1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF TEXAS
3
4 _____
5 BARCO, INC., et al,)
6 Plaintiff,) Case No.
7 v.) 2:2023cv00521
8 YEALINK (USA) NETWORK TECHNOLOGY)
9 COMPANY LTD., et al,)
10 Defendants.)
11 _____
12
13
14 RESTRICTED ATTORNEYS' EYES ONLY
15 SUBJECT TO THE PROTECTIVE ORDER
16
17 REMOTE VIDEOTAPED DEPOSITION of
18 ANDREW LUDKE
19 Milford, Pennsylvania
20
21
22
23
24
25 Reporter: Michael D. O'Connor, RMR, CRR, CRC

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7
8 Friday, April 18, 2025
9 10:36 a.m.
10
11 RESTRICTED ATTORNEYS' EYES ONLY
12 SUBJECT TO THE PROTECTIVE ORDER
13
14 REMOTE VIDEOTAPED DEPOSITION of
15 ANDREW LUDKE, held in Milford, Pennsylvania,
16 pursuant to notice, before Michael D.
17 O'Connor, Registered Merit Reporter,
18 Certified Realtime Reporter, Certified
19 Realtime Captioner.
20
21
22
23
24
25

1 A P P E A R A N C E S:
2
3 ATTORNEYS FOR PLAINTIFF:
4 K&L GATES LLP
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19 stephen.yang@dentons.com
20
21
22
23
24
25

1 A P P E A R A N C E S:
(Continued):
2
3 ATTORNEYS FOR CRESTRON ELECTRONICS AND THE
4 WITNESS:
5 FISH & RICHARDSON, P.C.
6 1717 Main Street, Suite 5000
7 Dallas, Texas 75201
8 (214) 747-5070
9 BY: DAVID CONRAD, ESQ.
10 conrad@fr.com
11
12 Also Present: Hanna Mosolygo, Esq.,
13 Crestron Electronics
14 Gus Phillips, Videographer
15
16 * * * * * *
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10:36:53 1 MR. CONRAD: This is David Conrad
10:36:56 2 of Fish & Richardson representing
10:36:58 3 nonparty Crestron Electronics and the
10:37:02 4 witness. Also on the line here is
10:37:03 5 in-house counsel for Crestron, Hanna
10:37:06 6 Mosolygo.
7
8 ANDREW LUDKE
9
10 having been duly sworn by the Notary Public,
11 was examined and testified as follows:
12
13 EXAMINATION
10:37:18 14 BY MR. YANG:
10:37:18 15 Q. Mr. Ludke, good morning.
10:37:24 16 A. Good morning.
10:37:25 17 Q. My name is Stephen Yang. I'm here
10:37:28 18 today to ask you a few questions, and I just
10:37:32 19 ask that you answer them truthfully.
10:37:34 20 Can you do that for me?
10:37:35 21 A. Yes.
10:37:36 22 Q. Mr. Ludke, you are employed by
10:37:39 23 Crestron Electronics; is that right?
10:37:41 24 A. That's correct.
10:37:47 25 Q. How long have you been employed by

10:37:49 1 Crestron?
10:37:49 2 A. Over 19 years.
10:37:50 3 Q. What is your title there?
10:37:53 4 A. Senior director of product
10:37:55 5 management.
10:37:55 6 Q. Mr. Ludke, are you familiar with
10:38:01 7 the term "BYOD"?
10:38:09 8 A. Yes.
10:38:10 9 Q. And I'm referring to Bring Your
10:38:12 10 Own Device. Is that how you understand it?
10:38:14 11 A. Yes.
10:38:14 12 Q. What is BYOD?
10:38:25 13 A. I think it's interpreted a number
10:38:27 14 of ways, but the general idea, I think in the
10:38:29 15 context of what we're talking about here, is
10:38:31 16 the ability for a user to bring their personal
10:38:37 17 device, a laptop, a phone or something like
10:38:39 18 that, into a meeting space and utilize a
10:38:45 19 personal device in that environment.
10:38:56 20 Q. Bring a personal device into an
10:38:59 21 environment to do what?
10:39:00 22 MR. CONRAD: Objection to form.
10:39:02 23 You can answer if you can.
10:39:04 24 A. I mean, maybe you can be more
10:39:08 25 clear what you're looking for. I mean, to

