states that the engagement is between the convex portions at approximately a 45-degree angle, right?

A. But that is what the words in that section mean.

Q. Which words mean 45-degree angle?

A. This section taken in context with that 4-4 cut line and Figure 4 that results from that -- and, again, taken in context with the wording, that cut line goes through the mating point.

(Court reporter requests clarification.)

THE WITNESS: Mating,
M-A-T-I-N-G.

A. On the radii of the contact, the rounded surfaces.

Q. But nothing in that specification -- there's no words in the specification that mention the 45-degree angle, right?

MR. LUKAS: Objection. Form.

A. Not to my knowledge, correct.

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R. LOCATI

Q. And there's nothing in the specification that indicates that line of 4-4 is intended to show any forces between the convex end portions, right?

MR. LUKAS: Objection. Form.

A. Did you say -- use the word "forces"?

Q. Yes.

A. Can you repeat the entire question, then? Thanks.

Q. Sure.

There's nothing in the sections of the specifications that we've looked at that indicate that Line 4-4 is intended to show any forces between the convex-end portions, right?

MR. LUKAS: Objection. Form.

A. To the extent hooked or interlocked engaging with each other on the curved surfaces may relate to that, that is what I can say that would relate to potential forces. The word "forces" is not there.

Q. Okay. And looking at Figure 2 of the Winkler reference, you see that the -- each electrical connector has a curved spring on the

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R. LOCATI

backside of it.

You see that?

A. If what you're referring to is
Item 36, they describe a leaf spring.

Q. Yes.

A. Yes, I see that.

Q. Okay. So Item 36 on Figure 2 is a
leaf spring, right?

A. As defined in the specification,
yes.

Q. Okay. And each of the electrical
contacts has a leaf spring, correct?

MR. LUKAS: Objection. Form.

A. To clarify, each of the contacts as
in Figure 2?

Q. Yes.

A. Yes. There are two indications of
Item 36, one on each contact.

Q. And those leaf springs, your
understanding, operate to push the two
electrical contacts towards each other, right?

A. No.

Q. Why don't you disagree with -- or
why do you disagree with that statement?

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R. LOCATI

A. Because of the description in the specification in Column 3, 14 to 20 -- Lines 14 to 27. It is describing the function of the springs, and it's different than what you said. I can read it, but I disagree with what you asked, that that is the function of the springs.

Q. So in the section that you pointed to of the 100 patent, it says: The Springs 36 affect upward movement of the terminals and their pockets, right?

A. That's part of it, yes.

Q. Okay. So that was my question, though.

These springs are pushing against the terminals, pushing them towards each other, right?

MR. LUKAS: Objection. Form.

A. But that's not what it says.

Q. The Springs 36 affect upward movement of the terminals; it says that, right?

A. It does say that in the next couple of sentences, yes.

Q. Okay. In paragraph 79 of your declaration, you -- in addition to talking about

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Figure 4, you talk about Figure 2; is that correct?

A. Yes.

Q. Okay. And you state your opinion that Winkler's Figure 2 shows a gap between the elongated flat portion 32, and the convex-end portion of the 34 of the opposing electrical contact.

See that?

A. Yes.

Q. Okay. What gap are you talking about?

A. It's the gap that is evident in that view between the elongated flat portion of the contact as labeled 32, and the curve portion of that contact labeled 34.

Q. All right. So we're looking at Figure 2. You say there's a gap.

I guess my question is: Where? I don't see a gap between 32 and 34. So what gap are you talking about?

A. Let me try to be more precise.
34 -- Element 34 has two extension lines. One is up to the right, towards 12 o'clock. One is

1 R. LOCATI

2 up to the left, towards 10 o'clock.

3 For example, the one that goes up straight
4 o'clock -- straight up towards 12 o'clock, right
5 under the terminus of that line is the
6 one-contact radius. Excuse me. And right below
7 that is a flat portion of the contact -- excuse
8 me -- that's labeled 32. It's right in that
9 area.

10 Q. Yeah. So I guess I'm still not
11 seeing what -- you know, where the -- what you
12 contend is the gap. Let's do this: Can you
13 circle for me on your picture where the gap
14 you're talking about is? I have a pen right
15 here.

16 And so the -- you're talking about the gap
17 that is on the right-hand side, between the curved
18 section of the upper terminal and the flat section
19 of the lower terminal; is that right?

20 MR. LUKAS: Objection. Form.

21 A. It appears to be that we do have
22 some common understanding now as to where the
23 gap is, yes.

24 Q. And there's no discussion in this
25 specification about any gaps or the gap you've

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identified, right?

A. Not that I recall.

Q. Okay. And is it your understanding that these electrical contacts are made out of a conductive material?

MR. LUKAS: Objection. Form.

A. That is my general understanding of how a contact is constructed. I just don't see, at least quickly -- the patent may be silent on the material of the contacts you made up. But that is my general understanding. Excuse me.

Q. Sure, yeah.

I mean, the patent's directed to an electrical connector, right?

A. That is correct.

Q. And so the purpose of that is to facilitate the, you know, transference of electricity between the two connectors; is that fair?

MR. LUKAS: Objection. Form.

A. I go along with that, potentially, in addition to some other factors, but, yes.

Q. Okay. And so in order to do that, the electrical -- the terminals would need to be

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made out of a conductive material, right?

MR. LUKAS: Objection. Form.

A. Again, my understanding is that generally, yes, they are.

Q. Okay.

A. But I don't see support for that within the confines of 739.

Q. Okay. And a person of ordinary skill in the art would understand, in the context of Exhibit 1004, that for two electrical connectors being engaged, you would want to have as many points of contact as possible, right?

MR. LUKAS: Objection. Form.

A. Could you define "points of contact"?

Q. Sure.

So if the electrical connectors are only touching at a single point, you will not be able to transfer electricity as efficiently as if they were in contact at multiple points; is that fair?

MR. LUKAS: Objection. Form.

A. I disagree.

Q. Okay. Why do you disagree?

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R. LOCATI

A. Because one of the fundamental design principles of connector design is to have a predictable contact point at which -- for example, in this case of a separable connector, that the contacts engage each other. It's a known identifiable point. And I'll leave it at that. It's a fundamental underpinning of connector design.

Q. So the fundamental underpinning is that you want to have a -- you want to know -- you want to have a consistent connection point; is that correct?

A. There are --

MR. LUKAS: Objection. Form.

A. There are other factors; consistent unchanging, predictable, known, identifiable, calculable.

Q. Okay. But if the objective is to maximize the efficiency of transferring electricity, having multiple contact points would be superior to having a single contact point, right?

A. No. Not within one set of contacts.

Q. And so it's your opinion that having

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R. LOCATI

a single contact point would be preferable to having multiple contact points?

MR. LUKAS: Objection. Form.

A. In this particular case, it's clear there is one single contact point on the radii of the leading edge of those two contacts. For example, Claim 4 in 739: The rigid terminal member is provided with a rounded projection on its contact and face arranged to cooperate with the rounded projection of the terminal member of the second connector, the rounded projections being arranged in hooked relationship when the connectors are engaged to affect said interlocking engagement, that defines basically a single point of contact on the radii surface.

Q. Claim 4 is one embodiment of the claim in the 004 patent, correct?

MR. LUKAS: Objection. Form.

A. Can you repeat that, please?

Q. Sure.

You just pointed to the language of Claim 4 for your understanding, right?

A. Sure, yeah.

Q. Okay. And Claim 4 -- you understand

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that Claim 4 is a dependent claim from Claim 1,
right?

A. Sure.

Q. And so Claim 4 does not encompass
the entirety of what is disclosed in the Winkler
reference, right?

MR. LUKAS: Objection. Form.

A. I selected Claim 4 as a description
of what Winkler is describing, in addition to
some other sections that have already been
referenced in the specification of Winkler, that
define the contact point on the two-tangent
radii to affect interlocking hooked engagement
with each other.

Q. Again, Claim 4 is only one of the
inventions claimed in this patent, right?

A. There are more claims --

Q. Okay.

A. -- than Claim 4.

Q. Okay. And Claim 4 depends [sic]
from Claim Number 1?

A. Yes.

Q. Okay. And so not all the claims
require that same understanding that you pointed

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to in Claim 4, right?

MR. LUKAS: Objection. Form.

A. In my view, Winkler is clear as to where the contact point is in this connector. And it's on the tangent point of the two radii that engage one another when the connector has made it, as supported by, again, previously referenced areas within the specification and, for example, Claim 4 and the Cut Line 4-4 through Figure 2.

Q. You said a moment ago that one of the things as a design -- I think you said it was sort of a design principle was having a predictable contact point; is that correct?

MR. LUKAS: Objection. Form.

A. Yeah. I characterize it that way, yes, in addition to some other criteria, but, yes.

Q. Okay. What do you mean by "a predictable contact"?

A. One that has low and stable contact resistance over time, that is reliable in that sense.

Q. How do you know if a contact point

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R. LOCATI

will have low and stable resistance when you're designing a connector?

