

1 BE IT REMEMBERED that the Zoom deposition of
2 DR. PAUL C. CLARK, was taken in behalf of the Patent
3 Owner ALIGN TECHNOLOGY, INC, pursuant to the Washington
4 Rules of Civil Procedure before Millie Martin,
5 Certified Shorthand Reporter for Washington, on
6 Thursday, the 22nd day of January, 2026, commencing at
7 the hour of 6:00 a.m.

8
9 APPEARANCES:

10
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I N D E X

CLEARCORRECT OPERATING vs ALIGN TECHNOLOGY, INC.

Case No. IPR2025-00816

Patent No. 11,369,456

Thursday, January 22, 2026

T E S T I M O N Y

DR. PAUL C. CLARK

PAGE NO.

Cross-Examination by Ms. Thomas

4

PRODUCTION REQUESTS:

(No production requests.)

E X H I B I T S

(No exhibits marked for identification.)

1 DR. PAUL C. CLARK, called as a witness by the
2 Patent Owner, being first duly sworn to tell the truth,
3 the whole truth and nothing by the truth, was examined.

4
5 CROSS-EXAMINATION

6 BY MS. THOMAS:

7 Good morning. Can you please state your name
8 for the record please.

9 A Paul Clark.

10 Q Where are you currently located?

11 A I'm currently in Jacksonville, Florida.

12 Q Is there anyone else in the room with you
13 today?

14 A No, ma'am.

15 Q Before we get started I want to ask you, do
16 you have printed copies of your declaration and cited
17 exhibits available to you?

18 A I have electronic copies.

19 Q That's fine. Are those copies clean?

20 A Yes.

21 Q So no notes?

22 A No notes.

23 Q Do you have any notes with you?

24 A No.

25 Q Other than the Zoom application we're

1 speaking on, do you have any programs open on your
2 laptop aside from the program you need to open your
3 declaration and the cited exhibits?

4 A Not in the view port I'm on. I mean there
5 are other programs running, I'm sure, but I set up --
6 I've done this a couple of times. The directory with
7 clean copies of things we're likely to discuss and the
8 Zoom app. That's pretty much it.

9 Q Good to hear. Thank you. So this is my next
10 question. This is not your first deposition, correct?

11 A No, ma'am.

12 Q When was your last deposition?

13 A Within the last six months, I'm sure.

14 Q Do you know how many times you've taken your
15 deposition in the last year?

16 A Not specifically, no, but more than once.

17 Q And you said your last deposition was about
18 six months ago. What kind of case was it?

19 A I don't remember. I think it was another IPR
20 case.

21 Q So you have taken a deposition in the IPR
22 before?

23 A Yes.

24 Q You're probably familiar with depositions
25 particularly with respect to IPR's, but I would like to

1 go over some ground rules with you today. Do you
2 understand that you're providing your testimony under
3 oath and you are expected to tell the truth?

4 A Yes.

5 Q Is there any reason you cannot provide
6 complete and accurate testimony today?

7 A No.

8 Q Hopefully my questions are clear. If you do
9 not understand any question, please let me know that it
10 is unclear. Under the guidelines for this proceeding
11 you must ask me for any clarification. If you do not
12 tell me otherwise, I would assume you understood the
13 question; is that okay?

14 A Yes.

15 Q Please provide verbal answers rather than
16 nodding your head for the benefit of the court
17 reporter. We can take a break at any time you'd like
18 as long as there is no question pending. If there is a
19 question pending, you must answer the question before
20 we take a break; do you understand?

21 A Yes.

22 Q Great. So do you understand that you're here
23 today to testify in an IPR proceeding, correct?

24 A Yes.

25 Q And that IPR proceeding is IPR 2025-00816

1 which relates to U.S Patent No. 11369456; is that
2 right?

