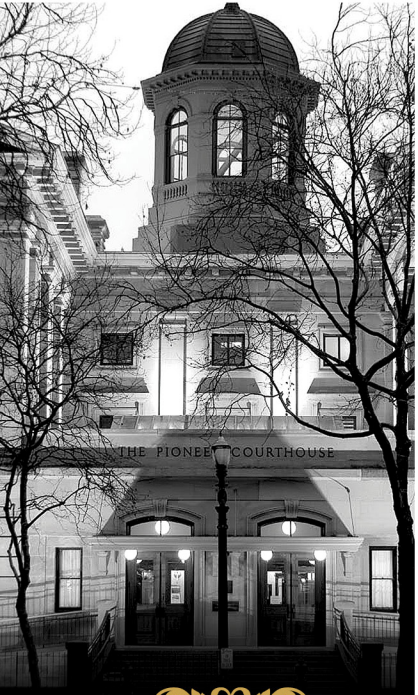

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

AROMA360, LLC,	Case IPR 2025-00705
Petitioner,	2025-00706
v.	2025-00707
AIR ESSCENTIALS,	U.S. Patent No. 9,527,094
INC.,	10,583,449
Patent Owner.	10,092,918

REMOTE STREAMING DEPOSITION OF

CHRISTOPHER WHITE, PH.D.

TAKEN ON

WEDNESDAY, JANUARY 7, 2026

10:08 A.M.

275 OCEAN BOULEVARD, SUITE 308

HAMPTON, NEW HAMPSHIRE 03842

Air Esscentials – Exhibit 2001
Aroma 360 v. Air Esscentials
IPR No. 2025-00707

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1 REMOTE STREAMING DEPOSITION OF
2 CHRISTOPHER WHITE, PH.D.
3 TAKEN ON
4 WEDNESDAY, JANUARY 7, 2026
5 10:08 A.M.
6
7 THE REPORTER: We are on the record at
8 10:08 a.m. Dr. White, would you please raise your
9 right hand. Do you affirm under penalty of perjury
10 that the testimony you are about to give will be the
11 truth, the whole truth, and nothing but the truth?
12 DR. WHITE: I do.
13 THE REPORTER: Will each attorney please
14 state their name and whom they represent?
15 MR. EAGAN: W. John Eagan on behalf of Air
16 Esscentials.
17 MR. RAYES: Josh Rayes. With me, my
18 colleague Jordan Riviello, on behalf of Petitioner,
19 Aroma360.
20 THE REPORTER: Okay, Counsel, you may
21 proceed.
22 MR. EAGAN: Thank you. I would just like
23 to note for the record that in scheduling a
24 deposition, we had expressed a preference for Dr.
25 White to be in the same room as our court reporter,

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1 but I think that has been lost. We're going to
2 elect to proceed because we've all convened here
3 anyways.
4 CHRISTOPHER WHITE, PH.D., having been first duly
5 affirmed to tell the truth, was examined and
6 testified as follows:
7 EXAMINATION
8 BY MR. EAGAN:
9 **Q. Dr. White, we are here today for your**
10 **deposition to discuss the expert declarations that**
11 **you submitted in support of IPR numbers 2025-705,**
12 **2025-706, and 2025-707.**
13 **My first question is, have you ever sat**
14 **for a deposition before?**
15 A. I have, yes.
16 **Q. Okay. So our court reporter, Ms.**
17 **DiPronio, did an excellent job of obviating my**
18 **preliminary statements here, but I will just repeat**
19 **and remind you to respond verbally so that our court**
20 **reporter will be able to record your response.**
21 **And although sometimes you may think you**
22 **already know the answer to what's coming, please**
23 **allow me to finish asking the question fully before**
24 **you answer, and I will try to do the same, allow you**
25 **to finish answering before I ask the next question.**

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Is that fair?

A. That is fair.

Q. Did you review any documents in preparation for your deposition today?

A. Yes, I did.

Q. Do you recall which documents you reviewed?

A. I reviewed my expert reports, and the patents in question.

Q. Okay.

A. That would be the 094, 449, and 918 patents, if I use shorthand if that's okay.

Q. Okay, thank you. Now, I would like to begin with the declaration that you submitted in IPR number 705. So if our exhibit handler could bring up Exhibit 1002 from the 705 matter.

MR. RAYES: And is that --

THE REPORTER: Would you like these marked as they are with them already numbered for you?

MR. EAGAN: That would be my preference. I will say it may get confusing if, you know, the exhibit numbers are the same across the three proceedings.

THE REPORTER: Are they the same exhibits?

MR. EAGAN: Yes.

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1 THE REPORTER: Okay. It seems like it
2 would be okay. All right, we can stick with the
3 numbers that you have here.
4 MR. EAGAN: And then I think we also may
5 need to reference the Sevy document at this time,
6 which is Exhibit 1009 from this 705 matter. So is
7 it possible to get those side by side?
8 MR. BRYAN: Stand by.
9 MR. EAGAN: Okay, thank you.
10 BY MR. EAGAN:
11 **Q. Dr. White, are those documents clear**
12 **enough for you?**
13 A. They are. I can zoom in on them, so
14 they'll be clear when I zoom in.
15 **Q. Okay, great. So, let's see. Are you**
16 **familiar with the Sevy reference, Exhibit 1009 which**
17 **is on the right side of the screen?**
18 A. Yes, I am.
19 **Q. Great. So I would like to begin with**
20 **paragraph 150 of your declaration, which is on page**
21 **63 of the left side here. Thank you.**
22 **So here you have noted in paragraph 150**
23 **that droplets adducted from Sevy's nozzle, number**
24 **92, dash against the wall 121 of atomizer 16 and**
25 **cause additional atomization. As a result,**

relatively small droplets become entrained in the area.