A. If it is a known predictable contact point -- in the Winkler case, in the Winkler patent, the contact point occurs on the tangent radii. If it were to occur on the flat, which it does not, if the tangent radii on one contact touched the flat surface of the second -- or first contact, the other contact, since they are the same identical connector, you cannot predict which one will make contact.

Based on manufacturing tolerances, it would vary from time to time. It would be unpredictable. The resistance would vary. The connector would likely fail.

Q. And that's even though the two sections you're talking about are made out of the same material?

A. Could you go on with -- which section are we talking about?

Q. The two sections you mentioned just a moment ago, Sections 32 and 34.

A. Are we talking Items 32 -- or cross-sections that are someplace 32, 34?

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R. LOCATI

Q. You just mentioned in your response that if it was connected, it was contacting, the different parts of that would cause some sort of problem.

And my point -- my question was that: Even if these are all made out of same material, that's somehow an issue?

A. Okay. Rephrase --

MR. LUKAS: Objection. Form.

A. Rephrase that and reask now.

Q. Sure. So a moment ago, you were testifying that having connections at both 32 and 34 could be problematic.

My question is just following up that that's true, even though the material is -- they're all made out of same material.

MR. LUKAS: Objection. Form.

A. I'm not sure I still understand the question, but let me try to answer. Items 32 and 34 as disclosed in the Winkler figure refer to the flat section of a contact and the radii -- radius section of the contacts. My view is irrespective of whether the materials are the same or different from each other of the

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R. LOCATI

contacts.

Q. And the con -- the concerns you raise, in your view, are, again, not mentioned anywhere in the Winkler reference itself, right?

A. In my view, Winkler very clearly describes the location of the mating point for good reason in a couple of different areas; this cross-sectional view section, Section 4 -- Section Line 4-4, in addition to multiple sections within the specification.

Q. And what you discussed about having a single contact point, that's not mentioned or discussed anywhere in the 017 patent, right?

MR. LUKAS: Objection to form.

A. The 017 patent?

Q. That's right.

A. Discussed explicitly, I agree, no. But it's inherent there. And, again, this 017 does represent an example of where there is a single contact point, as does Ka -- excuse me -- as does Winkler.

Q. All right. I'd like to turn to the next limitation you discussed in your report, which is Limitation 1G. It starts on page 35.

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R. LOCATI

And so we're all on the same page, Limitation 1G is a first insulating barrier within the first connector, extending beyond and covering the leading end of the first electrical contact.

Do you see that?

A. Yes, I see that.

Q. Okay. And so your opinions in this section on 1G relate to that claim language, right?

A. Yes.

Q. Okay. And so if we look at paragraph 91 -- or, actually, no. Let's look at paragraph 87.

So your opinion with regarding -- with regard to Limitation 1G is that the Receiving Pocket 42 is not within Winkler's first connector; is that right?

A. That's one of the items, yes. It's part of the external -- an external feature of the connector.

Q. Okay. And your opinion is based on the understanding that the term "within" means inside, right?

A. Yes. Is on the inside of.

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R. LOCATI

Q. And you say, if you look at paragraph 90, it's your understanding that -- based on this diagram, that Petitioner and Dr. Elderling have conceded that receiving pocket is out -- is the outer portion of the connector housing.

Is that your understanding?

A. Yes.

Q. Okay. And you understand that the figure you're looking at or you're citing to here was identifying the pink sections as the --

(Court reporter requests clarification.)

MR. SMYTH: Pink.

THE COURT REPORTER: Pink.

MR. LUKAS: Sections.

Q. -- as the -- was focused on the pink sections with regard to Claim 4, right?

MR. LUKAS: Objection. Form.

A. No.

Q. Okay. What is your understanding?

A. My understanding is the sections in red -- for example, the section in red --

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R. LOCATI

A. -- is the external feature. I may have misunderstood the question, but...

Q. Okay. So it's your understanding that the petitioner and Dr. Elderling have conceded that the portion in red is an external feature?

A. Yes.

Q. Okay. And that's what you've based part of your opinion on?

A. Part of it, yes.

Q. And you understand that this figure that you're relying on here is -- was annotated to show the barrier tensioning mechanism of Plane 4, right?

MR. LUKAS: Objection. Form.

A. My understanding is that figure was made up for reasons unknown. It's not one -- number one, it's not a figure contained within Winkler 739. Secondly, it's not clear where that section may be taken depth-wise within the connector. And thirdly, I do not conclude and a POSITA would not conclude that that's a possible figure at all, given Winkler.

Q. But coming back to my question, the

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R. LOCATI

question was simply that you understand that this figure you're relying on was used in the petition to identify the barrier-tensioning mechanisms in Claim 4, not used with regard to Limitation 1G, right?

A. I don't recall.

Q. Okay. And if you look at Figure 2 of Winkler, which is Exhibit 1004, that shows the connectors in the fully-connected position, right?

A. They describe it as joined together in Winkler.

Q. And as depicted in Figure 2, the insulating barriers are within the connectors even under your construction, right?

A. No.

Q. No?

So is it your opinion that the insulating barriers are not on the inside as depicted in Figure 2?

A. Figure 2 depicts a connector pair that have been joined together. Each respective connector half is an exterior feature.

Q. I'm turning to the next feature in

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R. LOCATI

your report, which is Limitation 1H, which recites a second insulating barrier extending beyond the second electrical contact within the second connector.

Do you see that?

A. Yes.

Q. Okay. So are your opinions with regard to Limitation 1H the same as your opinions with regard to Limitation 1G?

MR. LUKAS: Objection. Form.

A. Yes.

Q. Let's turn to Limitation 1I.

And your opinions about this start on page 42, right?

A. Yes.

Q. Okay. And Limitation 1I recites: The second insulating barrier being configured so as to be in close proximity with the first insulating barrier, when the first and second connectors are partially disconnected and the first and second electrical contacts are separated by a short distance, thereby blocking substantially all through-air arcing paths between the first and second electrical

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R. LOCATI

contacts; is that right?

A. That looks right, yes.

Q. Okay. And you have a couple different points in this section. You say in paragraph 2 -- 102 that the diagram we've been talking about based on Winkler that was included in the petition -- you said you would never envisage this diagram from Winkler's actual figures and disclosures.

What would you envisage based on the actual figures and disclosure that's different from the figure identified?

MR. LUKAS: Objection. Form.

A. Not this. Not what was disclosed by Elderling and Petitioner.

Q. How would you imagine the two connectors engaging, based on the figures in Winkler?

MR. LUKAS: Objection. Form.

A. Again, Figure 2 in Winkler describes the two connectors being joined together.

Q. Was that all?

A. Engagement of the electrical contacts occurs, again, as in Figure 2, on the

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R. LOCATI

tangent point of the two contacting radii of the front end of the contacts. The housings in Figure 2 are shown joined together. So that is the -- in my view, the final connected state in Winkler.

Q. Uh-huh.

Okay. So that -- so Figure 2 of Winkler shows one state of the connectors, right?

A. The connected state, yes.

Q. Okay. But there are -- you also understand that there are other states just as is shown in the 017 patent, right?

A. Not from Winkler.

Q. All right. So stepping back a second. So Figure 2A in the 017 patent shows the connected state?

A. Figure 2A is showing the cross-sectional diagram of the male and female connector pair, in a connected configuration in accordance with an embodiment of the present invention.

(Court reporter requests clarification.)

THE WITNESS: Of an embodiment of

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the present invention.

Q. Okay. So it is your understanding that Figure 2A shows the connected state of the connected pair, right?

A. Again, it's a connected configuration of a connector pair.

Q. Okay. Earlier today we were talking about the different states that are shown in Figures 2A and 2B, right?

A. Yes.

Q. And you testified that Figure A shows one state and Figure B shows a different state, right?

A. I do recall that, yes.

Q. You testified there's also an infinite number of other possible states in between Figures 2A and 2B?

A. As a hypothetical, yes.

Q. Right, yeah.

So in Figure 2A, the state depicted in Figure 2A is a state in which the connectors are fully connected, right?

MR. LUKAS: Objection. Form.

A. That's not the words that the patent

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uses.

Q. Okay. But is that your understanding based on reading the patent and being an expert in this case?

A. Again, all I can say is that it says that is a connected configuration.

Q. And Figure 2B shows another state of the connector pair, right?

MR. LUKAS: Objection. Form.

A. Yes.

Q. And in Figure 2B, the connectors are partially disconnected, right?

A. Their wording in the 017 is that it's a state of partial disconnection.

Q. Okay. Now, Figure 2A of the 017 patent, which is the connected state, corresponds with Figure 2 of Winkler, which also depicts the fully connected state, right?

MR. LUKAS: Objection. Form.

A. Figure 2 in Winkler is described as having been joined together.

Q. I don't think that answers my question.

MR. SMYTH: Could you read back

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R. LOCATI

the question again?