3 A Yes.

4 Q If I refer that patent as a 456 patent, will
5 you understand what I am referring to?

6 A Yes.

7 Q You're being compensated for your testimony
8 in these proceedings, correct?

9 A Yes.

10 Q What is your hourly rate?

11 A 590.

12 Q Is all your compensation in this matter being
13 paid at the same hourly rate?

14 A Yes.

15 Q About how much have you billed to date for
16 your work in this IPR?

17 A I don't know.

18 Q Do you have an estimate? A range? You don't
19 need to be precise.

20 A I don't do the accounting, so I don't know.
21 I'm not sure. I do a time sheet. Invoices get cut,
22 and that's -- I have not spent that many hours on this
23 case.

24 Q So you're saying you don't keep a running
25 tally. You just submit your invoices when you submit

1 them?

2 A Monthly, that's correct.

3 Q So you say -- would you say less than 20
4 hours up-to-date?

5 A I don't know. I mean I really don't know.

6 Q Well, let's get started. I would like you to
7 pull out your Declaration for the 456 patent. That's
8 Exhibit No. 1017. Let me know when you have it.

9 A Okay.

10 Q So I would like you to turn to the last page
11 of your Declaration. I believe that's page 55. Let me
12 know when you're there.

13 A I'm there.

14 Q And looking at the bottom, is that your
15 signature?

16 A Yes.

17 Q How is that signature entered in this
18 Declaration?

19 A I put it in.

20 Q Is it an electronic signature? Is it an ink
21 signature?

22 A It started out as an ink signature and it's
23 now an image, and I put the image on the document.

24 Q So when you were signing it, it was inserted
25 as an image of your signature?

1 A Correct.

2 Q That was by you?

3 A Correct.

4 Q And is it correct to say that when you
5 entered that signature you entered it on the day that
6 is dated, April 4, 2025?

7 MS. MATHEW: Objection to form.

8 A That's my recollection.

9 Q So the date that you signed the Declaration
10 was April 4, 2025, correct?

11 A That's my recollection.

12 Q Prior to signing, did you carefully review
13 this Declaration to ensure its accuracy?

14 A I read it multiple times.

15 Q Is there anything about your Declaration that
16 you would like to modify or correct sitting here today?

17 A I would have already done so.

18 Q And we sort of touched on this before, but
19 just going to ask again. About how many hours did you
20 spend preparing your Declaration?

21 A I don't remember. It was significant.

22 Q Did you say "significant"?

23 A I've spent several hours on it, yes.

24 Q Several hours. Several hours is more than
25 ten?

1 A I'm sure it was, yeah.

2 Q How about more than 20?

3 A Don't know.

4 Q I would like to now jump to page 5 of your
5 Declaration. Let me know when you're there.

6 A Okay.

7 Q So you see the heading "Materials
8 Considered"?

9 A Yes.

10 Q Just below that is paragraph 14 you state
11 that, "In forming my opinions you have reviewed the
12 following documents and any other documents cited in
13 this Declaration"; is that correct?

14 MS. MATHEW: Objection to form.

15 A That's my recollection.

16 Q And just below that you have a table that
17 lists several documents?

18 A Yes.

19 Q So just to clarify again, you have just below
20 paragraph 14 of that sentence, you have a table listing
21 several documents; is that correct?

22 A Yes.

23 Q So other than the documents that are listed
24 in this table and any other documents cited in your
25 Declaration as you state, did you review anything else

1 in preparing your Declaration?

2 A I mean I'm sure that I read other things and
3 relied upon my personal experience, but I don't think
4 that I used anything else as reference, no.

5 Q So sitting here today looking at this table,
6 you don't have a specific recollection of a specific
7 document you reviewed while preparing your Declaration?

8 MS. MATHEW: Objection; form.

9 A That's correct.

10 Q Did you do anything to prepare for this
11 deposition today?

12 A Yes. We had called yesterday to go through
13 my document and references.

14 Q So in preparing for your deposition, did you
15 review your Declaration?

16 A Yes.

17 Q Did you review any other documents?

18 A I looked at the references and the patent.
19 That was pretty much it.

20 Q By "the patent," you mean the 456 patent; is
21 that correct?

22 A That's correct.

23 Q And "the references," do you mean the
24 references that are listed within this table under
25 paragraph 14 of your Declaration?