Is that correct?

A. That is correct.

Q. So referencing the figure of Sevy, 1009, is it correct to say that droplet separation occurs in the chamber marked at 120? And actually, I believe -- could we go to page 10 of Exhibit 1009?

MR. RAYES: Objection, form.

BY MR. EAGAN:

Q. Do you need me to repeat the question?

A. Oh, sorry, I was waiting for the objection. So yes, could you repeat the question?

Q. Referencing figure 9 of Sevy here, is it correct to say that droplet separation occurs in the chamber marked as 120?

MR. RAYES: Objection, form.

Dr. White, you can -- you can answer.

THE DEPONENT: Yeah. Could you define what you mean by separation?

BY MR. EAGAN:

Q. Separation of different sized droplets.

A. So different sized droplets are produced just downstream of the atomizer. They're actually in the mixing chamber as well.

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1 THE REPORTER: Can you repeat?
2 THE DEPONENT: Sorry, I'm getting --
3 THE REPORTER: Your audio is cutting out a
4 little bit.
5 THE DEPONENT: Yeah, I'm getting feedback
6 on my side.
7 MR. RAYES: I'm hearing it as well.
8 MR. BRYAN: Ms. Court Reporter, if you
9 wouldn't mind muting yourself in between when you're
10 saying stuff.
11 THE DEPONENT: So I'll answer the
12 question. So droplets of different sizes in Sevy's
13 atomizer assembly are produced in the mixing
14 chamber. They're also produced immediately
15 downstream of the atomizer exhaust. The impact of
16 droplets on the wall in Sevy produces additionally
17 smaller droplets.
18 BY MR. EAGAN:
19 **Q. And at some point, larger droplets are**
20 **separated from smaller droplets; is that correct?**
21 A. Larger drop --
22 MR. RAYES: Objection to form.
23 You can answer.
24 THE DEPONENT: Yes, larger droplets will
25 be separated by -- from smaller droplets. In Sevy,

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1 some larger droplets impacting the wall will produce
2 smaller droplets. And then under the influence of
3 gravity, some larger droplets will fall out of the
4 dispersion.
5 BY MR. EAGAN:
6 **Q. Does that separation, the falling of**
7 **larger droplets, does that occur in the chamber**
8 **marked as 120?**
9 A. Yes, some will happen in chamber 120.
10 **Q. Okay, thank you. I'd like to move on to**
11 **paragraph 169 of the Exhibit 1002, your declaration.**
12 **I believe it goes on to the next page a bit, if we**
13 **could scroll down.**
14 MR. BRYAN: Stand by.
15 MR. EAGAN: Thank you.
16 BY MR. EAGAN:
17 **Q. Here in paragraph 69, there is a portion**
18 **where you discuss paragraph 69 of Sevy --**
19 MR. RAYES: One -- oh, sorry.
20 BY MR. EAGAN:
21 **Q. Right. Which states droplets that cannot**
22 **move with the air flow typically because they have**
23 **too large a size and mass, will strike the walls of**
24 **the opening 100 or the separator plate 98. Is that**
25 **correct?**

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A. That is correct.

Q. Is it also correct to say that the separator plate 98 separates larger droplets from smaller droplets by preventing the larger droplets from passing through the opening in the separator plate?

MR. RAYES: Objection.

THE DEPONENT: That is correct.

BY MR. EAGAN:

Q. Okay, thank you. If we could move on to, and display paragraphs 171 and 172. So take your time to read these, but I -- your conclusion here is that separator plate 98 acts as an orifice baffle. Is that correct?

A. That is correct, yes.

Q. So as you sit here today, do you recall reading anything in Sevy's written description, Exhibit 1009 here, stating that the separator plate 98 would act as an orifice baffle or otherwise condition the flow of fluid?

MR. RAYES: I would just note that the conclusion at paragraph 173 says that the separator plate corresponds to a baffle.

BY MR. EAGAN:

Q. You can answer.

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A. Sure. This is my opinion based on a POSITA, basically based on physics.

Q. Okay. So the conclusion in paragraphs 171 and 172, is that based on any measurements, calculations, or simulations?

A. It's based on physics, specifically the governing equation that covers fluid motion taught in undergraduate classes as well as graduate classes.

Q. So your conclusion is based on your intuition?

MR. RAYES: Objection, form.

THE DEPONENT: Physics is not intuition. Physics is physics. It's also based on my experience designing fluid systems that incorporate baffles and orifice plates, et cetera.

BY MR. EAGAN:

Q. But it's -- it is based on -- the conclusion is based on your expectations of how fluid would flow through this device when you view this diagram?

MR. RAYES: Objection, form.

THE DEPONENT: It's not based on my expectations. It's based on physics.

BY MR. EAGAN:

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1 **Q. Did you do any measurements, calculations,**
2 **or simulations to confirm those physics?**
3 A. As I said previously, I have incorporated
4 baffles, orifice plates, other flow obstructions. I
5 have completed measurements around those, so yes, I
6 have experience taking measurements through orifice
7 plates, around baffles, so it's not intuition.
8 Again, it's physics.
9 **Q. But to be clear, you performed no**
10 **measurements, calculations, or simulations regarding**
11 **the Sevy device shown in this drawing?**
12 A. I would not have to do that.
13 **Q. Okay, thank you. I would like to move on**
14 **to paragraph 174, please. Here, Dr. White, you**
15 **assert that Sevy's separator plate 98 would disrupt**
16 **flow by cross-sectional changes, and would limit**
17 **sound associated with the fluid flow by creating**
18 **acoustical impedance discontinuities that reflect**
19 **sound back to the source, and flow resistance that**
20 **suppresses turbulence so that less flow noise is**
21 **generated.**
22 **Is that correct?**
23 A. That is correct.
24 **Q. Do you recall as you sit here today**
25 **reading anything in Sevy's written description**

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stating that the separator plate 98 would limit sound associated with the fluid flow?