11:05:22 1 blank on the name of another company that's
11:05:24 2 primarily software based. Yeah, drawing a
11:05:31 3 blank.
11:05:31 4 Q. That's okay. In the AirMedia
11:05:34 5 market, the major player is -- well, Barco is
11:05:37 6 one of them, right?
11:05:38 7 A. Yeah.
11:05:38 8 Q. How big is Crestron in terms of
11:05:50 9 personnel?
11:05:51 10 A. I don't have a specific number.
11:05:57 11 Several thousand employees.
11:05:58 12 Q. Are they all based in the U.S.?
11:06:03 13 A. No.
11:06:04 14 Q. So Crestron is worldwide, right?
11:06:07 15 A. We -- I mean, not everywhere, but
11:06:13 16 yeah, we have a substantial reach
11:06:15 17 internationally.
11:06:16 18 Q. [redacted]
11:06:32 19 [redacted]
11:06:34 20 [redacted]
11:06:35 21 A. [redacted]
11:06:35 22 Q. [redacted]
11:06:41 23 [redacted].
11:06:43 24 [redacted]
11:06:47 25 [redacted]

11:06:48 1 A.
11:06:50 2 Q.
11:06:52 3
11:06:57 4
11:06:58 5 A.
11:07:04 6
11:07:08 7
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11:07:18 9 ,
11:07:21 10 .
11:07:27 11
11:07:29 12 Q.
11:07:30 13
11:07:33 14 A. .
11:07:36 15 Q.
11:07:44 16 A.
11:07:46 17 Q.
11:07:49 18
11:07:52 19
11:07:52 20 A.
11:07:58 21 Q.
11:08:00 22 A.
11:08:05 23
11:08:10 24
11:08:14 25

11:34:21 1 Q. Right, it is wirelessly connected.
11:34:23 2 So in that case I would be wirelessly sharing
11:34:26 3 content, right?
11:34:27 4 A. Mm-hmm.
11:34:28 5 Q. So -- actually, scratch that.
11:34:36 6 Let me know when you have Crestron
11:34:39 7 3 open.
11:34:49 8 MR. CONRAD: I'll designate this
11:34:51 9 transcript restricted attorneys' eyes
11:34:51 10 only under the protective order at this
11:34:53 11 point.
11:34:53 12 Q. Mr. Ludke, you have Exhibit
11:34:53 13 Crestron 3 in front of you. It is a document
11:34:54 14 bearing Bates numbers CRESTRON_0000001 to 19.
11:35:09 15 Just let me know when you're ready.
11:35:11 16 A. I'm ready.
11:35:12 17 Q. Can you tell me what this document
11:35:13 18 is?
11:35:13 19 A. It's a license agreement that we
11:35:19 20 signed with Barco.
11:35:20 21 Q. That's the same license agreement
11:35:22 22 we talked about a minute ago?
11:35:23 23 A. I don't remember what we talked
11:35:27 24 about with the license agreement a minute ago,
11:35:31 25 but we signed a license agreement with Barco.

11:58:24 1 videoconference call, like the one we're on
11:58:27 2 right now.
11:58:27 3 Q. So can either Videobar still
11:58:37 4 perform its functions without an AirMedia
11:58:40 5 dongle?
11:58:41 6 A. Yes.
11:58:41 7 Q. So let's go back to Crestron 3,
11:58:51 8 please, the patent license agreement between
11:58:54 9 Crestron and Barco.
11:59:09 10 [redacted]
11:59:13 11 [redacted]
11:59:15 12 A. [redacted]
11:59:25 13 [redacted]
11:59:30 14 Q. [redacted]
11:59:32 15 [redacted]
11:59:38 16 A. [redacted]
11:59:40 17 [redacted]
11:59:41 18 Q. [redacted]
11:59:47 19 A. [redacted].
11:59:48 20 Q. [redacted]
11:59:55 21 [redacted]
11:59:55 22 A. [redacted]
12:00:00 23 [redacted]
12:00:04 24 Q. [redacted]
12:00:11 25 [redacted]

12:00:13 1
12:00:18 2
12:00:23 3 MR. CONRAD: Objection. Form.
12:00:24 4 You can answer.
12:00:33 5 A. I don't know how to answer. If
12:00:34 6 you phrase that question differently, I'll
12:00:37 7 probably come up with a better answer for you.
12:00:39 8 Q. Sure. I'm just trying to
12:00:40 9 understand your answer.
12:00:42 10
12:00:45 11
12:00:49 12 A.
12:00:50 13 Q.
12:00:52 14
12:00:56 15
12:01:02 16
12:01:04 17 A.
12:01:07 18 Q.
12:01:11 19 A. I'm sorry, what was the last
12:01:13 20 question?
12:01:14 21 Q. I think I understood your
12:01:15 22 question.
12:01:19 23
12:01:20 24 A.
12:01:21 25 Q.