1 A Yes.

2 Q Did you review anything else that isn't cited
3 in your Declaration?

4 A Not to my recollection.

5 Q Did you review Align's preliminary response
6 in this IPR?

7 A No.

8 Q Did you review the Board's institution
9 decision?

10 A Not recently, no.

11 Q So --

12 A I may have looked at it, but I don't believe
13 I read the whole thing.

14 Q So you have reviewed the Board's institution
15 decision. Is it correct to say you didn't review it in
16 preparation for this deposition?

17 A That's probably various.

18 Q Do you recall when you reviewed the Board's
19 institution decision?

20 MS. MATHEW: Object to form.

21 A No. No.

22 Q In preparing for your deposition did you --
23 scratch that. Let me start again. You mentioned in
24 preparing for your deposition you had a meeting. So
25 who did you meet with in preparing for your deposition?

1 A I had a Zoom with Mathew and McCammon.

2 Q When did you have this meeting?

3 A Yesterday.

4 Q For about how long did you meet?

5 A A couple of hours.

6 Q And is that the only meeting that you had to
7 prepare for your deposition?

8 A Yes.

9 MS. MATHEW: Objection to form.

10 A Yes.

11 Q Let's move up to paragraph 2 of your
12 Declaration. It's on the first page of your
13 Declaration. Let me know when you're there.

14 A Okay.

15 Q In paragraph 2 you state that you have been
16 retained on behalf of petitioner Clearcorrect
17 Operating, LLC. Do you see that?

18 A Yes.

19 Q So other than this IPR, do you have any
20 affiliation with Clearcorrect Operating, LLC?

21 MS. MATHEW: Objection to form.

22 A No.

23 Q Do you have any financial interest in
24 Clearcorrect Operating, LLC?

25 MS. MATHEW: Objection to form.

1 A No.

2 Q Prior to this IPR, have you ever worked with
3 Clearcorrect Operating LLC?

4 A No.

5 Q Are you aware of the company Straumann USA,
6 LLC?

7 A No.

8 Q How about Institut Straumann AG?

9 MS. MATHEW: Objection to form.

10 A No.

11 Q So is it fair to say other than this IPR do
12 you have any affiliation with Straumann?

13 MS. MATHEW: Objection to form.

14 A I've never heard of them.

15 Q Are you aware of the company Bay Materials?

16 A No.

17 Q Are you aware of the company Alliedstar
18 Medical Equipment?

19 A No.

20 Q Is the name Dr. Sumit Yadav familiar to you?

21 A Yes. I believe he's the dental expert in
22 this case, if I'm not mistaken.

23 Q Are you aware that Dr. Sumit Yadav submitted
24 a declaration in this IPR?

25 A I've been told he has, yes.

1 Q Before signing your Declaration, did you
2 review the Dr. Yadav's declaration?

3 A No.

4 Q Have you ever reviewed his declaration?

5 A Not to my recollection.

6 Q Before signing your Declaration, did you
7 speak with Dr. Yadav?

8 A Yes.

9 Q When did you speak with him?

10 MS. MATHEW: I caution the witness not to
11 reveal information that has been privileged
12 communications.

13 THE WITNESS: I'm aware.

14 A I don't actually recall. It was sometime
15 ago. It was prior to signing the Declaration back in
16 April. So quite sometime ago.

17 Q So prior to April you spoke with Dr. Yadav?

18 A Yes.

19 MS. MATHEW: Objection to form.

20 A Yes.

21 Q In what context did you speak to Dr. Yadav?

22 MS. MATHEW: Objection to form.

23 A I don't understand that question.

24 Q Did you speak with Dr. Yadav in the context
25 of your Declaration?

1 A Yes.

2 Q Did your conversation with Dr. Yadav form
3 your opinions in the Declaration?

4 A Only that some sort of interdisciplinary team
5 would be necessary. There is some level of dental
6 expertise would be required in addition to computer
7 expertise to implement the systems described in the
8 456.

9 Q So to understand your answer, I'll try to
10 understand it. Is it correct to say your conversation
11 with Dr. Yadav was to inform your opinion on the level
12 of ordinary skill in the art?