A. Similar to my response before, my opinion here is based on physics.

Q. Is -- is your conclusion in paragraph 174 based on any measurements, calculations, or simulations of the Sevy device?

A. My opinion is based on flow physics, and past experience taking measurements similar to Sevy's device.

Q. But not Sevy's device.

A. I do not have Sevy's device.

MR. RAYES: Objection, form.

THE DEPONENT: And there would be no need. Again, this is just -- this is what physics tells us.

BY MR. EAGAN:

Q. Dr. White, when coming to the conclusion in 174, did you consider sources of sound other than fluid flow, such as the expansion of air as it leaves the nozzle? I believe it's 121.

MR. RAYES: Objection, form.

You can answer.

THE DEPONENT: 121 in terms of my deck paragraph, or 121?

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BY MR. EAGAN:

Q. The -- I'm pointing to the structure in Sevy, Exhibit 1009, that looks like it's -- oh, that's my mistake. It should be 119. There's a nozzle there. So let me -- I'll withdraw the question, and I'll rephrase it.

When coming to the conclusion of paragraph 174 that the separator plate would limit sound associated with the fluid flow, did you consider any sources of sound that would include the expansion of air as it leaves the nozzle 119?

MR. RAYES: Objection, form. I'll just note that the figure is sideways, so it's hard to -- hard to see.

BY MR. EAGAN:

Q. Dr. White, if you need us to rotate it, let us know.

A. Okay, that's fine. That is flow generated noise. What you just described is flow generated noise.

Q. Okay. And I'll note for the record that we rotated figure 9, 90 degrees.

MR. RAYES: Thank you.

BY MR. EAGAN:

Q. Let's -- if we could please turn to

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paragraph 176. Dr. White, looking at this diagram, you have overlaid some terms over the drawing of Sevy. In this diagram that you've created, is there any particular point or structure here that would distinguish the silencer inlet from the baffle?

MR. RAYES: Objection, form.

THE DEPONENT: I'm just trying to pull the figure out, sorry. So in terms of a structure, there's a tapered section below the separator plate, if you zoom in on that. So that would be the structure that separates or differentiates the separator plate from the silencer inlet.

Also in a fluid mechanics analysis, one would draw a control volume and the control surface that defines that control volume would be below the separator plate if one was performing a fluid dynamical analysis of this silencer assembly.

BY MR. EAGAN:

Q. So if I understood that correctly, the silencer inlet is the tapered ledge where the baffle is sitting.

A. That would be correct, yes.

Q. Okay. I'd like to go to paragraph 210 in the declaration, which is on page 88. And I think we may also need to bring up the Zeng reference,

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which is exhibit number 1011. And if we could replace Exhibit 1009 with Exhibit 1011 on the right side of the screen.

THE REPORTER: You don't need this marked as an exhibit, correct? You're just using it as a reference for now?

MR. EAGAN: Correct. I believe it might be helpful to go to page 15 of Exhibit 1011.

BY MR. EAGAN:

Q. Dr. White, are you familiar with Exhibit 1011?

A. Yes, I --

Q. With this drawing?

A. Yes, I am.

Q. Okay. So then referring back to your declaration, paragraph 210, here you are discussing combining what is shown in -- in Zeng, Exhibit 1011, with Sevy, and you assert that a person of ordinary skill in the art would have been motivated to combine Zeng with Sevy to improve atomization and dampen sound waves. Is that correct?

A. Yes, that is correct.

Q. Could we next move to paragraph 213, and also display the diagram below paragraph 213.

So Dr. White, here in this diagram you

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have inserted some of Zeng's components in the same physical space previously occupied by Sevy's separator plate; is that correct?

A. Yes, that is correct.

Q. In this new device that you have proposed, is my understanding correct that the atomizer will still spray into chamber 120 and against wall 121 before the droplets float up into these new components from Zeng?

MR. RAYES: Objection, form.

THE DEPONENT: Yes, that is correct.

BY MR. EAGAN:

Q. Okay, thank you. I would like to go to paragraph 240 which is on page 99 of the declaration. And there is a diagram below paragraph 240 as well. And can we also bring up, on the right side of the screen, Exhibit 1016 which is the Goubet reference? Could we scroll to page 2 of Exhibit 1016?

Dr. White, are you familiar with this document, Exhibit 1016 on the right side of the screen?

A. Yes, I am.

Q. So in -- returning back to paragraph 240 of your declaration, here you are discussing Goubet,

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and you have indicated that the inner chamber 13 comprises an outlet 16 for the micro droplets to enter the ambient air. Is that correct?

A. Yes, that is correct.

Q. And in the diagram below paragraph 240, you have marked outlet 16 as being analogous to the discharge port of the claimed invention. Is that correct?

MR. RAYES: Objection, form.

THE DEPONENT: That is correct, yes.

BY MR. EAGAN:

Q. All right. Could we go to paragraph 264 now? And there's also a diagram below, thank you.

Dr. White, in paragraph 264 you've asserted that among the components of the silencer assembly, the silencer outlet of the claimed invention is analogous to outlet 16 of the inner enclosure 13. Is that correct?