MR. LUKAS: Objection. Form.

(The requested portion of the transcript was read back.)

A. Answer, no.

Q. Okay. Why do you disagree with that statement?

A. For one, it's two different patents. Secondly, it's described differently with different words, each cross-sectional view. For example, again, in 017 is described as a connected configuration according to an embodiment. In Winkler, Figure 2, is described as connectors joined together.

Q. And so it is your understanding, as an expert in this case, that a person of ordinary skill in the art reviewing Exhibit 2 of the Winkler reference and Exhibit 2 -- and Figure 2A of the 01 [sic] patent, wouldn't understand that they both depict the electrical connector pair in the fully connected state?

MR. LUKAS: Objection. Form.

A. Again, the wording is different. And they're not described as, in quotes, fully

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connected.

Q. So is it your opinion, then, that Figure 2 of the Winkler reference and Figure 2A of the 017 patent are depicting the electrical connected pairs in different states?

MR. LUKAS: Objection. Form.

A. That is not my opinion, no.

Q. Okay. Is your opinion that they are depicted as being in the same state?

MR. LUKAS: Objection. Form.

A. Again, they are described differently with different words.

Q. The same person of ordinary skill in the art would be -- you know, as you have proposed in your declaration, would be the one considering both this reference and the 017 patent, right?

MR. LUKAS: Objection. Form.

A. From what standpoint?

Q. So you've offered a number of opinions about what a person of ordinary skill in the art would understand, right?

A. Outside of our present discussion, yes.

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Q. Okay. Yes.

Generally speaking, in your declaration, you've offered a number of opinions about what a person of ordinary skill in the art would understand, right?

A. Yes.

Q. And that's what they would understand from reading the disclosures of the 017 patent, right?

A. In part.

Q. Okay. And it's the same person of ordinary skill in the art who would be reviewing and understanding what is described in the Winkler prior art reference, right?

A. For what purpose?

Q. For the purposes of your opinion in this matter, and whether or not the prior art teaches the limitations of the claimed invention.

A. In this topic, I'm offering my own personal opinion.

Q. Okay. So your opinions on this topic are not based on what a person of ordinary skill in the art would understand?

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A. Since I am a person of ordinary skill in the art, they include -- it's included in that -- in this opinion, in my opinion.

Q. So you said a moment ago that these are your opinions and not necessarily what a person of ordinary skill in the art would understand?

MR. LUKAS: Objection. Form.

A. I don't recall saying that.

Q. Okay. So back then, the same person of ordinary skill in the art, who's considering the 017 patent, is also the person of ordinary skill in the art considering the references, right?

A. I'm a person of ordinary skill in the art. I don't believe in this topical section I've commented on, what a positive would understand. This is my view.

Q. Okay. And in your view, the diagram that's shown in paragraph 100 of your opinion, for example, is not what a person of ordinary skill in the art would imagine when considering the connector pair of the Winkler reference in its partially disconnected state; is that

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correct?

MR. LUKAS: Objection. Form.

A. I don't consider that view possible based on what's disclosed in Winkler as an ordinary person with skill in the art.

Q. When you say that you don't consider it possible, what do you mean?

A. One, the view is not represented within Winkler. Secondly, it's unclear where this sectional view may have been taken. The -- in my view, the proximate distances between various features are incorrect. And, again, my understanding is this view was made up.

Q. If you were to depict the connector pair of Winkler in the partially disconnected state, how would it differ from what is depicted in this view?

MR. LUKAS: Objection. Form.

A. Winkler does not disclose that. Winkler does not have a view showing that. And this view is incorrect and made up. It's not based on Winkler.

Q. Okay. So you can't explain how you would modify this view or change it to show the

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partially disconnected state?

A. This view is a mess. Again, Winkler does not disclose a partially disconnected state in any of its views. This was a contrived view, in my opinion.

Q. Okay. But you understand with the electrical connected pair in Winkler, that the connectors, there would exist a partially disconnected state, right?

MR. LUKAS: Objection. Form.

A. I don't believe Winkler -- I believe si -- Winkler is silent on that aspect.

Q. But as your -- so is it your testimony that there is no partially connected state for the connector pair described in Winkler?

A. That is not my view.

Q. Okay. So your view is that there is a partially disconnected state for the connector pair described in Winkler?

A. No. That's not my view either.

Q. Okay. So you understand that the electrical connector pair in Winkler would not always be in the fully connected state, right?

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MR. LUKAS: Objection. Form.

A. Again, other than Figure 1, which in Winkler shows two disparate or separated connectors in that pair, Winkler does not describe or disclose in detail within the specification a partially connected state.

Q. Okay. But you would understand, as one of ordinary skill in the art, that a partially disconnected state exists for that connector pair, right?

MR. LUKAS: Objection. Form.

A. As a hypothetical? Again, not based on Winkler, potentially. But, again, it's not disclosed in Winkler.

Q. I'm looking at paragraph 104. You say that: The diagram is ambiguous as to whether there are through-air arcing paths at other locations along the width of the electrical connector pair.

See that? It's on page 45.

A. Thank you.

Q. All right. So, again, you see it says: For example, the diagram is ambiguous as to whether there are through-air arcing paths at

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2 other locations along the width of the
3 electrical connector pair.

4 Do you see that?

5 A. Dr. Elderling's diagram is at best
6 ambiguous as to whether -- yes, I see that.

7 Q. Okay. The figures in the 017 patent
8 don't provide any indication of whether there
9 are through-air arcing paths at other locations
10 along the width of the electrical connector
11 pair, do they?

12 A. The diagrams in conjunction with the
13 specification in the claims do.

14 Q. Okay. So one of your critiques of
15 the diagram is that it's ambiguous as to whether
16 there are through arcing paths at other
17 locations along the width of the electrical
18 connector pair.

19 And so my question is that: The diagrams in
20 the 017 patent are similarly ambiguous, right?

21 A. The diagrams in the 017 patent are
22 representative embodiments in various positions,
23 relative to the two mating-connector halves.
24 Combining that with a specification of 017 and
25 the claims of 107, it is not ambiguous.

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Q. Which part of the specification are you referring to when you say it's not ambiguous?

A. All of it.

Q. All of it? There's not a specific part in the specification --

A. Well, in the entirety.

Q. Are there any specific parts of the specification that relate to whether there are indirect through arcing paths that may or may not be visible in the diagram?

A. For example, bottom of Column 1, roughly line 65 through the top of Column 2, line 3 through line 3 -- 1 to 3, the male and female barriers engage with each other when the contacts are separated, thereby closing off all through-air paths between the contacts and [indiscernible] arcing. That's at least one area in the specification.

Q. And so that's an area of specification you relied on for your understanding of the scope of the claims, right?

A. That's one area, correct.

Q. Are there any other areas?

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A. There very likely are, in addition to the claims themselves.

Q. Can you identify any of them?

A. Yes. For example, Column 3, lines roughly 30 through 40.

Q. All right. And that section is the description of Figure 2B, right?

A. Yes.

(Court reporter requests clarification.)

MR. LUKAS: Figure 2B.

A. Yes.

Q. Any other sections?

A. Other than the claims, not that I can recall within the specification.

Q. Okay.

A. Well, perhaps the abstract. I forgot about that section.

Q. It's also a part of your opinion that -- and we can switch to paragraph 106; so -- that because we understand: There is electrical arcing in Winkler, that Winkler does not disclose insulating barriers configured to block substantially all through-air arcing

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paths, between the first and second electrical contacts; is that right?

A. I believe those are my words, yes.

Q. So it's your understanding that if there is any electrical arcing, then the claim limitation is not met?

A. That's not my understanding, no.

Q. What's incorrect about that statement?

A. Winkler describes the fact that arcing can occur and that it potentially damages the contact tips and that their final mating point is -- other than, let's say, the leading end of the contact tips, that gets damaged, they're describing arcing as occurring.

And other than choosing a final mating location of the two contacts outside of the arcing damaged area, there's no other mechanism within Winkler to suppress arcing.

Q. And because there, in your understanding, is not a mechanism to suppress arcing, then the limitation is not met?

MR. LUKAS: Objection. Form.

A. No. That's not my understanding.

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Q. All right. So looking at paragraph 105 -- it's still on page 46 -- you have included two portions of Winkler that reference the presence of arcing, right?

A. Yes.

Q. Okay. And these are the discussions of electrical arcing that you rely on for this part of your opinion, right?

A. Yes. For this part of it.

Q. Okay. And it is your opinion that because there is electrical arcing in Winkler, Limitation 1G is not met, right?

MR. LUKAS: Objection. Form.

A. My view is that Winkler does not disclose blocking substantially all through-air arcing paths between the first and second electrical contacts.

Q. And that is because Winkler describes that there is electrical arcing?

MR. LUKAS: Objection. Form.