13 MS. MATHEW: Objection to form.

14 A I would say that part of the conversation
15 probably informed me that not very much computer
16 expertise would be required, if that's what you mean.

17 Q So in speaking with Dr. Yadav, your
18 conversation with Dr. Yadav informed your opinions that
19 not much computer expertise would be required; is that
20 fair?

21 MS. MATHEW: Objection to form.

22 A The computer modeling required is very
23 straightforward.

24 Q And this was based on your -- your
25 understanding of this is based on your conversation

1 with Dr. Yadav; is that correct?

2 MS. MATHEW: Objection to form.

3 A Yes. Yes.

4 Q Is that the only doctor -- your conversation
5 with Dr. Yasav informed your opinions for your
6 Declaration?

7 A I can't think of any other way. I mean it's
8 a computer-implemented system. So I'm the computer
9 implementation side of it.

10 Q So was your -- let me start like by just
11 jumping to your Declaration real quick. If we can go
12 to page 9 of your Declaration. Let me know when you're
13 there.

14 A I'm there.

15 Q And you see the title "Level of Skill in the
16 Art"?

17 A Yes.

18 Q So your conversation with Dr. Yadav, was --
19 is it fair to say that your conversation was limited to
20 this section of your Declaration entitled "Level of
21 Skill in the Art"?

22 MS. MATHEW: Objection to form.

23 A I don't have complete recollection of the
24 general conversation given when it was, but I know this
25 was one of the -- at least one of the areas. We may

1 find others, but this is the one that comes to mind.

2 Q So it's correct to say that at least
3 paragraphs 23 to about 27 were informed by your
4 discussion with the doctor?

5 MS. MATHEW: Objection to form.

6 A I mean I would have to read them all, but I
7 think that's generally correct.

8 Q Does your Declaration discuss the Dr. Yadav
9 or mention Dr. Yadav?

10 MS. MATHEW: Objection to form.

11 A I don't have complete recollection of the 50
12 or so pages that are in the Declaration.

13 Q So sitting here today you have no
14 recollection if your Declaration discusses Dr. Yadav?

15 A I mean I can search it as well as you can,
16 Counselor, but I mean I don't have recollection of
17 citing to Dr. Yadav as I sit here.

18 Q Does your Declaration disclose your
19 conversation with Dr. Yasav?

20 MS. MATHEW: Object to form.

21 A I don't know if it does or not.

22 Q If you can please take out Exhibit No. 1030.

23 A Which is Exhibit No. 1030?

24 Q It should be a copy of your CV.

25 A That I don't have in my folder. So do you

1 want to put it up on the screen or simply ask me about
2 it?

3 Q I can open it up in Chat if that sounds good.

4 A I will give it a go.

5 Q Let me know when you see it on your end. It
6 should have uploaded.

7 A Got it.

8 Q Let me know if it opens up fine and you can
9 view it.

10 A Okay. I have it open.

11 Q So this is the copy of your CV, correct?

12 A Yes.

13 MS. MATHEW: Objection to form.

14 Q Is this a complete copy of your CV?

15 A I mean there are different versions of my CV
16 floating around, I'm sure. But this one was generally
17 correct, yes, and complete.

18 Q So I want to jump to the second page of the
19 document. And looking at the bottom of that page you
20 list your education; is that right?

21 A Yes.

22 Q It says here that you received a BS in
23 mathematics from the University of California Irvine in
24 1986, correct?

25 A Yes.

1 Q And in 1988 you received an MS in electrical
2 engineering and computer science from USC; is that
3 right?

4 MS. MATHEW: Objection to form.

5 A That's what it says.

6 Q And then in 1994 you received a doctorate in
7 science -- in computer science from the George
8 Washington University, right?

9 A Yes. I think it was actually EECS; but, yes.

10 Q You mean at the time the degree awarded was
11 EECS; is that right?

12 A I think so. I mean that was a couple of
13 years ago.

14 Q And that also for your doctorate it also
15 lists a concentration in security graphics and
16 intellectual property law; is that right?

