

UNITED STATES INTERNATIONAL TRADE COMMISSION

In the Matter of:	)	Investigation No.
CERTAIN CAPACITIVE DISCHARGE	)	337-TA-1390
IGNITION SYSTEMS, COMPONENTS	)	
THEREOF, AND PRODUCTS CONTAINING	)	
THE SAME	)	

OPEN SESSIONS

Pages: 245 through 535 (with excerpts)
Place: Washington, D.C.
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1 UNITED STATES INTERNATIONAL TRADE COMMISSION
2 Washington, D.C.
3 BEFORE THE HONORABLE CLARK S. CHENEY
4 Chief Administrative Law Judge

5 _____
6 In the Matter of:) Investigation No.
7 CERTAIN CAPACITIVE DISCHARGE) 337-TA-1390
8 IGNITION SYSTEMS, COMPONENTS)
9 THEREOF, AND PRODUCTS CONTAINING)
10 THE SAME)
11 _____

12
13 International Trade Commission
14 500 E Street, S.W.
15 Washington, D.C.

16
17 Tuesday, September 24, 2024

18
19 EVIDENTIARY HEARING - VOLUME II

20
21 The Hearing commenced in Courtroom A, pursuant to the
22 notice of the Judge, at 9:04 a.m. Eastern.

23
24 Reported by: Marjorie Peters, FAPR, RMR, CRR

25

1 (Off the record.)

2 MR. HARTMAN: I believe we're ready to proceed,
3 Your Honor.

4 CHIEF JUDGE CHENEY: We're back on the record
5 now after taking a short recess to allow counsel to consult
6 about confidentiality.

7 Where do we go from here, Mr. Hartman?

8 MR. HARTMAN: We can stay on the public record,
9 Your Honor.

10 CHIEF JUDGE CHENEY: Please proceed.

11 BY MR. HARTMAN:

12 Q. Mr. Lepley, this document is titled "VariSpark
13 Ignition Technology Competitive Analysis"?

14 A. That's right.

15 Q. This compares the various systems on the market
16 in 2013?

17 A. That is correct.

18 Q. You are principal author of this document?

19 A. That is correct.

20 Q. This document was created around May 2013?

21 A. That's correct.

22 Q. You were the ignition product manager when you
23 created this document.

24 A. That's right.

25 Q. In this document, the VariSpark offerings

1 referred to the DI products; correct?

2 A. That is correct.

3 Q. And this document also discusses legacy ignition
4 offerings; correct?

5 A. It does.

6 Q. Those are not DI products?

7 A. That is correct.

8 Q. Altronic's legacy products represented the bulk
9 of the industrial ignition market at that time?

10 A. That is correct.

11 Q. That's still true?

12 A. Yes, it is.

13 Q. Now, in 2013, in this document, you wrote that
14 Altronic's VariSpark technology was positioned to capture
15 additional market share?

16 A. Yes.

17 Q. Altronic's EVS products do not currently
18 represent the bulk of the industrial ignition market?

19 A. Nor would I expect them to.

20 Q. Over the last 11 years, Altronic's EVS systems
21 have not displaced the legacy ignition systems in the
22 industrial ignition market?

23 A. No, they haven't.

24 Q. Turn to page 3, please.

25 This slide compares features of the Altronic EVS

1 ignition systems, Altronic legacy ignition systems and
2 other companies' products; correct?

3 A. That is correct.

4 Q. One of those other companies is MOTORTECH?

5 A. That is correct.

6 Q. There is a reference to an MIC850?

7 A. Correct.

8 Q. That's a MOTORTECH product?

9 A. That is right.

10 Q. That is a standard CDI system; right?

11 A. That would be my understanding.

12 Q. It's not an accused product?

13 A. That's correct.

14 Q. There's another MOTORTECH product listed, which
15 is the MIC4?

16 A. That is correct.

17 Q. Then there are some Altronic products listed,
18 and the first four products that are highlighted in kind of
19 the salmon color are the EVS products?