12:01:27 1
12:01:29 2
12:01:30 3 A.
12:01:39 4 .
12:01:46 5 Q.
12:01:53 6
12:01:53 7 A.
12:01:59 8
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12:02:11 14
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12:02:16 18
12:02:18 19
12:02:20 20
12:02:25 21 Q.
12:02:27 22
12:02:29 23
12:02:30 24
12:02:32 25 A.

12:08:20 1
12:08:24 2
12:08:26 3
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12:08:35 9
12:08:36 10
12:08:39 11
12:08:40 12
12:08:43 13
12:08:47 14
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12:08:51 16
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12:08:58 20
12:08:59 21
12:09:06 22 Q.
12:09:10 23
12:09:12 24
12:09:19 25 A.

12:09:24 1 .
12:09:26 2 Q.
12:09:28 3
12:09:28 4 A.
12:09:38 5
12:09:42 6
12:09:46 7 .
12:09:51 8
12:09:56 9
12:09:59 10
12:10:03 11
12:10:09 12
12:10:15 13 Q.
12:10:21 14
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12:10:38 19
12:10:41 20
12:10:43 21
12:10:45 22 A.
12:10:48 23
12:10:51 24
12:10:59 25 .

12:11:07 1
12:11:12 2
12:11:16 3 .
12:11:24 4
12:11:25 5
12:11:31 6 .
12:11:34 7 Q.
12:11:52 8 .
12:11:55 9
12:12:02 10 A.
12:12:05 11
12:12:10 12
12:12:12 13
12:12:17 14 .
12:12:20 15
12:12:22 16
12:12:26 17 Q.
12:12:30 18
12:12:32 19
12:12:35 20 A.
12:12:37 21
12:12:39 22
12:12:42 23
12:12:47 24 .
12:12:50 25 Q.

12:12:55 1
12:13:06 2
12:13:10 3
12:13:11 4
12:13:12 5 A.
12:13:13 6 Q.
12:13:23 7
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12:13:27 10
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12:13:40 13 Q.
12:13:44 14 ?
12:13:52 15 A.
12:13:55 16
12:13:57 17
12:14:00 18
12:14:03 19 .
12:14:06 20
12:14:08 21
12:14:10 22
12:14:12 23
12:14:16 24 .
12:14:21 25 Q. Who is this contact?

12:20:54 1 Q. Mr. Ludke, I'm just looking for a
12:21:03 2 yes or no answer.
12:21:11 3
12:21:14 4
12:21:14 5
12:21:18 6
12:21:19 7
12:21:21 8
12:21:24 9
12:21:24 10 Q.
12:21:26 11
12:21:27 12 A.
12:21:29 13
12:21:31 14
12:21:33 15 Q.
12:21:39 16
12:21:43 17 ?
12:21:45 18 A.
12:21:49 19 Q. Thank you. Let's look at this
12:21:58 20 agreement, please. On the first page, do you
12:22:00 21 see a number of definitions?
12:22:07 22 A. Yes.
12:22:07 23 Q. One of those definitions is a
12:22:12 24 Do you see that?
12:22:13 25 A. Are you sharing? I've got to find

01:59:18 1 reconvening at 2:01 p.m.)
02:01:23 2 THE VIDEOGRAPHER: We are back on
02:01:32 3 the record. The time is 2:01 p.m.
02:01:35 4 EXAMINATION BY
02:01:36 5 MR. CENTURELLI:
02:01:36 6 Q. Good afternoon, Mr. Ludke. If you
02:01:39 7 take a moment, I'd like you to look at what's
02:01:42 8 previously been marked Crestron Exhibit 3. And
02:01:46 9 for the record, it bears production numbers
02:01:48 10 CRESTRON_1 through CRESTRON_19.
02:01:54 11 Let me know when you have it in
02:01:56 12 front of you?
02:01:57 13 A. I have it.
02:01:59 14 Q. Do you recognize Crestron 3?
02:02:00 15 A. I do.
02:02:01 16 Q. What is it?
02:02:02 17 A. It's a patent license agreement [redacted]
02:02:04 18 [redacted]
02:02:04 19 Q. And who are the parties to the
02:02:06 20 patent license agreement?
02:02:08 21 A. Crestron and Barco.
02:02:09 22 Q. [redacted]
02:02:13 23 [redacted]
02:02:16 24 A. [redacted]
02:02:18 25 Q. [redacted]

