

1 UNITED STATES PATENT AND TRADEMARK OFFICE
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD
3

4 IMPERATIVE CARE, INC.,)
5 Petitioner,)
6 VS.) Case No. IPR2026-00169
7 INARI MEDICAL, INC.,)
8 Patent Owner.)
9 _____)
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12
13

14 IN-PERSON VIDEOTAPED DEPOSITION OF
15 TROY L. THORNTON
16 TUESDAY, AUGUST 11, 2026
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22
23

24 STENOGRAPHIC REPORTER: CHRISTA YAN, CSR NO. 14316, RPR
25 _____

Transcript of Troy Layne Thornton
Conducted on August 11, 2026

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1 PERSONAL APPEARANCES:

2 FOR PETITIONER:

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9 FOR PATENT OWNER:

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16 ALSO PRESENT PERSONALLY:

17 TOMAS REYES, The Videographer
18
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E X H I B I T S

EXHIBIT

MARKED FOR IDENTIFICATION

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Exhibit 2001

Exhibit 1010, Brady

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1 BE IT REMEMBERED that on TUESDAY, the 11TH DAY OF
2 AUGUST, 2026, at the hour of 9:06 A.M., Pacific Standard
3 Time, of said day, at 333 Bush Street, 21st Floor, San
4 Francisco, California 94104, before me personally, CHRISTA
5 YAN, a Certified Shorthand Reporter, State of California,
6 personally appeared TROY THORNTON, who was examined as a
7 witness in said cause; that said transcript format was
8 prepared in accordance with California Code of Regulations
9 Section 2473.

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1 THE VIDEOGRAPHER: Here begins Media Number 1 in the
2 videotaped deposition of Troy Layne Thornton in the matter
3 of Imperative Care, Inc., versus Inari Medical, Inc., PTAB
4 in the United States Patent and Trademark Office, Case
5 Number IPR2026-00169.

6 Today's date is August 11, 2026. The time on the
7 monitor is 9:06 a.m. The videographer today is Tomas
8 Reyes representing Planet Depos, headquartered at 451
9 Hungerford Drive, Suite 400, Rockville, Maryland. This
10 video deposition is taking place at 333 Bush Street, 21st
11 Floor, San Francisco, California.

12 Would counsel please voice identify themselves
13 and state whom they represent.

14 MR. HAMILTON: This is Joseph Hamilton representing
15 Patent Owner.

16 MR. BARNES: This is Brian Barnes of Knobbe Martens
17 representing the petitioner, Imperative Care, as well as
18 the witness.

19 THE VIDEOGRAPHER: The court reporter today is Christa
20 Yan representing Planet Depos. And the witness will now
21 be sworn, and we may proceed.

22 TROY THORNTON,
23 the Witness, called on behalf of Patent Owner, being duly
24 sworn to state the truth, the whole truth, and nothing but
25 the truth, testified on oath as follows:

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1	EXAMINATION	09:07:50
2	BY MR. HAMILTON:	09:07:50
3	Q Welcome back, Mr. Thornton. How are you doing?	09:07:52
4	A All right.	09:07:54
5	Q Do you understand you're under oath?	09:07:55
6	A Yes.	09:07:58
7	Q Are you under any medication that may prevent you	09:07:58
8	from giving your complete, full and truthful testimony	09:08:10
9	today?	09:08:13
10	A No.	09:08:14
11	Q Is there any reason you cannot give your	09:08:15
12	complete, full and truthful testimony today?	09:08:17
13	A No.	09:08:19
14	Q Could you state your full name for the record.	09:08:20
15	A Troy Layne Thornton.	09:08:22
16	Q Did you do any preparation for your deposition	09:08:24
17	today?	09:08:36
18	A Yes.	09:08:36
19	Q What did you do?	09:08:37
20	A I met with counsel yesterday. I reviewed	09:08:37
21	documents a day or two before that.	09:08:45
22	Q Where did you meet with counsel?	09:08:48
23	A Here at this law office.	09:08:54
24	Q And by counsel, who are you referring to?	09:08:58
25	A Brian Barnes.	09:09:01

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1	Q	Did you meet with anybody else?	09:09:06
2	A	No.	09:09:07
3	Q	Other than reviewing documents before meeting	09:09:08
4		with Brian Barnes yesterday, did you do any other	09:09:12
5		preparation for your deposition?	09:09:16
6	A	We did have a Zoom call some days before that,	09:09:17
7		just Brian and I.	09:09:22
8	Q	How long was that Zoom call?	09:09:25
9	A	Half an hour maybe.	09:09:31
10	Q	Did you review any documents during that Zoom	09:09:35
11		call?	09:09:37
12	MR. BARNES:	Objection. Calls for privileged	09:09:38
13		information.	09:09:43
14		I instruct the witness not to answer.	09:09:43
15	BY MR. HAMILTON:		09:09:49
16	Q	Did you review any documents during that phone	09:09:50
17		call?	09:09:53
18	MR. BARNES:	Same objection.	09:09:53
19	THE WITNESS:	I think we looked at the declaration.	09:09:59
20	BY MR. HAMILTON:		09:10:03
21	Q	Any others?	09:10:03
22	MR. BARNES:	Objection. Calls for privileged	09:10:04
23		information.	09:10:07
24		I instruct Mr. Thornton not to answer.	09:10:07
25			

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1	BY MR. HAMILTON:	09:10:13
2	Q Did you -- did any of those documents refresh	09:10:15
3	your recollection of any matter, any issue in this matter?	09:10:18
4	A I don't know. We reviewed the declaration that	09:10:22
5	was submitted.	09:10:30
6	Q And did the declaration refresh your recollection	09:10:30
7	of any issue in this matter?	09:10:40
8	A Well, it was a long time since the declaration	09:10:43
9	was submitted. So it did remind me of certain things.	09:10:46
10	Q What things did it remind you of?	09:10:52
11	A I don't know.	09:11:03
12	Q Do you remember any of the things it reminded you	09:11:05
13	of?	09:11:09
14	A Not specifically.	09:11:09
15	Q Other than that Zoom call, reviewing some	09:11:10
16	documents on your own and the meetings yesterday, did you	09:11:22
17	do any other preparation for your deposition?	09:11:29
18	A No.	09:11:30
19	Q Have you discussed the subject matter of this IPR	09:11:31
20	with anybody besides Mr. Barnes?	09:11:41
21	A You know, with Josh months or a year ago,	09:11:44
22	whenever we worked on the declaration.	09:11:57
23	Q Anybody else?	09:11:59
24	A No.	09:12:05
25	Q Have you discussed any issues in this matter with	09:12:07