20 A. That is correct.

21 Q. There's another set of Altronic products shaded
22 in blue, and those are the legacy products?

23 A. That is correct.

24 Q. The CPU-95 is one of those legacy products?

25 A. The CPU-95 standard is one of the legacy

1 products.

2 Q. That's the CPU-95 that's shaded in blue?

3 A. That is correct.

4 Q. The CPU-95 is a capacitive discharge ignition

5 system?

6 A. That is correct.

7 Q. The chart shows a feature labeled "Enhanced

8 Duration, PWM Spark Technology."

9 A. Yes, that's correct.

10 Q. PWM refers to pulse with modulation.

11 A. That is correct.

12 Q. You identified the legacy CPU-95 as having the

13 enhanced duration PWM feature?

14 A. I did.

15 Q. You identified the MIC4 and the Caterpillar ADEM

16 as having the enhanced duration PWM spark technology

17 feature as well; right?

18 A. I did.

19 Q. Please turn to page 4.

20 This slide states your conclusions?

21 A. Yes, it does.

22 Q. One of your conclusions was that VariSpark is

23 the clearly more advanced ignition technology?

24 A. Yes, I would still maintain that.

25 Q. You concluded that VariSpark offers considerable

1 performance benefit over competitive offerings?

2 A. Yes.

3 I would still maintain that.

4 Q. You concluded that the MIC4 is technologically
5 similar to legacy Altronic ignition technology in this
6 document?

7 A. That is what was written in this document, yes.

8 Q. This document does not refer to the MIC4 as a
9 copy of an Altronic ignition controller?

10 A. It doesn't.

11 The audience of this document was a sales
12 presentation, so...

13 Q. This document doesn't say that the MIC4 is a
14 copy of an Altronic ignition controller; true?

15 A. That's true.

16 Q. This document does not say that the -- that
17 MOTORTECH copied the EVS technology; true?

18 A. That is true.

19 Q. You're familiar with a company called -- we can
20 pull this down.

21 You're familiar with a company called
22 Prometheus?

23 A. I am.

24 Q. Prometheus has a cooperation with Altronic?

25 A. We have worked together on projects at times.

1 Q. This oscillogram shows the MIC4 sending a single
2 pulse to break down the spark gap?

3 A. That is correct.

4 Q. Then there are four subsequent pulses after the
5 spark breakdown?

6 A. In this case, yes.

7 Q. Let's go to the next page, page 13.

8 This slide states, Conclusions.

9 A. Yes, it does.

10 Q. One of the conclusions of the MIC4 was an
11 improvement over traditional CD and other ignition
12 technologies?

13 A. Yes.

14 Q. But Altronic also concluded that the MIC4 was
15 not capable of delivering the energy of the Altronic
16 VariSpark technology?

17 A. That is correct.

18 Q. Altronic also concluded that its VariSpark
19 technology remains the most capable commercial ignition
20 technology?

21 A. I still do.

22 Q. Altronic also concluded that Altronic IP would
23 protect the VariSpark's technological superiority?

24 A. I would say that.

25 Q. This slide distinguishes the MIC4 from

1 Altronic's VariSpark technology?

2 A. That is correct.

3 Q. It does not refer to the MIC4 as a copy of
4 Altronic's EVS products?

5 A. No, it does not.

6 Q. The slide also does not say that the MIC4
7 infringes Altronic's IP?

8 A. No, it does not.

9 Q. In fact, Altronic did not form any belief about
10 infringement by MOTORTECH until summer of 2023?

11 A. That is correct.

12 Q. We can shift gears a little bit.

13 MR. HARTMAN: Your Honor, my understanding is
14 that we were on the public record during the duration of
15 Mr. Lepley's testimony on direct this morning.

16 CHIEF JUDGE CHENEY: That's my understanding
17 also.

18 BY MR. HARTMAN:

19 Q. Altronic does not have a formal time-tracking
20 system for its engineers?

21 A. That is correct.

22 Q. Altronic does not maintain documents that report
23 the time its engineers work on different projects?

24 A. No, it does not.

25 Q. Altronic also does not track the time its