Q. Right?

A. Well, certainly in part.

Q. And looking at paragraph 107 on the next page, this is an annotated figure of

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Figure 4 from Winkler, right?

A. Yes. Correct.

Q. Okay. And it is your understanding, based on this figure, that this shows there are through-air arcing paths between the Winkler's insulating barriers; is that correct?

A. If one looks at Winkler Figure 4 in conjunction with what's shown on my report, next page -- is part of, I think, Figure 3. There is a discontinuity or step that's highlighted in yellow, but depicted in blue in the report of a height difference --

(Court reporter requests clarification.)

THE WITNESS: Height.

THE COURT REPORTER: Uh-huh.

A. -- difference of that pocket section compared to other surfaces of the housing that come together when it's assembled. Those gaps are -- in my paragraph 107, showing Figure 4 as annotated, shows clearance gaps between those features of Winkler.

Q. And so it's your understanding that because of these clearance gaps, Winkler does

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not teach the limitation of the claim requiring substantially blocking of all through -- blocking substantially all through-air arcing paths; is that --

MR. LUKAS: Objection. Form.

A. In part.

Q. What do you mean, "In part"?

A. Excuse me. Did we say 1G limitation?

Q. I think it's 1I.

A. Thank you.

Q. Yeah.

A. There is no barrier in Winkler, either first or second, configured to be in close proximity with the other barrier, when the connectors are partially disconnected and the contacts are separated by a short distance, blocking substantially all through-air arcing paths between the first and second electrical contacts, as demonstrated and amplified by the obvious gap because of a stepped housing, as depicted in -- annotated in Figure 4 and my paragraph 107 and continued to paragraph 108.

Q. All right. And so it's your opinion

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that because there is the gap depicted in
Figures 3 and 4 of Winkler, that Winkler does
not teach this claim limitation, right?

MR. LUKAS: Objection. Form.

A. It only forms part of my opinion,
and it's only representative of the gaps.
Winkler also, of course, discloses the fact that
there is arcing, that there is a cleaning
function of the contacts as they mate together,
and that -- he's very clear -- that final mating
point of the two contacts occurs on the radius
on the front end of each contact.

(Court reporter requests
clarification.)

THE WITNESS: Front end.

THE COURT REPORTER: Uh-huh.

A. Winkler does not attempt to suppress
arcing, in my view.

Q. The 017 patent doesn't have a
comparable cross-section view, as we discussed
earlier, right?

MR. LUKAS: Objection. Form.

A. I forget what we discussed earlier.
To what?

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Q. Sure. We -- the -- still I'll just ask the question fresh.

The 07 -- 017 patent doesn't have a figure comparable to Figure 4 from the Winkler reference, showing a cross-section across the width of the electrical connector pair, right?

MR. LUKAS: Objection. Form.

A. One, it would not be comparable to Figure 4, but I would agree that there is what I would describe as no transverse cross-section depicted in the 017 patent, perpendicular to the longitudinal axis of the contact -- excuse me -- the connectors.

Q. And so you don't know if the structure of the device described in the 01 patent has comparable gaps to those you've highlighted in the Winkler reference, right?

MR. LUKAS: Objection. Form.

A. I think you said the 01 patent.

Q. 017 patent. Sorry.

A. All right.

Q. Apologies.

A. I do understand that the 017 patent has addressed through various -- through claimed

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means to suppress electrical arcing, where in Winkler no attempt has been made, whether it's in the specification or the claims or in the figures.

Q. All right. So then it's your opinion that or understanding that a device that has gaps comparable to those shown in Figures 4 and 3 of Winkler, as highlighted in your report, would not be within the scope of the claimed invention; is that right?

MR. LUKAS: Objection. Form.

A. No. That's not my view.

Q. So it is your -- so is it your view that a device that has gaps like those shown in Winkler Figures 3 and 4 is within the scope of the claimed invention?

MR. LUKAS: Objection. Form.

A. No. That's not my view either.

Q. Is it your view that a device that has gaps comparable to those you've identified in Winkler would meet Claim Limitation 1I of the 017 patent?

MR. LUKAS: Objection. Form.

A. Could you repeat the question,

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please?

MR. SMYTH: Can you read the
question back?

(The requested portion of the
transcript was read back.)

MR. LUKAS: Objection. Form.

A. So you're asking -- just to clarify
the question, my understanding of the question
is you're asking if there are gaps as disclosed
in Winkler, does that meet the Limitation I?

Q. That's right.

And if a device had gaps comparable to
those disclosed in Winkler that you've
highlighted here, would that device meet Claim
Limitation 1I?

MR. LUKAS: Objection. Form.

Incomplete hypothetical.

A. 1I is much broader than gaps alone.
Okay? The second insulating barrier being
configured so as to be in close proximity with
the first insulating barrier, when the first and
second connectors are partially disconnected and
the first and second electrical contacts are
separated by a short distance, thereby blocking

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all substantially through-air arcing paths
between the first and second contacts, the word
"gap" not in there, for one.

Q. Right.

Well, gaps, I think, is something that
you've come up with as part of your opinions
here.

A. Yes. Obviously, yes.

Q. Obviously. Right.

And so just stepping back, I understand
your opinions are because there are gaps in
Winkler, the Claim Limitation 1I is not met.

That's your opinion, right?

MR. LUKAS: Objection. Form.

He's now said that about a
thousand times. But we can keep
doing the same question.

A. The gaps are pointed out to show
additional support why in my view, Winkler does
not address suppression of arcing. Obviously
Limitation I requires a whole bunch of other
elements.

Q. Are you aware if Anderson has taken
the position that Claim 1 of the 017 patent does

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not require that all through-air arcing paths
are blocked?

MR. LUKAS: Objection. Form.

A. Ask that again.

Q. Are you aware if Anderson has taken
the position that Claim 17 -- Claim 1 of the
017 patent does not require that all through-air
arcing paths are blocked?

MR. LUKAS: Objection. Form.

A. Am I aware? No.

Q. Okay. If Anderson has taken the
position that Claim 17 -- Claim 1 of the
017 patent does not require that all through-air
arcing paths are blocked, would that be relevant
to your opinions in this case?

MR. LUKAS: Objection. Form.

A. My opinions in this case are based
on the claims of the Patent 017 and the
specification and the figures, in part. I have
not taken into consideration any Anderson
position.

Q. If Anderson has taken the position
that Claim 1 -- 0 -- Claim 1 of the 017 patent
doesn't require the two insulating barriers to

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be physically touching or physically in contact with each other, would that be relevant to your opinions in this case?

MR. LUKAS: Objection. Form.

A. Well, I believe the claim already states that, Claim 1. Close proximity, for example. So that was already -- that aspect, those words were already taken into consideration by me.

MR. SMYTH: I think we can take a break now if that works for everybody.

(A lunch break was taken.)

FURTHER EXAMINATION

BY MR. SMYTH:

Q. Welcome back from lunch, Mr. Locati.

A. Thanks.

Q. I'd like to turn now to your opinions with regard to Claim 4 of the 017 patent.

All right. And you start with paragraph 110; is that right?

A. Yes.

Q. And it's just paragraphs 110 through

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2 114?

3 A. Correct.

4 Q. Okay. So we are on the same page,
5 Claim 4 recites that: The connector pair of
6 Claim 1 further comprising a barrier-tensioning
7 mechanism that presses the first and second
8 insulating barriers against each other, when the
9 first and second connectors are partially
10 disconnected and the first and second electrical
11 contacts are separated by a short distance; is
12 that right?

13 A. Yes.

14 Q. Okay. And in your opinion, you
15 have -- you've set forth an opinion that you do
16 not believe Winkler teaches this limitation in
17 Claim 4, right?

18 A. At least that, yes.

19 Q. Okay. If you look at paragraph 114,
20 you say: Winkler discloses that the alleged
21 insulating barriers do not press against each
22 other when the Connectors 10 and 12 are
23 partially disconnected.

24 Do you see that?

25 A. Yes.

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Q. Where does Winkler say that?

A. In a couple of areas, it's within Winkler.

Q. For example?

A. For example, as we discussed before, for example, Figure 4 and Figure 3, depicting that there is a clearance gap between features -- external features of Winkler's housing when each connector is assembled.

Q. That's what we were talking about before the break.

You said that Winkler doesn't depict the partially-connected configuration, right?

A. Winkler depicts in Figure 2 a joined-together configuration; otherwise, it's showing components and/or individual connectors separated.

Q. Okay. So Figure 2, though, as you testified earlier, does not show the partially disconnected state, correct?

A. It's the connectors joined together, Figure 2.

Q. Right.

And so Winkler is silent as to whether or

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not the barriers are pressing against each other in the partially-disconnected state, if you don't believe the figure included, prepared for Dr. Elderling, is accurate, right?

MR. LUKAS: Objection. Form.

A. Repeat that, please.

Q. Sure.

So if you contend that the figure prepared for Dr. -- by Dr. Elderling is inaccurate, then nothing in Winkler speaks one way or the other about the connectors pressing against each other?