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1	anyone from Imperative Care?	09:12:20
2	A No.	09:12:22
3	Q Any other third party?	09:12:22
4	A No.	09:12:24
5	Q Have you communicated with Imperative Care?	09:12:25
6	A No.	09:12:31
7	MR. BARNES: Objection; vague.	09:12:32
8	BY MR. HAMILTON:	09:12:33
9	Q Do you bill an hourly rate for your time in this	09:12:49
10	matter?	09:12:52
11	A Yes.	09:12:52
12	Q And what's that rate?	09:12:53
13	A \$500 per hour.	09:12:54
14	Q Is it always the same regardless of the task?	09:12:56
15	A It's the same for Imperative Care. Or Knobbe	09:13:00
16	Martens.	09:13:13
17	Q Who pays your bills in this matter?	09:13:14
18	A Knobbe Martens.	09:13:36
19	Q Were you retained by Knobbe Martens or Imperative	09:13:37
20	Care?	09:13:44
21	A Knobbe Martens.	09:13:44
22	Q I'm going to hand you what has been previously	09:13:47
23	marked as Exhibit 1003.	09:14:11
24	Do you recognize Exhibit 1003?	09:14:20
25	A Yes.	09:14:22

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1	Q	What is Exhibit 1003?	09:14:26
2	A	It's my declaration in support of petition for	09:14:28
3		IPR of Patent Number 12,156,669 executed on December 12,	09:14:37
4		2025.	09:14:52
5	Q	So through the course of the deposition today,	09:14:53
6		I'm going to refer to your declaration, and when I do, I'm	09:15:18
7		going to refer to this Exhibit 1003. I understand there	09:15:22
8		are other declarations in other matters. If there's any	09:15:26
9		confusion about which declaration I'm referring to, will	09:15:28
10		you be sure to ask me, and if you don't, we're going to	09:15:32
11		assume that you understand I'm referring to this	09:15:36
12		Exhibit 1003; is that fair?	09:15:38
13	A	Yes.	09:15:39
14	Q	Where were you when you signed this declaration?	09:15:40
15	A	Hawaii.	09:15:50
16	Q	And how did you sign it?	09:15:51
17	A	Electronically.	09:15:53
18	Q	What does that mean, electronically?	09:15:55
19	MR. BARNES:	Objection; vague.	09:15:57
20	THE WITNESS:	Using Adobe signature block, I guess.	09:15:58
21	BY MR. HAMILTON:		09:16:05
22	Q	You typed in your name in Adobe?	09:16:06
23	A	It's there on the left side bar, and I must have	09:16:08
24		typed it in at some point in the past, yes.	09:16:18
25	Q	So you cut and pasted it into a document. Is	09:16:19

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1	that -- is that how you included your electronic	09:16:24
2	signature?	09:16:26
3	MR. BARNES: Objection; vague.	09:16:26
4	THE WITNESS: It's drag and drop in the system I use.	09:16:27
5	BY MR. HAMILTON:	09:16:31
6	Q Drag and drop.	09:16:32
7	And what you dragged, was that an image of your	09:16:33
8	signature?	09:16:53
9	A No. It's an electronic representation of my	09:16:53
10	typed signature.	09:16:59
11	Q You had said you had reviewed this declaration in	09:17:00
12	preparation for your deposition; is that correct?	09:17:13
13	A Yes.	09:17:14
14	Q Did you review any other documents?	09:17:15
15	A Several of the exhibits that are listed in this	09:17:19
16	declaration, I also reviewed.	09:17:31
17	Q Which exhibits did you also review?	09:17:33
18	A Goff Exhibit 1005, Garrison Exhibit 1006. Maybe	09:17:36
19	some parts of Brady 1010. I believe 1037, brochure for	09:18:38
20	AXS. 1043, definition of port. Maybe others. Those are	09:19:20
21	the ones that I notice at this point.	09:19:38
22	Q So I see you're looking at something in your	09:19:42
23	declaration as you're identifying exhibits. Is that the	09:19:45
24	table of exhibits from your declaration?	09:19:48
25	A Yes.	09:19:50

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1	Q	Have you reviewed all the exhibits listed in the	09:19:51
2		table, the exhibits in your declaration?	09:19:57
3	A	No.	09:19:59
4	Q	And is -- let me just clarify that question. At	09:20:01
5		any time in this matter, have you reviewed all the	09:20:13
6		exhibits listed in your table of exhibits in your	09:20:16
7		declaration?	09:20:18
8	A	No.	09:20:18
9	Q	Would it be fair to say if an exhibit listed in	09:20:20
10		the table of exhibits is not referenced in your	09:20:42
11		declaration, that you did not review that exhibit?	09:20:44
12	A	Yeah, I think that's true. I certainly haven't	09:20:46
13		reviewed it recently.	09:21:04
14	Q	Did you look at any other documents in preparing	09:21:05
15		your declaration that are not listed in the table of	09:21:53
16		exhibits?	09:21:56
17	A	I don't believe so.	09:21:57
18	Q	Other than, I believe it was, Josh Stowell you	09:21:58
19		referred to earlier, did you speak or communicate with	09:22:09
20		anybody else during the preparation of your declaration?	09:22:12
21	A	No.	09:22:14
22	Q	Are you aware of any mistakes in your	09:22:16
23		declaration?	09:22:26
24	A	No.	09:22:26
25	Q	Is there anything you want to change in your	09:22:27

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1	declaration as you sit here today?	09:22:29
2	A No.	09:22:29
3	Q All right. I'm going to hand you another	09:22:47
4	exhibit. This has been marked as Exhibit 1001 in this	09:22:49
5	IPR. Do you recognize Exhibit 1001?	09:22:58
6	A Yes.	09:23:00
7	Q What is Exhibit 1001?	09:23:02
8	A U.S. Patent 12,156,669B2, the Quick patent.	09:23:04
9	Q Have you reviewed Exhibit 1001 before?	09:23:23
10	A Yes.	09:23:29
11	Q Did you it in preparation for your deposition	09:23:30
12	here today?	09:23:32
13	A I believe so.	09:23:32
14	Q Do you understand the contents of Exhibit 1001?	09:23:38
15	A Yes.	09:23:41
16	Q Today, I'm going to refer to this Exhibit 1001 as	09:23:42
17	the '669 patent; is that fair?	09:23:52
18	A Yes.	09:23:55
19	Q And if I say the '669 patent, we'll understand	09:23:56
20	that I'm referring to Exhibit 101 -- excuse me, 1001, and	09:24:00
21	if you don't ask for clarification, we're going to assume	09:24:08
22	that you understand I'm referring to Exhibit 1001 when I	09:24:10
23	say the '669 patent, okay?	09:24:13
24	A Yes.	09:24:15
25	Q If you could turn to page 32 of the '669 patent,	09:24:16