MR. RAYES: Objection, form. Just note that you're paraphrasing, not quoting.

THE DEPONENT: Yes, that is correct. So 16, that seats -- that's seated slightly below the top of the fusion unit is where the silencer outlet would be located. And the outlet from the diffusion unit would be above the conduit that connects 16 to

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1 the top of the diffusion unit.
2 BY MR. EAGAN:
3 **Q. Okay. I believe I followed that, but so**
4 **it seems like you were just describing some of the**
5 **structure that you're asserting distinguishes the**
6 **silencer outlet labeled here in paragraph 264 from**
7 **the discharge port that you labeled in paragraph**
8 **240.**
9 A. That is correct. If you zoom in on this
10 figure, you'll see that there is a small conduit
11 between the location where I identify as the
12 silencer outlet and the top of the diffusion unit.
13 **Q. I think it may be helpful to look at the**
14 **unmarked diagram in Exhibit 1016. If we could**
15 **scroll down on the right-side document. It may be**
16 **page 11. It will be page 10 then. Okay. And could**
17 **we zoom in a little bit to just make that figure a**
18 **little bit larger?**
19 **Okay, Dr. White, is there any way for you**
20 **to describe here again where this -- the conduit is**
21 **located?**
22 A. Sure. So if we look at 13. Is 13 clear?
23 **Q. Yes.**
24 A. So at the top of 13, the figure shows an
25 area change. So we go from a larger area to a

1 smaller area, so there's a little rectangle box. Is
2 that clear?
3 **Q. Yes, I'm following.**
4 A. So the bottom of the box would be the
5 silencer outlet. The bottom surface of that top
6 box, and the top surface of that box would be the
7 discharge from the dispersion unit. This is again
8 classical fluid dynamical analysis where we draw a
9 control volume that has a volume surface, or control
10 surfaces, and there could be fluid communication
11 through those control surfaces.
12 So the bottom of the control volume is the
13 silencer outlet, and the top of the control volume
14 is the discharge from the diffusion unit.
15 **Q. Okay, thank you. I think that's clear**
16 **now.**
17 **Could we please go to paragraph 348, which**
18 **is on page 149. And if we could also bring up**
19 **Exhibit 1013, this is the Gao reference, and replace**
20 **the right-hand side. And please scroll down to page**
21 **2 on the right-hand side.**
22 **Dr. White, do you recognize this document,**
23 **the Gao reference, Exhibit 1013?**
24 A. Yes, I do.
25 **Q. So returning back to paragraph 348, here**

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you discuss that in your opinion, Gao discloses a silencer assembly. Is that correct?

A. Yes, that is correct.

Q. And in that figure, I think it might be helpful to blow up the figure on -- on page 150 of your declaration.

Here you have marked up figure 1 of Gao to indicate a silencer inlet, silencer outlet, and a baffle, among some other features. The question is, is there a point or some structure that distinguishes between the silencer inlet and the baffle?

MR. RAYES: Objection, form.

THE DEPONENT: The silencer inlet, again from a control volume analysis, the -- is distinct from the baffle. In fact, it's to the right of the baffle. There's no flow through the baffle. There's flow around the baffle, so the silencer inlet would be to the right of the baffle.

MR. RAYES: If we can zoom in. I think it's difficult to see the full annotated figure.

MR. BRYAN: Where would you like me to zoom in to?

MR. RAYES: The silencer inlet call-out.

And just for the record, the document on

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1 the right is Gao, patent number CN 201832737U.
2 And John, I'm not sure if you plan to mark
3 these as exhibits or you're just referencing the
4 exhibit number from the PR filings.
5 MR. EAGAN: I -- I do -- I would like to
6 eventually mark them as exhibits, but I would like
7 to get some input from Ms. DiPronio, because I think
8 we will have some of these documents that have the
9 same exhibit number once we move on to the next
10 declaration.
11 MR. RAYES: Understood.
12 THE REPORTER: Are they the same documents
13 though?
14 MR. EAGAN: No, with the exception --
15 THE REPORTER: They're not.
16 MR. EAGAN: Correct.
17 THE REPORTER: Okay, I looked at them
18 briefly and they seem to be the same, but I will
19 take your word for it that they are not, so.
20 MR. EAGAN: For the most part they are the
21 same documents, but there are some documents that
22 are literally different but have the same document
23 number across the three proceedings.
24 THE REPORTER: Okay, sure. So why don't
25 we mark the declaration, instead of as Exhibit 1002,

as Exhibit 1. And then we'll just go, you know, forward from there.

(WHEREUPON, Exhibit 1 was marked for identification.)

MR. EAGAN: All right. Is that going to cause confusion if I still use the original --

THE REPORTER: No, that's fine.

MR. EAGAN: -- document numbers? Okay, thank you.

THE REPORTER: And so far that's the only exhibit you have marked. The other ones, 09, 11, 16, and 13 have just been reference docs so far, so if you want to mark any of those let me know.

MR. EAGAN: Please, could we mark those?

THE REPORTER: All right. We'll mark Exhibit 2, 3, 4, and 5.

MR. EAGAN: Thank you.

(WHEREUPON, Exhibit 2, Exhibit 3, Exhibit 4, and Exhibit 5 were marked for identification.)

MR. EAGAN: Everything's all ready to proceed? Thank you.

BY MR. EAGAN:

Q. Dr. White, I think we were -- so we were discussing previously that the silencer inlet is the opening next to the baffle; is that correct?