MR. LUKAS: Objection. Form.

A. I disagree.

Q. Okay. You pointed to Figure 4.

You say that Winkler's Figure 4 shows there's not an appreciable gap between the Pockets 42 and the insulating barriers, right?

A. In combination with Figure 3, of course, yes --

Q. Okay.

A. -- which further clarifies that clearance.

Q. And Figure 4 is -- depicts the

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connectors in the fully-connected configuration,
right?

A. No.

Q. It doesn't?

A. Their term is "joined together."

Q. Okay. So Figure 4 shows the
connectors in the fully-joined together
configuration, correct?

MR. LUKAS: Objection. Form.

A. Figure 4 is derived from Figure 2
with Cross-section 44 -- excuse me.

Figure 2 -- Figure 2 is depicted as the
connectors joined together.

Q. Okay. So Figure 4, again,
represents the cross-section when the connectors
are fully-joined together; is that correct?

A. No.

Q. What's incorrect about that?

A. Again, you say "fully-joined
together," if I recall the words.

Q. I think that's what you just said.
But...

A. No. I did -- I don't believe I
included the word "fully" there.

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Q. Yeah.

A. If I did, that was a mistake.

The -- Figure 2 is described in Winkler as cross-sectional view of a pair of connectors joined together.

Q. Okay. And Figure 4 is a cross-section of those same connectors when fully-joined together?

MR. LUKAS: Objection. Form.

A. No.

Q. What's incorrect about that statement?

A. The word "fully."

Q. Oh, sorry. Again. Okay.

So Figure 4 is a cross-sectional view when the connectors are joined together?

A. Yes. Because specifically it's derived from Figure 2, which is described that way.

Q. Okay. And Figure 4 does not represent the connectors when they are partially disconnected, right?

A. Again, it's when the connectors are joined together.

1 R. LOCATI

2 Q. And so if Figure 4 is representing
3 the connectors when they are joined together, it
4 is not representing the connectors when they are
5 partially disconnected, right?

6 MR. LUKAS: Objection. Form.

7 A. My understanding is Winkler is
8 silent on what joined together entails, other
9 than the figures.

10 Q. And so you're relying on Figure 4
11 for your opinions with regard to the barrier-
12 tensioning mechanism, right?

13 MR. LUKAS: Objection. Form.

14 A. In part, yes.

15 Q. Yeah.

16 And, again, so we're clear on this,
17 Figure 4 does not represent the connectors in
18 the partially-disconnected configuration, right?

19 A. I would still have to disagree
20 because Figure 4 is derived from Figure 2.
21 Figure 2 is described as connectors joined
22 together. Taken in conjunction with -- bear
23 with me -- the step that's depicted in Figure 3,
24 it's clear and explicit that there's a gap and
25 that the barriers -- so-called barriers -- I

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forget if it's Feature 52 or 44 now, but in either case, do not touch.

Q. All right. We can turn to the next page of your declaration, which is 51. I think it's the next page.

And at least with regard to Claim 7, you don't have any opinions other than what has been discussed with regard to Claim 1; is that correct?

A. Yes.

Q. Moving on to Claims 8 and 10, Claim 8 recites that: The connector repair of Claim 1 wherein at least one of the first and sector -- second electrical contacts includes a terminal for soldering to a printed circuit or wiring board, right?

A. Yes.

Q. Okay. And it is your opinion that this would not have been obvious from Winkler, in view of the handbook, because Winkler's electrical contacts require a freedom of movement; is that right?

A. That's in part, yes.

Q. Is there any part other than that,

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or is that -- is that the opinion you've outlined in the section of the report?

A. Par -- yes, there's additional. Paragraph 121, for example. A solder joint is a fragile connection, and motion of the contact in Winkler as necessary to effect mating would disturb a solder joint and likely render it broken or useless.

Q. In Winkler, only the end of the terminal of the contact requires freedom of movement, right?

(Court reporter requests clarification.)

MR. LUKAS: Freedom of movement.

A. No.

Q. Well, it's your understanding from Winkler that the entire electrical contact requires freedom of movement?

A. It is, yes.

Q. Okay. And what is that based on?

A. In part the fact that Winkler's contact is a rigid member; therefore, any movement at one end affects the other end.

Q. And where does it say that Winkler's

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contact was a rigid member?

A. In part in Claim 1, around line 40, Column 4. I thought there was another section that I had been looking for, but I can't find it right now within the specification itself.

Q. So is it your opinion, then, that one of ordinary skill in the art, when reading Winkler would understand the terminal connector material must be rigid material?

A. Can you repeat that, please?

Q. Sure.

So you said you understand that the -- that it must be made out of a rigid material right, the electrical contact?

A. No.

Q. What did you testify must be made out of a rigid -- out of rigid material?

A. What I'm testifying to is that Winkler describes the contact -- at least in the claim, that contact is a rigid terminal member.

Q. Okay. And so it's your opinion, then, that one of ordinary skill in the art, reading Winkler would understand that the terminal must be made out of a rigid material?

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A. No. Not necessarily. Because Claim 1 may say that. But I'm looking for in the specification how it describes the contact and, again, just can't find it right now.

Q. And so the contact could be made out of a nonrigid material, right?

A. That contact meaning Winkler's contact?

Q. Yeah.

A. Well, I didn't offer an opinion on that, and I can't find additional support for Winkler's contact being rigidized, if you'll, within 739 right now. But in either case, my opinion is that because the contact motion at the mating end would disturb the starter joint, potentially harming it and destroying it and rendering it nonfunctional.

Q. And that is your opinion irregardless of what material the metal contact was made out of?

A. If Winkler is describing it as a rigidized contact or a rigid contact, it's irrespective of the material, as long as it's rigid.

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Q. But one of ordinary skill in the art could under -- would understand that you didn't have to use a rigid material, right?

A. Not from looking at Winkler.

Q. If we look at Claim 10, your opinions on Claim 10, your disagreement with Dr. Elderling is, again, focused on Winkler's contacts requiring freedom of movement within the housing, right?

A. In large part, yes.

Q. Okay.

A. Excuse me.

Q. And so then is it your opinion that any movement of the terminal would prevent use of an insulation displacement terminal?

MR. LUKAS: Objection. Form.

A. Well, my opinion is that it would not be obvious to a person of skill in the art to put an insulation displacement-type termination end on a rigidized terminal, that requires movement to function within the connector housing.

Because movement in the insulation-replacement area would affect the wire joint and

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degrade it, rendering it inoperable, especially in the power connector.

Q. All right. Going on to Claim 11, which is on page 56, in Claim 11, the connector pair -- states that: The connector pair of Claim 1, wherein at least the first and second electrical contacts includes a screw terminal for attaching a wire to the contact, right?

A. Yes.

Q. Okay. And then paragraph 132, you talk about the figure that was included in the petition, right? That figure is depicted on page 58.

A. Yes. And also page 56.

Q. All right. In paragraph 132, you say: As shown in their own annotations below, Petitioner and Dr. Elderling propose modifying Winkler's housing to include a screw terminal, shown in yellow, that presses a cable, shown in pink, against an electrical contact, shown in blue.

You see that?

A. Yes.

Q. So is it your opinion that the

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figure does not show an electrical contact including a screw terminal for attaching a wire to the contact?

A. The figure does not show; I agree. And in addition, Wink -- excuse me -- Elderling has not shown that it does.

Q. I mean, in this figure that we're looking at here on page 58, the screw is attaching the wire to the electrical contact, is it not?

A. So Elderling may claim or may say.

Q. But you don't agree?

A. Actually, it's unclear what Elderling intends to show with that figure. Again, it's another figure that evidently was made up. There's a very large gap underneath the contact. I can't understand how he would potentially envision tightening down that screw member, which would typically be necessary to do what you say, meaning attach a wire to the contact.

And, again, the screw terminal, it appears to be very clearly in the housing, not part of the terminal itself.

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Q. Is there any discussion in the
017 patent about where the screw terminal is
placed or must be placed?

A. Yes, there is.

Q. Where?

A. Well, in Claim 10 itself, where at
least one of the first and second electrical
contacts includes a terminal. Excuse me.
That's the IDC. Let me correct that. Claim 11.

The connector pair of Claim 1, wherein at
least one of the first and second electrical
contacts includes a screw terminal for attaching
a wire to a contact.

Q. So that's the only spot in the
patent that references the screw terminal that
you're aware of, right?

A. To my recollection, that's true.

Q. And the screw terminal is not
depicted in any of the figures of the
017 patent, right?

A. As far as I know, no, it's not.

Q. Okay. And so the patent itself is
silent as to the requirements of the screw
terminal, other than in the language of Claim 11

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R. LOCATI

that indicates that an electrical contact includes a screw terminal?