1	Column 1. I'm going to ask some questions about the	09:24:42
2	paragraph beginning at line 30 through 36. Do you see	09:24:49
3	that?	09:24:56
4	A Yes.	09:24:56
5	Q Does that paragraph accurately reflect the	09:24:57
6	technical field of the '669 patent?	09:25:03
7	A Yes.	09:25:04
8	Q So then is it fair to say that the technical	09:25:12
9	field of the '669 patent is devices and methods for	09:25:18
10	intervascular treatment of emboli and/or thrombi within a	09:25:23
11	blood vessel of a human patient?	09:25:29
12	A Yes, that's what they say in the technical field.	09:25:31
13	Q If you can turn to Figure 1A of the '669 patent.	09:25:33
14	It's on page 12. Do you see Item 306 in that figure?	09:26:32
15	A Yes.	09:26:56
16	Q Is Item 306 a clot reservoir? And if it's	09:26:58
17	helpful, I'll point you to Column 7, line 9 to 10.	09:27:45
18	A The term they use is clot reservoir 306 in	09:27:54
19	Column 7, yes.	09:28:09
20	Q What's a clot reservoir?	09:28:09
21	A It's the location where a clot would reside	09:28:12
22	within a filter chamber.	09:28:22
23	Q And in the context of Figure 1A of the '669	09:28:24
24	patent, does the clot reservoir collect the clot?	09:28:37
25	A Well, as they show in Figure 3C, there's a	09:28:41

1	housing and a filter that they define as making up the	09:28:50
2	clot reservoir. So the clot would be located within the	09:28:55
3	housing on the outside of the filter in this embodiment.	09:29:04
4	Q So would it be fair to say that the clot	09:29:09
5	reservoir is intended to prevent passage of the clot from	09:29:12
6	one side of the reservoir to the other?	09:29:18
7	MR. BARNES: Objection; vague.	09:29:21
8	THE WITNESS: In their description, as shown in 3C,	09:29:22
9	the clot reservoir includes the filter, and the filter	09:29:31
10	component of the clot reservoir is what prevents thrombi	09:29:34
11	or emboli clot from moving downstream through the filter.	09:29:39
12	BY MR. HAMILTON:	09:29:47
13	Q So then is it fair to say the clot reservoir	09:29:50
14	retains the clot due to the presence of the filter in the	09:29:54
15	clot reservoir?	09:29:58
16	A Certainly if the filter weren't there, the clot	09:29:58
17	would not be retained in the filter chamber or clot	09:30:08
18	reservoir.	09:30:12
19	Q I see you're looking at page 17 of your	09:30:16
20	declaration; is that right?	09:30:39
21	A Yes.	09:30:40
22	Q Does -- is clot intended to enter the clot	09:30:42
23	reservoir from the right side of the page?	09:30:59
24	MR. BARNES: Objection; vague.	09:31:03
25	THE WITNESS: Yes. The embodiment shown in Figure 1A,	09:31:04

1	the blood flow follows the arrows labeled F when suction	09:31:12
2	is applied to the system.	09:31:19
3	BY MR. HAMILTON:	09:31:24
4	Q So if we put that in the context of Figure 1A on	09:31:26
5	that same page of your declaration, clot would enter the	09:31:29
6	clot canister from the side that has the -- excuse me --	09:31:36
7	the clot reservoir from the side that -- labeled as 302E,	09:31:41
8	do you see that?	09:31:47
9	A Yes. Through tubing 302E.	09:31:47
10	Q And then clot would not be allowed to exit the	09:31:52
11	clot reservoir to the side that's labeled 302D due to the	09:31:55
12	filter; is that correct?	09:31:58
13	A Yes.	09:31:58
14	Q And that's the point of having the filter in this	09:32:01
15	embodiment in Figure 1A, correct?	09:32:04
16	A Yes.	09:32:06
17	Q What is a filter in the context of the '669	09:32:06
18	patent?	09:33:15
19	A It's a component with a membrane of pore size	09:33:15
20	that is designed to filter out unwanted material, blood	09:33:39
21	clot, for instance, of a certain size.	09:33:45
22	Q And when you say filter out, would it be fair to	09:33:52
23	say to prevent the passage of unwanted material, is that	09:33:59
24	the same thing?	09:34:03
25	A Yes.	09:34:04

1	Q	In the context of the '669 patent, are there	09:34:04
2		filters that can filter out unwanted material that do not	09:35:12
3		include pores?	09:35:19
4	A	Yeah, I don't recall if we talk about all types	09:35:23
5		of filters or filters in much detail at all in this	09:35:35
6		patent.	09:35:38
7	Q	Do you have any understanding, are there other	09:35:39
8		types of filters that do not include pores?	09:35:41
9	A	The filters that I am familiar with in the	09:35:47
10		medical device field certainly have a certain pore size to	09:35:59
11		allow blood to pass through and a certain size of other	09:36:02
12		materials to not pass through.	09:36:07
13	Q	And is that your understanding that any filter, I	09:36:08
14		believe you said the medical device field would not	09:36:17
15		include pores -- or excuse me, would include pores?	09:36:19
16	MR. BARNES:	Objection; vague.	09:36:22
17	THE WITNESS:	I'm not sure if there are other types of	09:36:23
18		filters. The ones I'm familiar with from automobile air	09:36:29
19		filters to automobile oil filters to my hot tub filter	09:36:35
20		certainly has pores.	09:36:40
21	BY MR. HAMILTON:		09:36:42
22	Q	So is it your understanding, in connection with	09:36:42
23		preparing your opinions in this declaration, that a filter	09:36:47
24		must include pores?	09:36:50
25	A	I believe filters for blood filtering purposes	09:36:51

1	have pores of a certain size. Yes.	09:37:03
2	Q Are you aware of any blood filters that do not	09:37:05
3	include pores?	09:37:09
4	A I'm not sure how one could filter blood without	09:37:10
5	having openings of a certain size to allow blood to pass	09:37:21
6	through.	09:37:25
7	Q So is that a no?	09:37:25
8	A I'm not aware of filters that don't have openings	09:37:27
9	to allow blood to pass through.	09:37:35
10	Q So when you say openings, you mean don't have	09:37:37
11	pores?	09:37:42
12	A Pores, mesh, holes, they're all the same thing to	09:37:42
13	me, as openings within a material to allow fluid to pass	09:37:57
14	through -- fluid of a certain dimension to pass through	09:38:01
15	and material of a different dimension to not pass through.	09:38:09
16	Q So then is it your understanding that there's no	09:38:13
17	such thing as a nonporous filter for filtering blood?	09:38:25
18	A My understanding is any filter where blood will	09:38:29
19	be filtered must have some type of pores, openings, holes,	09:38:45
20	porosity to allow blood to pass through.	09:38:53
21	Q And are you equating pore with opening or hole,	09:38:56
22	does that mean the same thing?	09:39:01
23	A That's my understanding of filters. They have	09:39:02
24	holes, openings, pores, mesh. Different terms are used,	09:39:10
25	but they all allow fluid to pass through and prevent	09:39:19