02:02:19 1
02:02:21 2 A.
02:02:26 3 Q.
02:02:28 4
02:02:29 5 A.
02:02:31 6
02:02:33 7
02:02:34 8 Q.
02:02:36 9 A.
02:02:36 10 Q.
02:02:38 11
02:02:39 12 A.
02:02:40 13 Q.
02:02:45 14
02:02:47 15 A.
02:02:48 16 Q.
02:02:54 17
02:02:56 18
02:03:00 19
02:03:03 20
02:03:03 21 A.
02:03:05 22 Q.
02:03:06 23 A.
02:03:06 24 Q.
02:03:08 25

02:03:10 1 A. [redacted]
02:03:10 2 Q. I'd like to turn your attention to
02:03:13 3 Schedule IV of the agreement. What is Schedule
02:03:19 4 IV?
02:03:19 5 A. I'm getting there. Hang on.
02:03:24 6 Q. It's on Page 18 if that's helpful.
02:03:26 7 A. All right. Schedule IV was a
02:03:30 8 suggested announcement, I guess.
02:03:37 9 Q. Okay. So a suggested press
02:03:39 10 release?
02:03:39 11 A. Press release, yeah.
02:03:41 12 Q. And did you have a quote in that
02:03:42 13 suggested press release?
02:03:43 14 A. Yeah.
02:03:44 15 Q. And did Barco have a quote in that
02:03:48 16 suggested press release?
02:03:49 17 A. Yes.
02:03:49 18 Q. [redacted]
02:03:52 19 [redacted]
02:03:54 20 A. [redacted].
02:04:02 21 Q. [redacted]
02:04:05 22 [redacted]
02:04:05 23 A. [redacted]
02:04:05 24 Q. All right. I'd like to direct
02:04:09 25 your attention to the second full paragraph.

02:04:12 It starts, "In today's working environment."
02:04:14 A. Mm-hmm, yes.
02:04:16 Q. I'd like to direct your attention
02:04:18 to the last sentence of that paragraph. Can
02:04:20 you read that into the record?
02:04:21 A. "Because of the growing interest
02:04:24 in hybrid meetings, Barco and Crestron expect
02:04:27 the market for wireless conferencing systems to
02:04:31 accelerate with high double digits in 2023."
02:04:36 Q. Was that your belief at the time?
02:04:38 A. Yeah.
02:04:39 Q. [redacted]
02:04:46 [redacted]
02:04:49 [redacted]
02:04:51 [redacted]
02:04:54 A. [redacted]
02:04:56 [redacted]n.
02:04:58 Q. Okay. And I just wanted to direct
02:05:00 your attention to your quote that I believe
02:05:03 begins with "'Our customers.'"
02:05:05 A. Yes.
02:05:06 Q. Can you just read that to me?
02:05:08 A. Sure. "'Our customers expect
02:05:11 fully integrated solutions that make workplace
02:05:14 collaboration simple.'"

02:05:16 1 Q. Could you stop there for a second.
02:05:18 2 A. Sure.
02:05:18 3 Q. Is that your statement?
02:05:19 4 A. It is.
02:05:20 5 Q. Okay. And that was based upon
02:05:21 6 your understanding of Crestron's customers'
02:05:26 7 desires?
02:05:26 8 A. Yes.
02:05:26 9 Q. Okay. What's the next sentence in
02:05:28 10 your quote?
02:05:29 11 A. "'With this agreement we will
02:05:32 12 bring robust wireless conferencing based on
02:05:35 13 Barco's ClickShare intellectual property to our
02:05:38 14 digital workplace technologies to meet the
02:05:40 15 growing demand for bring your own meeting
02:05:43 16 solutions.'"
02:05:44 17 Q. And that was your statement?
02:05:45 18 A. Yeah.
02:05:45 19 Q. [redacted]
02:05:47 20 [redacted]
02:05:52 21 A. [redacted]
02:05:53 22 Q. I'd like to show Crestron exhibit
02:05:59 23 -- what's the next Crestron exhibit?
02:06:02 24 MR. CONRAD: Ten.
02:06:08 25 A. What is ten, to remind me?

1 C E R T I F I C A T E
2
3 I, Michael O'Connor, Registered
4 Merit Reporter/Certified Realtime Reporter,
5 do hereby certify:
6 That ANDREW LUDKE, the witness
7 whose testimony is hereinbefore set forth,
8 was duly sworn by me and that such testimony
9 is a true and accurate record of my
10 stenotype notes taken in the foregoing
11 matter to the best of my knowledge, skill
12 and ability.
13 IN WITNESS WHEREOF, I have hereunto
14 set my hand and Notarial Seal this 18th day
15 of April 2025.
16
17
18
19 Michael O'Connor
20 MICHAEL O'CONNOR, RMR, CRR, CRC
21 Notary Public
22
23
24 My Commission expires:
25 November 9, 2029