A. To my knowledge, yes, that's true.

Q. Moving on to Claim 12, which is on bottom of page 58.

A. Uh-huh.

Q. Claim 12 recites: The connector pair of Claim 1 wherein at least one of the first or second electrical contact is configured with a terminal, using a spring mechanism for attaching at least one wire to the contact.

You see that?

A. Yes.

Q. Okay. And, again, the figure that we were looking at before was discussed by Dr. Elderling, right?

A. Yes.

Q. And the only opinion, I think, that you've offered on this is that -- in this declaration is that Winkler fails to teach the additional limitations; is that right?

A. And in addition, the petitioner and Dr. Elderling do not teach that.

Q. And, again, the spring that's

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referenced in Claim 12 is not depicted in any of the figures of the 017 patent, right?

A. Correct.

Q. And the 017 patent doesn't provide any information about the terminal using a spring mechanism, right?

A. No. Not right.

Q. Okay. What does the 017 patent say about the use of a spring mechanism at the terminal?

A. Claim 12: The connector pair at Claim 1, wherein at least one of the first or second electrical contacts is configured with the terminal, using a spring mechanism for attaching at least one wire to the contact.

THE WITNESS: Sorry if I'm reading fast.

Q. Okay. And aside from Claim 12, there is no other discussion in the patent about a terminal using a spring mechanism, right?

A. To my knowledge, that's correct.

Q. All right. We can move on to the other reference, Kataoka.

And the first limitation that you have

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provided an opinion on for Kataoka with regard to Claim 1 is Limitation 1D; is that right?

A. Yes.

Q. And that limitation recites a second connector having a second insulating housing, right?

A. Yes.

Q. Okay. Looking at Figure 1 of Kataoka and based on your review of the petition, it's your understanding that Petitioner has identified the second connector portion, which is the -- on the right-hand side of Figure 1, as being -- as having housing, which was identified with Number 7; is that correct?

MR. LUKAS: Objection. Form.

A. I believe so.

Q. All right. And the housing that is marked with Number 7 in Figure 1 has a cylindrical body that's identified with Number 36; is that correct?

A. My understanding is Housing Number 7 has a partially cylindrical portion of its body, Item Number 36.

1 R. LOCATI

2 Q. Okay. And so Item Number 36 is a
3 part of the housing, right?

4 A. A feature or a portion or a part,
5 that's my understanding --

6 Q. Okay.

7 A. -- of that specific housing.

8 Q. Okay. Sure.

9 And so we are clear, so the 36 that is
10 marked in Figure 1 is a portion of the housing
11 of the second connector, right?

12 A. Well, it's a housing member. I need
13 to find out how Kataoka describes 7. Kataoka
14 describes 7 as second terminal housing.

15 Q. Right.

16 Okay. So 7 is the -- start over.

17 So in Figure 1, the portion marked with
18 the Number 7 is the second terminal housing as
19 described in Kataoka, right?

20 A. As described by Kataoka.

21 Q. Okay. And Kataoka indicates that
22 that second terminal housing has a cylindrical
23 body portion that's identified as 36, right?

24 A. I believe Kataoka describes that as
25 a design option, yes.

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Q. And Kataoka indicates that the cylindrical body identified by 36 may be formed from a nonconductive resin, right?

A. I believe that it does, at least that portion of that specific housing. I was trying to find it within the specification, but it's somewhat cumbersome.

Q. Yeah.
So if we look at Column 13, around line 21 --

A. Thank you.

Q. Sure.
It says: Since the cylindrical body 36 is formed of a nonconductive resin.
See that?

A. In 20 -- yes. And may be formed of resin.

Q. Yeah.

A. But it's alternatively formed of or made of metal, yes.

Q. And you understand that a nonconductive resin would be electrically insulating, right?

A. Most likely, yes.

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Q. And turning to your opinions on 1 --
Claim Limitation 1I. And we talked about this
limitation earlier in the context of Winkler.

So Limitation 1I recites: The second
insulating barrier being configured so as to be
in close proximity with the first insulating
barrier, when the first and second connectors
are partially disconnected and the first and
second electrical contacts are separated by a
short distance, thereby blocking substantially
all through-air arcing paths between the first
and the second electrical contact; is that
right?

A. Yes.

Q. In this section, as with Winkler
reference, you indicate that the drawing that is
included in the petition is one that you would
not have envisaged from Kataoka's figures and
disclosures; is that right?

A. The drawing that Petitioner and/or
Dr. Elderling made up, yes. That's correct.

Q. Okay. How would you envisage the
two connectors engaging that differs from how
the figure is annotated and prepared in

1 R. LOCATI

2 Dr. Elderling's declaration?

3 A. For one thing, such a figure is not
4 depicted in 278 Kataoka. Kataoka doesn't
5 describe -- Kataoka is silent on a partial-
6 disconnect situation like depicted by Elderling
7 and the petitioner.

8 Q. And so is it your opinion that
9 without a figure from Kataoka, a person of
10 ordinary skill in the art would not have any
11 understanding of how the two portions are
12 intended to connect?

13 A. No, that's not my opinion.

14 Q. Okay. So a person of ordinary skill
15 in the art, looking at the figures in Kataoka,
16 would have some understanding of how the two
17 portions of the electrical contacts are intended
18 to connect, right?

19 A. When fully connected and fully
20 disconnected, yes, looking at the figures and
21 taken in conjunction with the specification
22 detail.

23 Q. Okay.

24 A. Not from Petitioner's and
25 Elderling's figure.

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Q. You've stated in paragraph 155 of your declaration that Kataoka's figures indicate that there are through-air arcing paths, such as around the sides of Kataoka's alleged insulating barriers.

Do you see that?

A. Paragraph 155?

Q. Yeah.

A. Yes. That's a "for example." And following on page 71 is an annotated figure.

Q. Okay. And so on page 71, there is an annotated figure with a couple of arrows pointing to the cross-section view, right?

A. No.

Q. Okay. How would you describe the figure -- the annotated figure that's on page 71?

A. That's a mating-end view, not a cross-sectional view.

Q. Okay.

A. And it's annotated, of course.

Q. Okay. Where on this figure do you contend are the through-air arcing paths depicted?

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A. As annotated.

Q. So what is it that the arrows are pointing to?

A. The arrows are pointing to empty space, a vast amount of air space.

Q. Okay. And so it's your understanding that that air space provides for through-air arcing paths between the connectors; is that right?

A. My understanding is that because there is such an air space, that any first and second insulating barriers are not configured to block substantially all through-air arcing paths, between the first and second electrical contacts.

Q. In the next paragraph, you say also that Kataoka teaches in the partially and fully disconnected states that there are gaps between the insulating members 33A to 46A of Connector 2, to permit insertion of electrical contacts 6A to 6C of Connector 3; is that right?

A. Yes.

Q. Okay. And that opinion is based on the sections of Kataoka that you've identified

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2 here?

3 A. In addition to other teachings
4 within Kataoka.

5 Q. Teachings other than what you've
6 included in the declaration?

7 A. I believe I have included in the
8 declaration the fact that Kataoka teaches the
9 desire or the interest to avoid and/or eliminate
10 motion between the contacts, when touching each
11 other, to prevent or minimize contact wear. So
12 it's in conjunction with that understanding.

13 Q. I'm turning to Kataoka Column 13,
14 lines 40 through 45.

15 This is the first section that you cite in
16 support of this part of your declaration, right?

17 A. Yes. Part of it.

18 Q. And it says in Column 13, starting
19 around line 42, that: The second insulating
20 members 43B through 45B are respectively
21 inserted into gaps between the first connecting
22 terminals 4A through C and the first insulating
23 members, 43A to 46A; is that right?

24 A. Yes.

25 Q. Okay. So the gaps that are being

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referred to are between the first connecting terminals and the first insulating members, right?

A. Well, there's two things happening simultaneously during mating. The contacts approach each other in the active mating, as do the insulating members, and the features that are built on to the insulating members to perform alignment of the connectors.

Q. Okay. But the -- back to the question.

The caps we're -- the gaps we're talking about here are between the first connecting terminals and the first insulating members, right?

A. I believe so, yes, uh-huh. I believe.

Q. Okay. They are not gaps between the insulating members 43A through 46A, as mentioned in your declaration, right?

A. Well, these specific gaps, I believe are slightly different. Because they are talking about these alignment features coming together as well at the same time. So, again,

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that's happening simultaneously with the contact members approaching one another during mating.

Q. And it is your understanding that because of these purported gaps, that Claim Limitation 1I not met; is that right?

A. Only in part.

Q. What do you mean, "Only in part"?

A. Well, I am depicting -- I think the gaps that we're talking about at the top of page 71 in Figure 6B annotated --

Q. Uh-huh.

A. -- there are other gaps and spaces in addition to those. Again, that was one example.

For example, there are gaps described in Kataoka between -- let's say vertically-oriented gaps between approaching mated pairs of contact members during the mating of the connector, again, for prevention of undue wear on the contact surfaces. Those are not depicted specifically in my annotated figure.