1	particles to not pass through.	09:39:25
2	Q Are all openings pores?	09:39:26
3	A I'm not sure I would use that term.	09:39:28
4	Q What's the difference between an opening and a	09:39:34
5	pore?	09:39:36
6	A Well, the door has an opening. I wouldn't call	09:39:36
7	that a pore.	09:39:42
8	Q Why not?	09:39:43
9	A Pores are typically small in size to prevent	09:39:43
10	emboli. In terms of these patents, is to prevent thrombus	09:39:53
11	emboli from passing through so they're very small in size.	09:39:58
12	Q So any filter that has some mechanism to prevent	09:40:02
13	passage of particles in blood would include pores; is that	09:40:07
14	correct?	09:40:12
15	MR. BARNES: Objection; misstates the testimony.	09:40:12
16	THE WITNESS: I'm used to the term pore. I think	09:40:13
17	that's used in some of these patents. I could look in	09:40:22
18	more detail how some of these patents describe the	09:40:25
19	porosity of the filters. That's a term that I believe	09:40:30
20	they use in these patents.	09:40:36
21	BY MR. HAMILTON:	09:40:37
22	Q Do you understand what the term pore means in the	09:40:37
23	context of the patents -- of the patent -- '669 patent,	09:40:40
24	excuse me?	09:40:43
25	MR. BARNES: Objection; vague.	09:40:43

1	THE WITNESS: I'd have to see if they provide a range	09:40:44
2	of possible pore sizes or not in this patent.	09:41:07
3	BY MR. HAMILTON:	09:41:11
4	Q What do you mean by pore sizes?	09:41:23
5	A The small openings within the filter.	09:41:25
6	Q So when you use the term pore, you mean small	09:41:47
7	opening?	09:41:51
8	A When I use the term pore, I use that with respect	09:41:51
9	to openings in a filter that would allow blood to pass	09:41:59
10	through and a certain size of clot to not pass through.	09:42:05
11	I'm looking in the patent to see if there's a range of	09:42:17
12	pore sizes provided or if they just assume that a person	09:42:21
13	of skill in the art would select the appropriate filter	09:42:24
14	material for use.	09:42:31
15	Yeah, and my quick look through the patent, '669	09:43:02
16	patent, does not seem to -- I don't see anything specific	09:43:05
17	about pore sizes in this patent. So once again, I think	09:43:10
18	the authors are presuming that a person of skill in the	09:43:15
19	art would be able to select an appropriate filter material	09:43:20
20	as was well-known at the time.	09:43:23
21	Q Does the '669 patent use the term pore with its	09:43:26
22	common understood meaning in the field of the '669 patent	09:43:34
23	or does it put -- include a special definition of the term	09:43:40
24	pore?	09:43:44
25	A I'd have to do a word search to see if they use	09:43:44

1 the word pore. I didn't see any dimensions provided for
2 filter size or pore size.

3 Q In preparing your opinion, did you determine if
4 the '669 patent includes a definition of the term pore
5 that's different from the common understood meaning of the
6 term in the field of the '669 patent?

7 A Can you repeat the question?

8 Q In preparing your opinion, as set forth in your
9 declaration, did you determine if the '669 patent includes
10 a definition of the term pore that is different from the
11 common understood meaning of the term in the field of the
12 '669 patent?

13 A I don't think they provide any significant -- any
14 real definition of filters or pores that I could see
15 glancing through the patent right now, I think talk about
16 a filter, 321, and I believe that they are presuming that
17 a person of skill in the art would understand the
18 appropriate filter material to use including pore size,
19 filter material, et cetera.

20 Q If you could turn to Column 9 of Exhibit 1001,
21 the '669 patent, line 4. Do you see the phrase, During
22 priming of the clot retrieval system 1?

23 A Yes.

24 Q What does priming mean in that sentence?

25 A Yeah, I don't think the patent is particularly

1 clear in what it means by priming of the system.

09:50:45

2 Generally, I would say priming of the system means

09:50:51

3 removing the air from the system.

09:50:54

4 Q Is priming important when inserting a catheter in
5 the vasculature of a human?

09:51:03

09:51:21

6 MR. BARNES: Objection; vague.

09:51:24

7 THE WITNESS: Making sure there's no air that gets
8 introduced into the patient is certainly important for
9 cardiovascular procedures.

09:51:25

09:51:31

09:51:34

10 BY MR. HAMILTON:

09:51:39

11 Q And how does priming make sure there's no air
12 that gets introduced into the patient?

09:51:40

09:51:44

13 A Generally, by suctioning out the air, pulling
14 blood into the catheter system to assure there's no air
15 within the catheter system or tubing.

09:51:46

09:51:57

09:52:01

16 Q So with respect to Figure 1A that's shown on
17 page 17 of your declaration, when you say pulling air into
18 the tubing, what tubing are you referring to?

09:52:05

09:52:22

09:52:26

19 MR. BARNES: Objection; misstates the testimony.

09:52:31

20 THE WITNESS: When the handle within that -- I'm
21 sorry, when the syringe within that housing is actuated,
22 when it's -- when the syringe is withdrawn to create a
23 suction, it pulls blood along pathway F as shown in the
24 Figure 1.

09:52:32

09:52:41

09:52:47

09:52:53

09:53:01

1 BY MR. HAMILTON:

09:53:02

2 Q So does that mean priming would be pulling blood
3 into the pathway F shown in Figure 1A?

09:53:17

09:53:25

4 A Well, like I said, the patent's not very clear
5 about what priming is in the '669 patent. In my
6 experience, it's quite common to withdraw blood back into
7 a tubing system, and this would be a good example of that.
8 You would withdraw blood through the catheter, the guiding
9 catheter. It would follow along the tubing through the
10 filter chamber and into the syringe that's inside the
11 handle.

09:53:29

09:53:35

09:53:37

09:53:42

09:53:47

09:53:51

09:53:55

09:54:04

12 Q Is the -- in your answer, you referred to a
13 syringe inside the handle. When you say handle, do you
14 mean Item 100 in Figure 1A that includes a handle?

09:54:04

09:54:31

09:54:44

15 A Yeah, they call Item 100, the retraction and
16 aspiration device, and though they don't show the inside
17 of the handle in this patent, this patent refers to
18 another patent which shows a syringe inside and more the
19 mechanism of how the handle works.