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A. Below and to the right of the baffle.

Q. So is -- fluid flowing through this device here, is that fluid redirected before or after it passes through the silencer inlet?

MR. RAYES: Objection, form.

THE DEPONENT: Can you clarify your question in terms of the flow redirected before or after the baffle?

BY MR. EAGAN:

Q. Once the fluid passes the silencer inlet, is there any additional redirection of the fluid caused by the baffle?

A. Yes.

MR. RAYES: Objection, form.

THE DEPONENT: Yes.

BY MR. EAGAN:

Q. Elsewhere in this diagram, you have indicated the diffusion chamber with purple coloring. Is there a specific point or structure that distinguishes the silencer inlet from the diffusion chamber?

MR. RAYES: Objection, form.

THE DEPONENT: Yes. It's a line drawn here in pink that is just below the baffle, and tangent to the baffle.

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BY MR. EAGAN:

Q. And now focusing on the silencer outlet indicated in green, and the discharge part indicated in orange, again is there a specific point or structure that distinguishes these two components?

A. Yes, there is.

Q. Can you describe that?

A. Yes. So if we look at, I believe it's called cap -- the cap 1, so it's identified as number 1 in the figure. So if we look just below 1 and draw a line tangent to 1 across, that would be a control surface.

So the control volume where the silencer assembly sits would be between the control surface of the silencer outlet and the control surface of the silencer inlet. So from a fluid mechanical point of view, one would look at a control volume here where flow is disrupted and sound is suppressed.

Q. Okay. I'd like to move to paragraph 360. Here, Dr. White, you have asserted that a person of ordinary skill in the art would appreciate that baffle 3 would reduce noise through acoustic impedance discontinuities caused by sudden cross-sectional changes and flow restriction that reduces

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1 **turbulence and flow generated noise. Is that**
2 **correct?**
3 A. Yes, that is correct.
4 **Q. As you sit here today, do you recall**
5 **reading anything in Gao's written description,**
6 **Exhibit 1013, that would -- that stated that baffle**
7 **3 would limit sound associated with the fluid flow?**
8 MR. RAYES: Objection, form.
9 Is he able to navigate through Gao if he
10 needs to refresh his recollection?
11 MR. EAGAN: I don't have an issue with
12 that.
13 THE DEPONENT: So Gao teaches that the
14 flow is disrupted similar to the 449 patent. A
15 POSITA would know that the disruption of flow will
16 also reduce noise. As stated in my declaration,
17 this was known for several decades, that flow
18 disruption and noise reduction are associated.
19 Again, and this is through the governing
20 equations of fluid motion that would be known by an
21 undergraduate in mechanical engineering or similar
22 related field. So similar to the teachings in the
23 449, the disruption of flow will suppress noise.
24 BY MR. EAGAN:
25 **Q. So is that conclusion here in paragraph**

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360 that the baffle 3 would suppress noise, is that conclusion based on any particular measurements, calculations, or simulations?

A. It's based on physics, and simulations and calculations would not be required.

Q. So, okay. I think I would -- now I'd like to turn to the declaration that you submitted in the 706 IPR. So this will be -- we'll replace the document on the left side of the screen with Exhibit 1002 from the 706 IPR.

(WHEREUPON, Exhibit 6 was marked for identification.)

THE REPORTER: Exhibit 6 marked.

MR. EAGAN: I'd like to begin at paragraph 177, which is on page 73. And we may also need to reference the Sevy document, Exhibit 1009.

MR. RAYES: Just for the record while we're pulling that up, I would note that this is related to the 449 patent, the declaration on the left is.

BY MR. EAGAN:

Q. Dr. White, in paragraph 177, you assert that it would have been obvious to modify the location, size, or quantity of apertures 99 in the separator plate 98 to achieve an even narrower range

1 **of droplet sizes to ensure that they have a**
2 **substantially uniform diameter. Is that correct?**
3 MR. RAYES: Objection, form. Can you
4 point me to the sentence you're looking at?
5 MR. EAGAN: Oh, we don't have paragraph
6 177 up. It's on -- this will be page 73 of -- of
7 the declaration, which is page 74 of the PDF. Yeah,
8 there.
9 MR. RAYES: Sorry. Would you mind
10 repeating the question, just so he can follow what
11 you're reading?
12 BY MR. EAGAN:
13 **Q. Yes. Here in paragraph 177, you assert**
14 **that it would have been obvious to modify the**
15 **location, size, and/or quantity of apertures 99 in**
16 **the separator plate 98 to achieve an even narrower**
17 **range of droplet sizes to ensure that they have a**
18 **substantially uniform diameter. Is that correct?**
19 MR. RAYES: Objection, form. That's
20 largely paraphrased. You can answer.
21 THE DEPONENT: Yeah, you -- you have
22 skipped the important part which is the plurality of
23 the droplets have a substantially uniform diameter,
24 plurality meaning more than two.
25 MR. EAGAN: Okay, understood.