Q. Okay. So it's because of those gaps as well these gaps that it's your opinion this claim limitation is not met?

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A. In addition to other factors, like Kataoka does not describe or depict a partial mating situation -- excuse me -- of their connectors.

Q. Okay. Despite the fact that there is no figure of the partial-mating state, you understand -- you have an understanding of how the connectors do, in fact, mate when they're being connected, right?

A. Do I have a basic understanding of that?

Q. Uh-huh, yeah.

A. Based on the description of Kataoka, yes.

Q. Does Kataoka discuss arcing at all?

A. To my recollection here today, I do not believe that it does.

Q. You can go ahead and skip to page 77.

Starting on paragraph 167, it has your opinion with regard to Claim 4 and whether or not Kataoka anticipates that claim; is that correct?

A. Paragraph 167 just recites Claim 4.

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Q. Right.

That -- and that's the beginning of the section, though, of your opinions on Claim 4 with regard to the Kataoka reference, right?

A. Yes.

Q. Okay. And Claim 4 recites: The connector pair of Claim 1 further comprising a barrier-tensioning mechanism that presses the first and second insulating barrier against each other, when the first and second connectors are partially disconnected and the first and second electrical contacts are separated by a short distance, right?

A. Yes.

Q. Okay. And you've stated elsewhere in your declaration that it's your understanding that the Connecting Member 9 in Kataoka, that does not press on the first and second barriers against each other when they're partially disconnected; is that right?

MR. LUKAS: Objection. Form.

A. Kataoka does not disclose a condition of partial disconnect, regardless of the status or state of the tightening member.

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Q. All right. And your opinion with regard to Claim 4 is that the Connecting Member 9 does not press the first and second insulating barriers against each other when partially disconnected, right?

A. Repeat the question, please.

Q. Yeah.

So looking at paragraph 171.

So it's your opinion that Kataoka's Connecting Member 9 does not press the alleged first and second insulating barriers against each other, when Connectors 2 and 3 are partially disconnected, right?

A. And that is because Kataoka works in a fashion such that in the fully-connected state that -- I called it a tightening member before, but I think it's -- they call it something different, Element 9.

Q. Oh.

A. Anyway, that that is taken down when the connector is fully mated, whereby the spring member within it actuates a force down onto the stack-up of contacts that are laminated together.

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To disconnect, that has to be unwound or untightened, unfastened, and then the connectors are stood apart. That's my understanding from Kataoka. There is no situation described in Kataoka that is partially disconnected.

Q. Right.

And so your opinion, then, is just based on your understanding from reviewing portions of the specification; is that right?

A. No. It's also based on some of the figures in Kataoka in addition to the specification.

For example, let's start with Figure 4A, if you will, and then compare that to Figure 10 in Kataoka. Figure 4A shows the connector fully disconnected. Figure 10 shows the connector connected.

The difference is -- one of the significant differences is this -- again, I grasp for terms. But Tightening Member 9, I'll call it, is recessed in Figure 10 below a surface, showing a compressed Spring Member 15 in the fully-mated state.

Figure 4 shows that Element 9 basically

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unwound higher up and the spring not under tension in the disconnected state.

For example, Dr. Elderling's fabricated drawing or view shows that connec -- that Element 9 tensioning member or tightening member fully recessed in the partially disconnected state that he purports to show. That cannot happen, according to Kataoka.

Q. Nothing in Kataoka talks about the partially dic -- disconnected states, though, right?

A. Perhaps not explicitly, but inher -- implicitly it's talking about minimizing wear between the sliding contact members -- between the contact members as the connector houses are slid together.

Q. And then looking at paragraph 172, the declaration doesn't contain any opinions with regard to Claims 7 through 10, other than what has been discussed in the other paragraphs, right?

MR. LUKAS: Objection. Form.

A. Other than the fact that the Petitioner and Elderling have not shown that

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they're obvious.

(Court reporter requests
clarification.)

THE WITNESS: Shown that they are
obvious over Kataoka in view of the
handbook in this case.

Q. You've included a couple opinions
about claim construction.

(Court reporter requests
clarification.)

MR. SMYTH: Claim construction.

Q. Right?

A. Yes.

Q. Let's turn to those for a second.
With regard to the term "within" -- so looking
at page 22.

So you have offered the opinion that the
proper construction of within is on the inside
of; is that right?

A. Yes, uh-huh.

Q. But you're not a lawyer, right?

A. That's correct.

Q. So you haven't issued any opinions
on claim construction before in the past as --

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in terms of construing a claim?

A. I've offered opinions to different claims in different instances in the past.

Q. Okay. And is it your opinion that the patentees, when they used the words in the patent in the claims, were giving the word a specific definition?

MR. LUKAS: Objection. Form.

A. Can you repeat that, please?

Q. Sure. I'll ask it slightly differently.

So is it your opinion -- stepping back for a second.

So is it your understanding that words of a claim are typically given their plain and ordinary meaning?

A. Often they are unless they're construed differently within the specification and/or prosecution history.

Q. Okay. And so two exceptions that often come up is whether the patentee was acting as their own lexicographer.

Have you heard that word before?

A. Yes.

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Q. Okay. And then the other is if there has been a disavowal of claims given, right?

A. I'm less familiar with that.

Q. Okay. Is it -- is your opinion that in the context of the 017 patent, the applicants were acting as their own lexicographer and defining the term "within" to have a specific meaning?

MR. LUKAS: Objection. Calls for a legal conclusion.

A. I have not offered an opinion on that specifically. And -- in terms of the word "within," in other words, within 017.

Q. Okay.

A. I do not believe the patentees were their own lexicographers regarding that claim term.

Q. Okay. And turning to the term "insulating," you've offered the opinion -- this is back on page 17 -- that proper construction of the term is "electronically insulating," right?

A. Yes.

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Q. Okay. And you have a couple of different reasons outlined in here --

A. Uh-huh.

Q. -- right?

A. Yes.

Q. What did you consider when reaching that conclusion that the proper construction of insulating is "electronically insulating"?

A. Actually, a number of things. One was a prior reference that Dr. Elderling had mentioned. It is a text by Dr. Robert Mroczkowski -- don't ask -- in which he defines the function of a connector housing in terms of its insulating properties, for one.

Secondly, this area of practice in patents is electrical connectors, electrical function products that are comprised of plastic and conductor metals, typically called contacts. Insulating always refers to electrically insulating in that sense.

Third, insulating electronically insulating respect -- with respect to the connector-housing members in terms of separating the conductors from one another and isolating

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them electrically is a primary function of the housing and other insulating members within the connector.

That is differentiable from protecting either physically or environmentally and other means of -- or other functions of that same housing.

So electrically insulating is really what we're talking about here in terms of -- especially in light of arcing, in addition to considering, of course, basically all of the patents that we've been talking about.

Q. There is -- are you aware that there is claim construction also going forward in the district court case?

A. I'm not aware.

Q. Okay. Do you know that this term is also -- there's been briefing on the construction of insulating in the district court case as well?

A. I do now.

Q. Okay. So you didn't ask for a copy of that briefing, or you didn't review that in part of preparing your materials?

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A. From the district court case?

Q. Yeah.

A. Correct. No, I did not.

Q. Okay. We talked earlier that some of -- parts of this report were drafted by counsel, some were you -- by you.

Did you draft the sections on claim construction, or were these parts primarily drafted by counsel?

A. For example, Section 9?

Q. Yeah.

A. When you say "drafted," can you explain?

Q. Sure.

So, for example, looking at paragraph 47, did you write the language in paragraph 47, or was that written by counsel?

A. Well, again, this was a cooperative effort. I was present during the entire drafting with the exception of potential edits and revisions after the fact. But I was on-site, consulting with counsel on, for example, these terms but also everything else.

But there were discussions relating to

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what I thought. My opinion was requested and asked by counsel of what I thought "insulating" meant, for example. All of that opinion was captured within this declaration.

Q. Okay. Are you aware that much of your opinions on the insulating term are word-for-word identical to what's in the claim-construction briefs that were submitted by Anderson's counsel?

A. I have no knowledge of that.

Q. Okay. Here, I'll -- you haven't had to chance to look at Anderson's claim-construction brief before.

MR. SMYTH: And I'll hand you a copy.

You can mark this one as -- that would be Exhibit 1.

(Plaintiff's Opening Claim Construction Brief is received and marked as Exhibit 1 for identification, as of this date.)

Q. Feel free to take a look and let me know when you're ready.

MR. LUKAS: Are you making this

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an exhibit?

MR. SMYTH: Yeah.

MR. LUKAS: Is it an exhibit?

MR. SMYTH: We'll mark it as Exhibit 1. I don't think it has an IPR number yet. So...

MR. LUKAS: I'm just going to object to any questions because he never -- he testified he's never seen it.

But you can go ahead and show it to him.