09:54:47

09:55:09

09:55:17

09:55:23

09:55:29

20 Q And is it your understanding that a syringe is
21 the only vacuum source disclosed in the '669 patent?

09:55:30

09:55:38

22 A I don't recall any mention of pumps or anything
23 like that. I believe just a syringe is... I'm not even
24 sure if a syringe is mentioned in this patent, but it
25 refers to a prior patent which has more detail of the

09:55:42

09:55:53

09:56:00

09:56:03

1	retraction and aspiration device 100. Which shows a	09:56:09
2	syringe.	09:56:14
3	Q And was that your understanding in preparing your	09:56:14
4	opinions set forth in your declaration?	09:57:23
5	A Was what my understanding?	09:57:28
6	Q That you don't recall any mention of pumps or	09:57:30
7	anything like that. You believe it's just a syringe?	09:57:49
8	A Yeah, the only reference I see in the '669 patent	09:57:52
9	is Column 20, line 58, In some embodiments a syringe or	09:59:52
10	other pressure source can be precharged with a vacuum,	10:00:01
11	such as drawing a plunger of the syringe with the stopcock	10:00:04
12	closed. So I believe that's the only reference of another	10:00:09
13	pressure source. I don't think they talk about any other	10:00:17
14	types of pumps specifically in this '669 patent.	10:00:19
15	Q Could the pressure source in the '669 patent	10:00:26
16	include pumps?	10:00:28
17	A That's what I just read, could include other	10:00:29
18	pressure source.	10:00:38
19	Q And would other pressure sources include pumps?	10:00:39
20	A I think it could.	10:00:44
21	Q And could that include electric pumps?	10:00:45
22	A Yes.	10:00:48
23	Q Is the syringe in the '669 patent a pump?	10:00:53
24	A It's certainly a vacuum source.	10:01:00
25	Q Do you have any understanding as to what a	10:01:23

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Conducted on August 11, 2026

25

1	syringe pump is?	10:01:29
2	THE STENOGRAPHIC REPORTER: I'm sorry, repeat that?	10:01:29
3	BY MR. HAMILTON:	10:01:31
4	Q Do you have any understanding as to what a	10:01:31
5	syringe pump is in the context of the '669 patent?	10:01:34
6	A I'm not sure the patent talks about it. I know	10:01:38
7	that there are devices that will automatically move a	10:01:56
8	syringe forward and back. That could be considered a	10:02:01
9	syringe pump.	10:02:05
10	Q So then when you say automatically move a syringe	10:02:06
11	forward and back, you mean automatically pump the plunger	10:02:12
12	of the syringe?	10:02:16
13	A To move the plunger forward and back.	10:02:17
14	Q And would moving the plunger forward and back	10:02:21
15	make that syringe a pump and specifically, a syringe pump?	10:02:29
16	A I don't know how you're defining syringe pump.	10:02:32
17	THE STENOGRAPHIC REPORTER: I'm sorry, I didn't hear.	10:02:38
18	You said I don't know what?	10:02:41
19	THE WITNESS: How you're defining syringe pump. I	10:02:42
20	don't believe it's talked about in this patent. I didn't	10:02:44
21	consider it in this declaration.	10:02:45
22	Cardiologists use, all the time, injector pumps	10:02:55
23	to inject contrast dye into patients to do angiograms, for	10:03:01
24	instance. Those are automated syringe-type pumps. Excuse	10:03:08
25	me.	10:03:13

1	BY MR. HAMILTON:	10:03:14
2	Q What do you mean by syringe-type pumps?	10:03:29
3	A Where there's a mechanism that the syringe is	10:03:31
4	pulled backward to pull the fluid in and a mechanism to	10:03:42
5	push the syringe forward, push the plunger forward to	10:03:48
6	expel the fluid from the syringe.	10:03:55
7	Q And that mechanism makes the syringe a syringe	10:03:56
8	pump?	10:03:59
9	A In cardiology, they call them -- the ones I'm	10:03:59
10	thinking of for doing angiograms are called auto	10:04:06
11	injectors. But essentially, it's a large syringe that's	10:04:15
12	actuated by a mechanism.	10:04:22
13	Q Is there a mechanism -- you have page 17 in your	10:04:23
14	declaration, still open there. Do you see Figure 1A, is	10:04:28
15	there a mechanism there that moves the plunger of a	10:04:31
16	syringe to turn that syringe into a syringe pump?	10:04:36
17	A I don't know if it's called a syringe pump. It's	10:04:39
18	certainly -- moving the handle 104 actuates the plunger of	10:04:46
19	the syringe within the Number 100 unit.	10:04:56
20	Q If you look at Column 7, line 60 of the '669	10:05:19
21	patent. You see the word, Pumped in quotations?	10:05:29
22	A Yes.	10:05:44
23	Q What does that mean, pumped, in that sentence?	10:05:45
24	A They're talking about moving the lever -- sorry,	10:05:48
25	the... yeah, lever 104 is being moved forward and back and	10:05:53

1 they're using the term pumped to describe movement of the 10:06:17
2 lever. 10:06:22

3 Q So would it be fair to say that the lever shown 10:06:22
4 in Figure 1A allows the syringe that's the vacuum source 10:06:34
5 in Figure 1A -- I'm going to withdraw the question. 10:06:42

6 Is it fair to say that because the lever 10:06:49
7 allows -- excuse me -- let me withdraw that again. 10:06:55

8 Because the device shown in Figure 1A includes a 10:06:57
9 lever that is moved from a first position towards the 10:07:05
10 second position, then back toward the first position, in 10:07:11
11 other words, pumped, is that -- does that device include a 10:07:15
12 syringe pump? 10:07:24

13 MR. BARNES: Objection; vague. 10:07:26

14 THE WITNESS: I don't think they use that term in 10:07:30
15 here. They're just describing the action of pumping the 10:07:31
16 lever or moving the lever forward and back in order to 10:07:34
17 actuate the syringe, which obviously, pulls blood into the 10:07:37
18 system and then pushes blood back out toward the 10:07:42
19 reservoir 320. 10:07:51

20 MR. BARNES: Joe, we've been going for a little over 10:08:08
21 an hour. So whenever is a good time for a break. 10:08:11

22 BY MR. HAMILTON: 10:08:20

23 Q Are you okay to just go for a few more minutes to 10:08:20
24 wrap up pumped? 10:08:25

25 A Yes. 10:08:26

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1	Q	Great.	10:08:26
2		In your previous response, you said moving the	10:08:27
3		lever back and forth pulls blood into the system. What	10:09:06
4		does that mean, pulls blood into the system?	10:09:10
5	A	The blood is traveling through the guiding	10:09:12
6		catheter 206, along the path labeled as F in Figure 1A,	10:09:23
7		along the path into the syringe that's inside the handle	10:09:33
8		unit.	10:09:38
9	Q	All right. Why don't we take a break. Five	10:09:43
10		minutes okay?	10:09:46
11	A	Yeah.	10:09:46
12	THE VIDEOGRAPHER:	Okay. We're going off the record.	10:09:47
13		The time is 10:09 a.m.	10:09:49
14		(Recess taken.)	10:17:50
15	THE VIDEOGRAPHER:	Back on the record. The time is	10:17:50
16		10:18 a.m.	10:18:03
17	BY MR. HAMILTON:		10:18:03
18	Q	Do you understand you're still under oath?	10:18:07
19	A	Yes.	10:18:07
20	Q	Did you review any documents during the break?	10:18:08
21	A	No.	10:18:11
22	Q	Did you communicate with anyone in any way	10:18:12
23		regarding the substance of this matter during the break?	10:18:15
24	A	No.	10:18:18
25	Q	If you could turn to paragraph 132 of your	10:18:18