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1 MR. RAYES: At least two, I think it says.
2 THE DEPONENT: At least two, correct.
3 BY MR. EAGAN:
4 **Q. Would this uniformity be achieved before**
5 **or after passing through the separator plate 98?**
6 A. Well, it's my opinion that a POSITA would
7 appreciate that prior to passing through the
8 separator plate, there's hundreds if not millions of
9 droplets. There will be two droplets that are
10 effectively substantially similar in diameter.
11 **Q. And this is sort of due to the -- the laws**
12 **of large numbers, there would just happen to be at**
13 **least two that are substantially the same diameter?**
14 MR. RAYES: Objection, form.
15 THE DEPONENT: It's both the laws of large
16 numbers, but also the physics of how a twin fluid
17 atomizer operates. So a twin fluid atomizer being,
18 in this case, air and an operative fluid,
19 effectively an essential oil.
20 It's a stochastic process that includes
21 many length scales. So all of these twin fluid
22 atomizers, both in the prior arts and in the
23 patents, will create a broad distribution of
24 droplets. The length scales, even though broad in
25 terms of the forcing mechanisms, will be

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1 substantially similar stochastically, so it's an
2 extremely high likelihood that you will have a
3 plurality of droplets having this, you know, having
4 a substantially uniform diameter.
5 MR. EAGAN: Can we display figure 9 of
6 Sevy on the right-hand side? And then rotate that,
7 thank you.
8 BY MR. EAGAN:
9 **Q. So, Dr. White, to clarify, we're**
10 **discussing what's going on in chamber 120. Is that**
11 **-- do we have the same understanding there?**
12 A. That is correct, yes.
13 **Q. So within chamber 120, is it -- while this**
14 **device is operating, would it be correct to say that**
15 **there would be a range of different size droplets in**
16 **this chamber, but in your opinion in all likelihood**
17 **at least two of them would have substantially the**
18 **same diameter?**
19 A. Yes, I believe that statement would hold
20 for all the prior arts as well as the asserted
21 patents, because this is how twin fluid atomizers
22 generate droplets through a stochastic process.
23 **Q. Is -- is there a point between the exit of**
24 **the atomizer there, we'll call that the nozzle 119,**
25 **and the -- the whole discharge of the device up top**

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at 106. Is there a point where the range of droplet sizes would be reduced?

MR. RAYES: Objection, form.

THE DEPONENT: If one moves from 119 to the discharge port both in Sevy, all prior arts, and in the asserted patents, the droplet size distribution will be a function of the local plane or local location where that's measured.

BY MR. EAGAN:

Q. Is there any particular structure along that path that would affect the range of droplet sizes that you could measure in a given location?

MR. RAYES: Objection, form.

THE DEPONENT: So to clarify, is this a diagnostic question in terms of if one were to perform measurements, or is this a physics question in terms of what mechanisms would be separating large droplets from small droplets?

BY MR. EAGAN:

Q. The latter, what mechanisms separate.

A. There would be several mechanisms at play, both -- for instance, gravitational separation. There would be inertial separation, and impact separation which could be sort of connected to inertial separation.

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1 **Q. So if I were to attempt to measure the**
2 **range of droplet sizes at two points, we'll call the**
3 **first point anywhere in the chamber 120, and the**
4 **second point further up where number 106 is**
5 **pointing, would the distribution of droplet sizes be**
6 **different at those two points?**
7 A. Yeah, the expectation of a POSITA would be
8 that in Sevy, all prior arts, and in the 449 patent,
9 that would be the case, correct.
10 **Q. And then how about further down, if we**
11 **take a measurement anywhere in 120 at a first point,**
12 **and then the second point just above separator plate**
13 **98, would the range of droplet sizes be different in**
14 **those two points?**
15 A. As I said previously, the range or the
16 distribution of droplet will vary spatially as one
17 goes from the exit from the orifice to the discharge
18 from the diffusion unit. Again, the expectation
19 from a POSITA is that would happen in Sevy, all
20 prior arts, and in the patents in question.
21 **Q. Okay, thank you. Could we please go to**
22 **paragraphs 193 and 194 in the declaration 1002? We**
23 **can leave it on 193 for now.**
24 **It may also be helpful to reference, on**
25 **the right side of the screen, the Gao reference,**

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1 **Exhibit 1013. Could we scroll down to the first**
2 **page of Gao? Actually, let's go to page 10 of Gao.**
3 **Okay.**
4 **Referring back to paragraph 193, Dr.**
5 **White, here you assert that in view of Gao's**
6 **teachings, a person of ordinary skill in the art**
7 **would be motivated to further reduce the size of the**
8 **droplets discharged by Sevy's atomizer to improve**
9 **their uniformity and corresponding aromatic**
10 **properties. Is that correct?**
11 MR. RAYES: This is paragraph 193,
12 correct?
13 MR. EAGAN: Yes.
14 THE DEPONENT: Can -- can you point me --
15 that wasn't the whole paragraph, so where in the
16 paragraph are we?
17 BY MR. EAGAN:
18 **Q. That would be the first sentence.**
19 A. Okay. Yes, that is correct.
20 **Q. So then -- then holding that thought and**
21 **moving on to paragraph 194, please. Here you**
22 **conclude that a person of ordinary skill in the art**
23 **could have modified Sevy's separator plate to make**
24 **the aperture smaller, thereby lowering the range of**
25 **droplets that could pass through it without undue**

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experimentation. Is that correct?

A. That is correct, yes.

Q. So as you sit here today, do you recall reading anything in the disclosure of Gao, Exhibit 1013, stating that the size of the through-hole 4 affects droplet size that reaches the -- the discharge 2?

A. Gao teaches that the more uniform the droplets, the more uniform the aroma. A POSITA would then proceed from there to understand that one could modify Sevy's separator plate to produce more uniform and smaller droplets.

Q. So is this conclusion here in paragraphs 193 and 194, that smaller apertures lead to smaller droplet sizes, is that based on any particular measurements, calculations, or simulations?

A. It's based on both teachings by Sevy where the separator plate is used to produce smaller droplets or filter out larger droplets. Sevy also says that one or more apertures could be used, so there's a teaching there that there could be more than one aperture.