A. Yeah, I've never seen it; so I agree.

Q. Okay. Well, so we're going to -- I'll direct your attention mostly to page -- starting on page 6. And so this is Anderson's claim-construction brief that was submitted on November 8th, 2024. And the portion appearing on -- starting on page 6 is the section concerning insulating housing.

So if you see, starting at line 18, page 6 of Exhibit 1 says: First, the claims support Plaintiff's proposed claim construction.

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The next one says: Claims 1, 4, 13, and 17 of the 017 patent recite four insulating structures: A first insulating housing, a second insulating housing, a first insulating barrier, and a second insulating barrier.

Do you see that?

A. Yes.

Q. And that is substantively identical to paragraph 47 of your declaration, correct?

MR. LUKAS: Objection. Form.

A. It appears to be.

Q. Back to Exhibit 1, page 6, line 22: The claims of the 017 patent support that these insulating structures are electrically insulating. These claims are expressly directed to an electrical-connector pair comprising first and second connectors, each having an electrical contact supported therein.

You see that?

A. I see that.

Q. Okay. And that is substantively identical to the first sentence of your paragraph 48, right?

MR. LUKAS: Objection. Form.

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A. It appears to be.

Q. The next sentence, back in Exhibit 1, reads: The second connector includes a second insulated barrier -- insulating barrier that is configured to be to close proximity with a first insulating barrier, bracket, in the first connector, close bracket, when the first and second connectors are partially disconnected and the first and second electrical contacts are separated by a short distance.

Do you see that?

A. Yes.

Q. And that's substantively identical to the second sentence in your paragraph 48, correct?

A. It appears to be.

Q. Okay. And can you read the next paragraph, which is lines 4 through 17 on page 7 of Exhibit 1, and confirm whether it is substantively identical to your paragraph 49 in your declaration?

MR. LUKAS: Objection. Form.

A. Through line 17, just to clarify, yeah.

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Q. Okay.

A. Yeah. Yeah, I agree. Yes.

Q. Okay. And then lines 18 -- line 18 is the -- of Exhibit 1 is the same as the last sentence of your paragraph 49, right?

A. Yes.

Q. And continuing the claim-construction brief, starting on line 25, page 7 of Exhibit 1, can you read the text of that paragraph and confirm that it is substantively identical to the text of your paragraph 50?

MR. LUKAS: You know, you could just argue this in your brief, and we wouldn't have to go through this. This is -- I have a 4 o'clock flight I'd like to take.

MR. SMYTH: We're almost done.

THE WITNESS: How much time do you need?

MR. SMYTH: We're almost done.

MR. LUKAS: Thanks.

A. Yeah. I agree.

Q. Okay. All right. And just to move things along, we'll -- I'd like you to confirm

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that paragraphs 51, 52, and 53 of your
declaration are substantively identical to the
material in the claim construction briefing.

MR. LUKAS: Objection. Form.

A. Through paragraph 53, yes.

Q. All right. Thank you.

Mr. Locati, you've offered some opinions
about the person of ordinary skill in the art,
right? We talked about those earlier?

A. Yes.

Q. Do you consider each of the two
inventors identified in the 017 patent as
being -- qualifying as one of ordinary skill in
the art?

MR. LUKAS: Objection. Calls for
a legal conclusion.

A. I don't know anything about the two
inventors in the 017 Patent; therefore, I can't
tell.

Q. So you didn't consider their
backgrounds or experience in forming your
opinions on one of ordinary skill in the art?

A. I was -- did, or did not?

Q. You did not.

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A. Correct.

Q. And I'll --

A. Correct.

Q. -- ask it again.

So you did not consider the background of the inventors in forming your opinions on a person of ordinary skill in the art, correct?

A. Because I have no knowledge of their background and skill.

Q. Okay. So that's correct, though? You didn't --

A. Yeah, that's correct.

(Continued on the next page to include jurat.)

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Q. Did you talk to your counsel at any point today about the substance of your testimony?

A. No, I did not.

Q. All right.

MR. SMYTH: In that case, I don't have any further questions.

MR. LUKAS: No further questions. Thanks.

(Time noted: 2:22 p.m.)

RONALD LOCATI

Sworn and subscribed to
before me this _____ day of
_____, _____.

Notary Public

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C E R T I F I C A T I O N

I, CAROLYN C. CRESCIO, a Notary
Public, within and for the State of
Pennsylvania, do hereby certify that the
foregoing witness, RONALD LOCATI, was duly sworn
on the date indicated, and that the foregoing is
a true and accurate transcription of my
stenographic notes.

I further certify that I am not
related to any of the parties to this action by
blood or marriage; and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 6th day of June, 2025.



CAROLYN C. CRESCIO

1 JAMES LUKAS, ESQ.

2 lukasj@gtlaw.com

3 JUNE 6, 2025

4 RE: BIZLINK TECHNOLOGY, INC. vs. ANDERSON POWER PRODUCTS, INC.

5 MAY 21, 2025, RONALD P. LOCATI, JOB NO. 7382045

6

7 The above-referenced transcript has been completed by
8 Veritext Legal Solutions and review of the transcript is being
9 handled as follows:

10

11 — Per CA State Code (CCP 2025.520 (a)-(e)) - Contact Veritext
12 to schedule a time to review the original transcript at
13 a Veritext office.

14

15 XX Per CA State Code (CCP 2025.520 (a)-(e)) - Locked .PDF
16 Transcript - The witness should review the transcript and
17 make any necessary corrections on the errata pages included
18 below, notating the page and line number of the corrections.
19 The witness should then sign and date the errata and penalty
20 of perjury pages and return the completed pages to all
21 appearing counsel within the period of time determined at
22 the deposition or provided by the Code of Civil Procedure.

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1 ___ Waiving the CA Code of Civil Procedure per Stipulation of
2 Counsel - Original transcript to be released for signature
3 as determined at the deposition.

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5 ___ Signature Waived - Reading & Signature was waived at the
6 time of the deposition.

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8 ___ Federal R&S Requested (FRCP 30(e)(1)(B)) - Locked .PDF
9 Transcript - The witness should review the transcript and
10 make any necessary corrections on the errata pages included
11 below, notating the page and line number of the corrections.
12 The witness should then sign and date the errata and penalty
13 of perjury pages and return the completed pages to all
14 appearing counsel within the period of time determined at
15 the deposition or provided by the Federal Rules.

16
17 ___ Federal R&S Not Requested - Reading & Signature was not
18 requested before the completion of the deposition.

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1 RE: BIZLINK TECHNOLOGY, INC. vs. ANDERSON POWER PRODUCTS, INC.
2 MAY 21, 2025, RONALD P. LOCATI, JOB NO. 7382045
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4 E R R A T A S H E E T

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California Code of Civil Procedure

Article 5. Transcript or Recording

Section 2025.520

(a) If the deposition testimony is stenographically recorded, the deposition officer shall send written notice to the deponent and to all parties attending the deposition when the Original transcript of the testimony for each session of the deposition is available for reading, correcting, and signing, unless the deponent and the attending parties agree on the record that the reading, correcting, and signing of the transcript of the testimony will be waived or that the reading, correcting, and signing of a transcript of the testimony will take place after the entire deposition has been concluded or at some other specific time.

(b) For 30 days following each notice under subdivision (a), unless the attending parties and the deponent agree on the record or otherwise in writing to a longer or shorter time period, the deponent may change the form or the substance of the answer to a question, and may either approve the transcript of the deposition by signing it, or

refuse to approve the transcript by not signing it.

(c) Alternatively, within this same period, the deponent may change the form or the substance of the answer to any question and may approve or refuse to approve the transcript by means of a letter to the deposition officer signed by the deponent which is mailed by certified or registered mail with return receipt requested. A copy of that letter shall be sent by first-class mail to all parties attending the deposition.

(d) For good cause shown, the court may shorten the 30-day period for making changes, approving, or refusing to approve the transcript.

(e) The deposition officer shall indicate on the original of the transcript, if the deponent has not already done so at the office of the deposition officer, any action taken by the deponent and indicate on the original of the transcript, the deponent's approval of, or failure or refusal to approve, the transcript. The deposition officer shall also notify in writing the parties attending the deposition of any changes which the deponent timely made in person.

(f) If the deponent fails or refuses to approve the transcript within the allotted period, the

deposition shall be given the same effect as though it had been approved, subject to any changes timely made by the deponent.

(g) Notwithstanding subdivision (f), on a seasonable motion to suppress the deposition, accompanied by a meet and confer declaration under Section 2016.040, the court may determine that the reasons given for the failure or refusal to approve the transcript require rejection of the deposition in whole or in part.

(h) The court shall impose a monetary sanction under Chapter 7 (commencing with Section 2023.010) against any party, person, or attorney who unsuccessfully makes or opposes a motion to suppress a deposition under this section, unless the court finds that the one subject to the sanction acted with substantial justification or that other circumstances make the imposition of the sanction unjust.

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Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the deposition officer. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the deposition officer and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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