1 declaration. And that's on page 78. And I want to point 10:18:24
2 you to the sentence in about the middle of the page that 10:18:50
3 begins with, In fact, the only example. Let me know when 10:18:52
4 you find that. 10:18:56

5 A Yes. 10:18:57

6 Q Is the only example of a pressure source 10:19:09
7 disclosed in the '669 patent a syringe? 10:19:19

8 A Certainly most of the discussion in the '669 and 10:19:21
9 the embodiments shown in the figures include a syringe. I 10:19:31
10 think I read the one sentence before, which brought in the 10:19:39
11 option of another type of vacuum source. As the '669 10:19:48
12 patent says in Column 20, A syringe or other pressure 10:20:23
13 source can be fluidly coupled to the connector 1117. 10:20:28

14 Q So then is this sentence, in fact, the only 10:20:33
15 example of a pressure source that is disclosed in the '669 10:20:39
16 patent is a syringe; is that incorrect? 10:20:42

17 A They provide one description saying it could be 10:20:44
18 other pressure source or other pressure source. So it may 10:20:55
19 not be quite complete. Certainly, they talk about a 10:21:00
20 syringe and show a syringe in the embodiments. 10:21:04

21 Q So then do you want to retract that sentence from 10:21:07
22 your declaration? 10:21:10

23 A I don't think it's incorrect. As the footnote 10:21:11
24 says, The term vacuum source is not used to describe any 10:21:39
25 of the components. The specification refers to a pressure 10:21:49

1 source. Certainly, a syringe is a vacuum source or a 10:21:52
2 pressure source. 10:22:05

3 Q Is the only example of a pressure source 10:22:08
4 disclosed in the '669 patent a syringe? 10:22:11

5 A It's certainly the only specific example they 10:22:13
6 list, by saying other pressure source, doesn't seem to me 10:22:18
7 that they're providing any specific examples of types of 10:22:25
8 pumps or types of vacuum sources. So I don't think it's 10:22:28
9 incorrect to say this. 10:22:32

10 Q So in preparing your opinions in this 10:22:33
11 declaration, is it your understanding that the only 10:22:39
12 example of a pressure source that is disclosed in the '669 10:22:43
13 patent is a syringe, you stand by that statement? 10:22:46

14 A I think that's the only specific example 10:22:49
15 mentioned. Using the word pressure source is not a 10:22:54
16 specific example of that component. 10:22:57

17 Q And did you rely on that understanding in 10:23:01
18 preparing your opinions in your declaration? 10:23:04

19 A I relied on the fact that a syringe is a vacuum 10:23:05
20 source and a pressure source. Yes. 10:23:09

21 Q And did you rely on the fact, as stated in your 10:23:11
22 declaration, that the only example of a pressure source 10:23:14
23 that is disclosed in the '669 patent is a syringe? 10:23:17

24 A I think that is the only specific example given. 10:23:20
25 They don't provide any other specific examples of other 10:23:26

1	pressure sources. They don't list other types of pumps or	10:23:29
2	any other means. They have one sentence there that	10:23:32
3	mentions other pressure source.	10:23:37
4	Q And that was your understanding in preparing your	10:23:38
5	opinions in your declaration in this matter; is that	10:23:41
6	correct?	10:23:44
7	A My understanding is that they primarily talk	10:23:44
8	about syringes as the vacuum source, and they don't give	10:23:51
9	any other specific examples beyond the word other pressure	10:24:00
10	source in their specification.	10:24:06
11	Q And that's your understanding here today?	10:24:07
12	A Yes.	10:24:08
13	Q And that was your understanding in preparing your	10:24:10
14	opinions in this declaration?	10:24:13
15	A Yes.	10:24:14
16	Q All right. I'm going to hand you what's been	10:24:14
17	previously marked as Exhibit 1011.	10:24:43
18	Do you recognize Exhibit 1011?	10:24:49
19	A Yes.	10:24:52
20	Q And is Exhibit 1011 the Pons reference referred	10:25:03
21	to in your declaration?	10:25:14
22	A Yes.	10:25:22
23	Q If you look at Figure 1 -- before we get there,	10:25:24
24	so I'm going to refer to Exhibit 1011 as Pons, and is it	10:25:47
25	fair that you'll understand that I'm referring to	10:25:56

1	Exhibit 1011 when I say Pons?	10:25:59
2	A 1011, yes.	10:26:02
3	Q If you turn to Figure 1 of Pons, do you	10:26:03
4	understand what's disclosed in Figure 1?	10:26:12
5	A Yes.	10:26:14
6	Q What is Item 20 in Figure 1 -- and before we get	10:26:24
7	there, is Figure 1 a prior art device to Pons?	10:26:38
8	A I'm not sure I understand the question.	10:26:41
9	Q Do you see that label underneath Figure 1 on that	10:26:46
10	first page, it's a prior art?	10:26:49
11	A Yes.	10:26:51
12	Q Do you understand what that means?	10:26:51
13	A I think they're referring to a prior patent that	10:26:53
14	is -- that's maybe a continuation of that patent or prior	10:26:57
15	application.	10:27:03
16	Q What is Item 20 in Figure 1? And if it's	10:27:03
17	helpful, I'll point you to the top of Column 2, lines 2	10:28:16
18	and 3.	10:28:22
19	A Yeah, they call Item 20 the collection canister.	10:28:23
20	Q And what is collected in the collection	10:28:36
21	canister 20?	10:28:42
22	A Blood.	10:28:42
23	Q Anything else? And if it's helpful, I'll point	10:29:06
24	you right back to that same sentence on Column 2, lines 2	10:29:58
25	and 3.	10:30:03