Gao teaches that the more uniform the droplet is, the better the aroma, and a POSITA would know, again based on physics, that if the separator

1 plate is modified to include multiple smaller
2 orifices, then one could produce a distribution of
3 droplets that are more uniform.
4 **Q. Let's please go to paragraph 233 on page**
5 **99. And yes, that will be page 99 of the**
6 **declaration, which is 100 of the PDF.**
7 **Dr. White, in paragraph 233 you assert**
8 **that a person of ordinary skill in the art would**
9 **have been motivated to add additional enclosures --**
10 **actually, let me withdraw that question, and let's,**
11 **in order to help reference here, could we also**
12 **please bring up Goubet, which is Exhibit 1016. And**
13 **let's scroll down to the second page of Goubet.**
14 **Okay.**
15 **Referring now back to paragraph 233 where**
16 **you're discussing Goubet, you assert that a person**
17 **of ordinary skill in the art would have been**
18 **motivated to add additional enclosures to the dual**
19 **enclosure design because it was an objective of**
20 **Goubet to reduce droplet size as much as possible,**
21 **and furthermore a person of ordinary skill in the**
22 **art would appreciate that additional enclosures**
23 **would result in further atomization and smaller and**
24 **more uniform droplets.**
25 **Is that correct?**

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A. Yes, that is correct.

Q. Do you recall reading anything in the disclosure of Goubet as you sit here today, stating that additional enclosures would be desirable or have the effect of reducing droplet size?

A. Goubet teaches that the diffusion is controlled, gentle, and particularly quiet. A POSITA would know that the quietness of Goubet's design comes from the enclosures. And if one wants to make the unit quieter, one could include an additional enclosure, because a POSITA would know that the enclosures act as both a reactive and a dissipative muffler, reducing noise generated or noise leaving the unit.

Q. Is -- is this conclusion in paragraph 233 that more enclosures would further reduce droplet size, is that based on any particular measurements, calculations, or simulations?

A. So similar to the 449 patent, a POSITA would know that disrupting the fluid flow would also reduce the noise. And as I said before, this is physics. There's an equation that describes this, and no simulations or analysis would be needed.

Q. All right. Let's -- if we could please move on to paragraph 291, which is on page 122 of

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1 **the PDF, 121 of the declaration. Here, Dr. White,**
2 **you're discussing Gao, so if we could also please**
3 **bring up Exhibit 1013, and just leave it on that**
4 **figure in case we need to reference it.**
5 **Dr. White, in paragraph 291, you assert**
6 **that Gao teaches a diffusion chamber that**
7 **facilitates formation of the fluid dispersion, e.g.,**
8 **substantially uniform droplets, prior to the**
9 **discharge of the fluid dispersion from said fluid**
10 **dispersion chamber.**
11 **Is that correct?**
12 MR. RAYES: Objection to form.
13 THE DEPONENT: Did you say paragraph 291?
14 BY MR. EAGAN:
15 **Q. 291.**
16 A. Then could you repeat your question?
17 **Q. Here you have an assertion that Gao**
18 **teaches a diffusion chamber that facilitates**
19 **formation of the fluid dispersion, e.g.,**
20 **substantially uniform droplets, prior to the**
21 **discharge of the fluid dispersion from said fluid**
22 **dispersion chamber.**
23 **Is that correct?**
24 A. Yes, that is correct.
25 MR. RAYES: Objection to form. I think

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1 that's paraphrasing, not quoting.
2 BY MR. EAGAN:
3 **Q. Would this uniformity be achieved before**
4 **or after the droplets pass through the through-hole**
5 **4 on Gao?**
6 MR. RAYES: Objection, form.
7 THE DEPONENT: So I -- as I said before,
8 any twin fluid atomizer is going to produce a
9 distribution of droplets. Reasonably expectation,
10 because it's a stochastic process, that there will
11 be a plurality of uniform droplets. There will also
12 be small droplets. That distribution, if measured,
13 will change spatially as one moves from the atomizer
14 to the discharge. And again, that was consistent
15 with Sevy, all prior arts, and the 449 patent in
16 terms of using a twin fluid atomizer.
17 BY MR. EAGAN:
18 **Q. So is it correct to state that the uniform**
19 **-- sorry. Is it correct to state that the**
20 **distribution would be more uniform after the**
21 **through-hole 4, after the fluid passes through the**
22 **through-hole 4?**
23 MR. RAYES: Objection, form.
24 THE DEPONENT: Can you define what you
25 mean by the distribution will be more uniform?

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1 Because a uniform distribution means that the
2 probability of any droplet over a given range is the
3 same. That's stated in the patents.
4 So is that what you mean, that the
5 probability of having a droplet of 1 micron and the
6 probability of having a droplet of 10 microns is the
7 same in terms of its probability?
8 MR. EAGAN: No. I'm referring to the
9 variance of droplet sizes in particular locations in
10 this device.
11 MR. RAYES: Objection, form.
12 THE DEPONENT: And how would you quantify
13 that variance? Or how would you like me to quantify
14 that variance?
15 MR. EAGAN: A distribution of the
16 different size particles.
17 MR. RAYES: Objection, form. Do you mind
18 re-asking the question? Or Dr. White, you can
19 answer if you understand it.
20 THE DEPONENT: Well, the question was
21 phrased as a uniform distribution. And as I said
22 before, a uniform distribution means that the
23 probability of an occurrence over a range, so if
24 we're speaking about droplet diameters, let's just
25 say a given range from 1 micron to 10 microns, the