17 MS. MATHEW: Objection to form.

18 A Yes.

19 Q Right at the bottom of all of that it says
20 you have a "graduate level of study in all major areas
21 of computer science"; is that right?

22 A Yes. I was in school for a long time.

23 Q Is this a complete list of the academic
24 degrees that you have received?

25 A Yes. I've also taught; but, yes, in terms of

1 degrees that I've received, this is it.

2 Q So is it correct to say that you don't have
3 any degrees related to dentistry?

4 MS. MATHEW: Objection to form.

5 A That is correct.

6 Q So staying on this page of your Declaration,
7 the second page. And just above it I see that you list
8 that you were a systems engineer at Ultra Systems
9 Defense and Space from 1985 to 1989; is that right?

10 A Yes.

11 Q Above that you list your technical lead at
12 GTE Government Systems from 1989 to 1990; is that
13 right?

14 A That's what it says.

15 Q And then flipping to your first page of your
16 CV, you list that you were a Sr. security engineer at
17 Trusted Information Systems from 1990 to 1995; is that
18 right?

19 A Yes.

20 Q And then above that you were chief scientist
21 at DynCorp Network Solutions from 1995 to 1999; is that
22 right?

23 A Yes.

24 Q Finally from 1999 to present you've been
25 president and CTO of Secure Methods Incorporated, Paul

1 C. Clark LLC; is that right?

2 A Yes.

3 Q And just to quickly jump back to your
4 Declaration, I'm going to jump to page 4. Let me know
5 when you're there.

6 A Okay.

7 Q So at the bottom of that page starting at
8 paragraph 12 you state, "Since 2016, I have also served
9 as CEO of Clear Guide Medical, Incorporated, CGM"; is
10 that right?

11 A Yes.

12 Q So as of now currently you are still CEO of
13 Clear Guide Medical, Incorporated?

14 A Yes.

15 Q And this isn't listed on your CV, at least
16 Exhibit No. 1030; is that right?

17 MS. MATHEW: Object to form.

18 A I don't know. Probably not.

19 Q So looking at the positions you have listed
20 on your CV and also this position you have listed on
21 paragraph 12 of your Declaration, it's correct to say
22 you haven't had any orthodontic training; is that
23 right?

24 MS. MATHEW: Objection to form.

25 A I have not taken any classes in orthodontics,

1 no. But I mean image processing, pattern recognition
2 and scheduling are something that I have been doing
3 since the '80s.

4 Q Do you have any training specific to treating
5 orthodontic patients?

6 A No, not other than as a patient, no.

7 Q Not other than you as a patient; is that
8 correct?

9 A Yes.

10 MS. MATHEW: Object to form.

11 Q So can I assume that you don't have any
12 experience treating orthodontic patients using clear
13 liners?

14 MS. MATHEW: Object to form.

15 A That's true.

16 Q Any work experience does include experience
17 with designing treatment plans for clear liners,
18 correct?

19 MS. MATHEW: Object to form.

20 A As I said, as a developer I've done image
21 processing and planning for things like satellites
22 going back to the '80's. And Clear Guide does
23 backtracking for instruments to targets within the
24 body. But specific towards orthodontics, no.

25 Q So your work experience also does include

1 experience in designing configurations in clear liners;
2 is that correct?

3 MS. MATHEW: Object to form.

4 A No. As I said, no experience directly with
5 clear liners.

6 MS. THOMAS: Can we take a quick break, about
7 ten minutes?

8 THE WITNESS: That's fine. I don't expect to
9 be an issue, but I have a hard stop by four o'clock
10 this afternoon. But I don't think the breaks that you
11 want to take are going to affect how long we are going
12 to be here.

13 MS. THOMAS: I appreciate you letting us know
14 that. Let's keep it at ten minutes. 9:45 we come
15 back?

16 THE WITNESS: That's fine.

17 (Break in proceedings.)