1	A	Yeah, Column 2, it says, Blood and clot are drawn	10:30:03
2		into the collection canister 20.	10:30:14
3	Q	So then is it fair to say the collection canister	10:30:19
4		20 collects blood and clot?	10:30:22
5	A	That's what the patent says, yes. In the prior	10:30:24
6		art image shown in Figure 1.	10:30:34
7	Q	If you look at Figure 1, you see Item 30.	10:30:36
8	A	Yes.	10:30:57
9	Q	Do you understand what Item 30 is in Figure 1?	10:31:01
10	A	They call it an external vacuum tube.	10:31:07
11	Q	And what does the external vacuum tube 30 do in	10:31:13
12		the device shown on Figure 1 of Pons?	10:31:18
13	A	It connects to the vacuum source inside the, I'll	10:31:21
14		say, console, I guess they're calling it Item 12.	10:31:26
15	Q	It connects to some sort of pump?	10:31:35
16	A	Yes.	10:31:37
17	Q	And does -- is it possible for blood or clot --	10:31:40
18		withdraw the question.	10:31:51
19		Does blood or clot flow through Item 30?	10:31:52
20	A	Certainly not designed to do so.	10:31:57
21	Q	And how is it not designed to do so?	10:32:02
22	A	Because the operator would turn it off if it were	10:32:04
23		full of blood and they saw it rising up into that tube,	10:32:09
24		Number 30.	10:32:14
25	Q	So then is it fair to say that the blood and clot	10:32:14

1	are intended to be in the lower part of collection	10:32:20
2	canister 20?	10:32:27
3	A That's the design intent, yes.	10:32:28
4	Q And blood and clot are not intended to flow	10:32:30
5	through what's labeled Item 24 and into Item 30; is that	10:32:35
6	right?	10:32:39
7	A Yes. Not intended to flow through Item 30 such	10:32:39
8	that it would make it into the vacuum pump.	10:32:50
9	Q If you turn to Figure 2. What is Item 44 in	10:32:54
10	Figure 2? And again, if it's helpful --	10:33:10
11	A Vacuum canister 44.	10:33:24
12	Q Thank you. Sorry to interrupt.	10:33:31
13	THE STENOGRAPHIC REPORTER: I don't think I heard	10:33:37
14	that.	10:33:37
15	THE WITNESS: Vacuum canister 44.	10:33:38
16	BY MR. HAMILTON:	10:33:39
17	Q And are you reading the term vacuum canister from	10:33:40
18	the reference Pons?	10:33:44
19	A Column 6, line 35. Line 29, they refer to that	10:33:45
20	as the blood/clot collection canister. So they use two	10:34:04
21	different terms there in a couple of sentences.	10:34:10
22	Q And is the --	10:34:13
23	A And later, they use the term enclosure 44. So	10:34:15
24	they use three different terms to refer to Item 44.	10:34:26
25	Q And in operation of the device shown in Figure 2,	10:34:28

1	is the canister 44 intended to collect blood and clot?	10:34:34
2	A Yes.	10:34:39
3	Q If you look at Figure 4, do you see Item 86?	10:34:45
4	A Yes.	10:35:33
5	Q And do you have an understanding what Item 86 is	10:35:44
6	as shown in Figure 4?	10:35:48
7	A They're called a filter plate.	10:35:50
8	Q What's the purpose of the filter plate in	10:35:56
9	Figure 4?	10:35:59
10	A It says in Column 8, As the clot and blood fall	10:35:59
11	downward from connector 110 into the canister 44, the clot	10:36:09
12	collects on the upper surface of the filter plate 86 while	10:36:14
13	the blood flows through the perforations in the plate and	10:36:19
14	collect in the bottom of the -- and collects in the bottom	10:36:24
15	of the canister.	10:36:28
16	Q If you look at Figure 4, what is Item 108?	10:36:29
17	A They call it aperture 108.	10:37:32
18	Q And what's the purpose of aperture 108?	10:38:24
19	A As Column 8 says, Aperture 108 prevents extracted	10:38:28
20	material from contaminating the interior enclosure 42.	10:38:34
21	Q Do you understand what interior enclosure 42 is?	10:38:55
22	A I don't see it on that figure, no.	10:38:57
23	Q Is 42 a pump that provides a vacuum to the	10:39:00
24	canister 44?	10:39:10
25	A Column 7, they say that an interior of the vacuum	10:39:11

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1	console 42. So in Figure 3A, they seem to show the	10:39:41
2	whole -- 42's pointing to the whole drawing there. And	10:39:57
3	they describe it as the vacuum console 42.	10:40:12
4	Q So then in operation, the device is designed so	10:40:14
5	that blood and clot do not move from canister 44 into	10:40:28
6	Item 42, correct?	10:40:34
7	A Yes. That's where the pump is housed. So that	10:40:35
8	would not be the design intent, to have blood into the	10:40:42
9	pump -- pump or its housing.	10:40:46
10	THE STENOGRAPHIC REPORTER: I'm sorry, you said	10:40:52
11	pump --	10:40:53
12	THE WITNESS: Pump or its housing, sorry, sorry.	10:40:53
13	THE STENOGRAPHIC REPORTER: Thank you.	10:40:57
14	BY MR. HAMILTON:	10:40:58
15	Q I'm going to hand you -- if you could keep that	10:41:21
16	exhibit, I'm going to hand you another one. And I	10:41:23
17	apologize, in my copy, the exhibit number's cut off. What	10:41:44
18	I'd like you to do if you could, just confirm and... why	10:41:50
19	don't we mark this one as Exhibit 2001.	10:42:00
20	Before we do that, actually, let me just ask	10:42:04
21	counsel. If counsel would be okay to agree that this is	10:42:16
22	Exhibit 1010, Petitioner's Exhibit 1010 then we wouldn't	10:42:36
23	have to remark it?	10:42:41
24	MR. BARNES: Yeah, I think that's fine.	10:42:42
25		

1 BY MR. HAMILTON:

10:42:46

2 Q And I'll just get the witness to confirm that as
3 well on the record.

10:42:46

10:42:48

4 So, Mr. Thornton, if you could look at what I've
5 handed you that has the exhibit number cut off at the
6 bottom, would you confirm comparing that to your table of
7 exhibits in your declaration that what I've handed you is
8 in fact Exhibit 1010 as listed in your table of exhibits?

10:42:49

10:42:53

10:42:56

10:42:58

10:43:06

9 A Yes. We call it the Brady -- Brady publication.

10:43:12

10 Q Okay. So I'm going to refer to this Exhibit 1010
11 as Brady. And we -- I guess let's just mark it for the
12 record, just so we don't lose the copy, as Exhibit 2001.
13 But I will refer to it as Exhibit 1010 or Brady, and we'll
14 understand that this is the -- what's been marked in this
15 deposition as Exhibit 2001 is Exhibit 1010 Brady; is that
16 fair?

10:43:20

10:43:22

10:43:29

10:43:34

10:43:41

10:43:45

10:43:52

17 A Yes.

10:43:52

18 (Whereupon Deposition Exhibit 2001

10:43:52

19 was marked for identification.)

10:44:03

20 BY MR. HAMILTON:

10:44:03

21 Q Do you understand what's disclosed in Brady?

10:44:24

22 A Yes.

10:44:25

23 Q If you could look at... let's... let's go to
24 Figure 23A of Brady. Do you understand what's disclosed
25 in Figure 23A?