1 probability would be the same between all those
2 droplets within that range.
3 That was the question that was asked to
4 me, and I just wanted clarification if when the
5 phrase uniform distribution is used, is that what is
6 meant.
7 BY MR. EAGAN:
8 **Q. And I'm referring to the range or**
9 **variation of different droplet sizes in any given**
10 **location, not necessarily the likelihood that two**
11 **droplet sizes are the same.**
12 A. Understood. Again, that is different than
13 the stated question of uniform distribution, so I
14 don't want to answer a question that at least may be
15 different than what the question was asked. So that
16 was the request for the clarification.
17 As I said before, the expectation for a
18 twin fluid atomizer is that there will be a
19 distribution of particles generated. Of course,
20 based on a stochastic process, the likelihood of
21 finding two droplets of the same diameter is
22 extremely high.
23 There are structures and volume changes in
24 all the prior arts and the patents that will change
25 the distribution as the dispersion moves from the

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atomizer assembly out of the diffusion unit.

Q. All right, thank you. I think I understand. And so we've been going for about an hour now. If everyone's all right, I think I'd like to take a little comfort break. If we want to reconvene at 11:20. Is that all right with everyone?

MR. RAYES: Works for me.

THE REPORTER: We are off the record. The time 11:14 a.m.

(WHEREUPON, a recess was taken.)

THE REPORTER: We are on the record. The time is 11:21 a.m.

BY MR. EAGAN:

Q. Dr. White, my final question that I prepared for you today is, during the course of our discussion have you referenced any documents that were not displayed on the screen?

A. No.

Q. Okay, thank you. That will conclude my cross. I think Josh, if you'd like to re-direct, that's appropriate now I suppose.

MR. RAYES: If you could just give me maybe 10 minutes to look over my notes.

MR. EAGAN: Certainly.

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1 THE REPORTER: We are off the record. The
2 time is 11:22.
3 (WHEREUPON, a recess was taken.)
4 THE VIDEOGRAPHER: We are on the record.
5 The time is 11:31 a.m.
6 MR. RAYES: We have no questions at this
7 time of Dr. White.
8 THE VIDEOGRAPHER: Okay. Attorney Eagan,
9 would you like to order the original?
10 MR. EAGAN: Yes, ma'am.
11 THE REPORTER: And you would like that by
12 January 9th; Friday?
13 MR. EAGAN: Yes, please.
14 THE REPORTER: And Attorney Rayes, would
15 you like to order a copy?
16 MR. RAYES: Yes, please.
17 THE REPORTER: And do you also want that
18 by the 9th? Otherwise it's 10 business days
19 typically.
20 MR. RAYES: That's fine.
21 THE REPORTER: Ten business days is fine?
22 MR. RAYES: Yeah, 10 business days is
23 fine, unless Jordan disagrees.
24 MR. RIVIELLO: Yeah, that's fine with me.
25 THE REPORTER: Okay. Attorney Riviello,

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1 would you like to order a copy?
2 MR. RIVIELLO: No, I think one copy is
3 fine.
4 THE REPORTER: Okay. And Attorney
5 Matiuada or Attorney Litwak?
6 MR. LITWAK: Same thing here. I think one
7 copy is fine on our side. Thank you.
8 MR. MATIUADA: Yes, thank you.
9 THE REPORTER: Okay, great. We are off
10 the record. The time is 11:32 a.m.
11 (WHEREUPON, the deposition of CHRISTOPHER
12 WHITE, PH.D., was concluded at 11:32 a.m.)
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CERTIFICATE

I, Ashleigh DiPronio, do hereby certify that I reported all proceedings adduced in the foregoing matter and that the foregoing transcript pages constitutes a full, true and accurate record of said proceedings to the best of my ability.

I further certify that I am neither related to counsel or any party to the proceedings nor have any interest in the outcome of the proceedings.

IN WITNESS HEREOF, I have hereunto set my hand this 9th day of January, 2026.

Ashleigh DiPronio

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1 CORRECTION SHEET
2 Deposition of: Christopher White, PhD Date: 1/7/26
3 Regarding: Aroma360 LLC vs Air Esscentials Inc
4 Reporter: DiPronio/Breeze
5 _____
6 Please make all corrections, changes or
7 clarifications to your testimony on this sheet,
8 showing page and line number. If there are no
9 changes, write "none" across the page. Sign this
10 sheet on the line provided.
11 Page Line Reason for Change
12 ____ ____ _____
13 ____ ____ _____
14 ____ ____ _____
15 ____ ____ _____
16 ____ ____ _____
17 ____ ____ _____
18 ____ ____ _____
19 ____ ____ _____
20 ____ ____ _____
21 ____ ____ _____
22 ____ ____ _____
23 Signature: _____
24 Christopher White, PhD
25 Email to: Production@NaegeliUSA.com

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1 DECLARATION

2 Deposition of: Christopher White, PhD Date: 01/07/2026

3 Regarding: UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE PATENT TRIAL AND APPEAL BOARD A

4 Reporter: Ashleigh DiPronio

5 _____

6

7 I declare under penalty of perjury the following to be

8 true:

9

10 I have read my deposition and the same is true and

11 accurate save and except for any corrections as made

12 by me on the Correction Sheet herein.

13

14 Signed at _____, _____

15 on the _____ day of _____, 20____.

16

17

18

19

20

21

22

23 Signature: _____

24 Christopher White, PhD

25 Email to: Production@NaegeliUSA.com

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Exhibits

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EX002 1009 Sevy 26:16,18

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