18 MS. THOMAS: Back on the record.

19 Q (Ms. Thomas continuing) Dr. Clark, I would
20 like to circle back to our discussion on your
21 conversation with Dr. Yadov before you signed your
22 Declaration. Do you recall when we were discussing
23 that?

24 A Yes.

25 Q So looking at your Declaration -- at your

1 Declaration, Exhibit No. 1017, can you point to any
2 specific paragraphs of your Declaration that was borne
3 by your conversation with Dr. Yadav?

4 A I gave you an example already. I can -- do
5 you want me to read the entire Declaration, it doesn't
6 seem fruitful. Are there others that you're interested
7 in or do you want me to truly go through all 50 pages?

8 Q Well, I would like to know what specific
9 portions of your Declaration, your conversation with
10 Dr. Yadav or what portions of your Declaration were
11 informed by your conversation with Dr. Yadav?

12 MS. MATHEW: Objection to form.

13 A As I said, certain persons of skill in the
14 art on the technical side given my understanding of how
15 the development process would work with someone who had
16 dental experience providing requirements for the
17 software. So if there are areas like that in the Dec,
18 then probably my understanding was informed by that
19 high-level discussion.

20 Q Well, I would like to know the specific
21 paragraphs in your Declaration that were informed by
22 your conversation with Dr. Yadav. If you feel like you
23 need to go through your Declaration and point those
24 out, feel free to.

25 A You believe I should memorize all 50 pages of

1 the Declaration, Counselor?

2 Q Well, I think we could walk through your
3 Declaration, and you can let me know which -- this is
4 your testimony, correct?

5 MS. MATHEW: Objection to form.

6 A I don't have complete recollection of either
7 the Declaration or my conversation from several months
8 ago. I told you generally what we spoke about and what
9 I relied on that conversation. But I mean I'm not
10 going to have complete recollection of each and every
11 paragraph that I relied on. So I don't think the
12 certainty that you're seeking is available. But it's
13 your depo, your time.

14 Q Okay, fair. I think I understand your
15 recollection.

16 MS. THOMAS: So with that, I have no further
17 questions barring any Redirect.

18 THE WITNESS: Okay.

19 MS. MATHEW: Can we take a five-minute break.

20 THE WITNESS: Sure.

21 MS. THOMAS: And be here at ten o'clock.

22 (Break in proceedings.)

23 MS. MATHEW: We have no Redirect questions.

24 (Conclusion of deposition 7:05 a.m.)

25 (Signature reserved.)

1 STATE OF WASHINGTON)
2 County of Pierce) ss.

3 I, Millie A. Martin, do hereby certify that
4 at the time and place heretofore mentioned in the
5 caption of the foregoing matter, I was a Certified
6 Shorthand Reporter for the State of Washington, and
7 pursuant to RCW 5.28.010, am authorized to administer
8 oaths and affirmations in and for the State of
9 Washington; that at said time and place I reported in
10 stenotype all proceedings had in the foregoing matter;
11 that thereafter my notes were reduced to typewriting
12 and that the foregoing transcript consisting of 27
13 typewritten pages is a true and correct transcript of

14 I further certify that I am herewith
15 securely sealing the original deposition transcript and
16 promptly delivering the same to TASHA M. THOMAS.

17 Witness my hand at Tacoma, Washington, on
18 this 22nd day of January, 2026.

19 
20

21 Millie A. Martin, CCR
22 CCR No. 2034
23 Certified Shorthand Reporter
24
25

CERTIFICATE OF WITNESS

STATE OF WASHINGTON)
County of Pierce)

I, DR. PAUL C. CLARK, declare under penalty of perjury under the laws of the State of Washington, that I am the witness named in the foregoing deposition; that I have read the questions and answers thereon as contained in the foregoing deposition, consisting of pages 1 through 27; that the answers are true and correct as given by me at the time of taking the deposition, except as indicated on the correction sheet.

DR. PAUL C. CLARK

Executed on the _____ day of _____,
2026, at _____, _____.
(City) (State)

CLEARCORRECT OPERATING vs ALIGN TECHNOLOGY, INC.

Thursday, January 22, 2026 - MAM

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DR. PAUL C. CLARK