10:44:28

10:44:53

10:45:15

1	A	Yes.	10:45:15
2	Q	And then if you could just pick up the Pons	10:45:18
3		reference and turn to Figure 1. Does Figure 23A of Brady	10:45:24
4		show a device that operates in a similar manner to	10:45:56
5		Figure 1 of Pons?	10:46:04
6	MR. BARNES:	Objection; vague.	10:46:05
7	THE WITNESS:	They're certainly similar in that they	10:46:06
8		both have a blood collection canister, they both have a	10:46:22
9		vacuum pump to create a vacuum within the collection	10:46:25
10		canister or reception canister. They both have tubing	10:46:29
11		that extends to a catheter in order to perform	10:46:36
12		thrombectomy, aspiration.	10:46:44
13	BY MR. HAMILTON:		10:46:47
14	Q	And what does that reception canister -- I	10:46:59
15		believe it's labeled 707 in Figure 23A -- intended to	10:47:03
16		receive?	10:47:10
17	A	Aspirate material from the catheter.	10:47:10
18	Q	So would that be blood and clot?	10:47:18
19	A	Yes. If they were trying to remove clot.	10:47:20
20	Q	So let's look at Figure 2 of Brady. You could	10:47:27
21		put Pons away. I won't ask about that, hopefully, again.	10:48:15
22		Let me know when you're there.	10:48:18
23	A	Okay.	10:48:32
24	Q	So in Figure 2 you see Item 13?	10:49:53
25	A	Yes.	10:49:56

1	Q	And do you understand what Item 13 is? And if	10:50:09
2		it's helpful, I'll point you to page 17 of the document at	10:50:18
3		about line 33.	10:50:25
4	A	They call 13 a fluid collection canister within	10:50:25
5		the aspiration circuit.	10:50:37
6	Q	And what does --	10:50:40
7	A	Collects all the content aspirated from the body.	10:50:41
8	Q	So the fluid collection canister 13 collects all	10:50:44
9		the content aspirated, correct?	10:50:55
10	A	That's what they say in paragraph 30.	10:50:57
11	Q	And that would include in treating a blood clot,	10:51:00
12		the blood and the clot, correct?	10:51:06
13	A	I don't see any filters in this embodiment. So	10:51:07
14		that would be correct.	10:51:13
15	Q	If you could turn to Figure 25. I want to ask	10:51:13
16		about Item 904 in Figure 25.	10:52:57
17	A	Yeah, in the description, page 23, line 23,	10:53:23
18		canister 904 is evacuated by pump 905. So 904 is a	10:53:35
19		canister to collect the blood aspirate material.	10:53:43
20	Q	And then if you look at the next Figure 26, and	10:53:49
21		the same question about Item 954. Is that also a canister	10:54:06
22		that collects blood and aspirated material?	10:54:13
23	A	Yeah, they describe that as canister 954 is	10:54:15
24		evacuated by pump 955. So that would be the reception	10:54:19
25		canister.	10:54:29

1	Q	And that canister collects blood and aspirated	10:54:29
2		material, correct?	10:54:37
3	A	Yes.	10:54:38
4	Q	And then if you turn to Figure 28A, I have the	10:54:38
5		same question about Item 1050. Is 1050 a canister? Oh,	10:54:58
6		excuse me, sorry. 1051.	10:55:13
7	MR. BARNES:	Object to form.	10:55:19
8	BY MR. HAMILTON:		10:55:22
9	Q	Is Item 1051 a canister?	10:55:22
10	A	That's a term they use in -- on page 24, line 20,	10:55:24
11		is a canister 1051 is connected to the vacuum pump, not	10:55:43
12		shown, et cetera.	10:55:47
13	Q	And does that canister 1051 also collect blood	10:55:50
14		and aspirated material?	10:55:55
15	A	It goes on to say, In use, a vacuum is generated	10:55:56
16		within the canister.	10:56:04
17	THE STENOGRAPHIC REPORTER:	I'm sorry, in use a vacuum	10:56:04
18		is what?	10:56:04
19	THE WITNESS:	Generated.	10:56:04
20	THE STENOGRAPHIC REPORTER:	Thank you.	10:56:04
21	THE WITNESS:	Within the canister through the tube	10:56:12
22		1053 -- I'm sorry, back up.	10:56:17
23		In use, a vacuum is generated within the canister	10:56:20
24		by the vacuum pump, and thus, blood and thrombus are	10:56:22
25		aspirated through the treatment catheter and through tube	10:56:26

1	1053 into the canister.	10:56:35
2	BY MR. HAMILTON:	10:56:38
3	Q So then is it fair to say that the canister 1051	10:56:38
4	collects both blood and aspirated material?	10:56:44
5	A That's my understanding, yes.	10:56:46
6	Q If you could get your declaration and turn to	10:56:47
7	page 71. I want to ask you a couple of questions about	10:59:01
8	Figure 7 on page 71. Do you understand what's depicted in	10:59:44
9	Figure 7?	11:00:14
10	A Yes.	11:00:14
11	Q Does Figure 7 show a filter?	11:00:17
12	A Yes.	11:00:30
13	Q And is Figure 7 intended to collect some material	11:00:33
14	on that filter?	11:00:37
15	A Yes.	11:00:38
16	Q And how does figure -- how does the filter shown	11:00:41
17	in Figure 7 collect material?	11:00:43
18	A I need to look at the Trerotola Exhibit 1012 to	11:00:45
19	find out the exact terms they use. I think there's a	11:01:08
20	figure that may not be labeled in this figure but probably	11:01:21
21	is labeled in other figures.	11:01:25
22	Q And shown in Figure 7, where's the vacuum	11:01:38
23	applied -- let me rephrase that question. Is a vacuum	11:01:42
24	applied to Figure 7 -- to the filter in Figure 7?	11:01:44
25	A Certainly blood would be flowing in the direction	11:01:46

1	of the arrow shown in R. From the catheter, it would be	11:01:52
2	toward the upper right of that figure into the filter	11:01:58
3	housing and across the filter.	11:02:04
4	Q So where would the vacuum be applied in Figure 7?	11:02:07
5	A The lower left port shown in Figure 7.	11:02:59
6	Q And is it your understanding in Figure 7 that --	11:03:13
7	withdraw the question.	11:03:29
8	I'm going to hand you what's been marked	11:03:29
9	Exhibit 1012 -- sorry. That one's mine. No, I take it	11:04:03
10	back. That's yours. (Indicating.) Do you recognize	11:04:09
11	Exhibit 1012?	11:04:13
12	A Yes.	11:04:14
13	Q And is this reference referred to as Trerotola?	11:04:18
14	A Yes. And I see that it's misspelled in my	11:04:25
15	declaration probably more than once. The correct spelling	11:04:30
16	on the patent is T-r-e-r-o-t-o-l-a.	11:04:36
17	Q So in your declaration, when you refer to	11:04:43
18	T-r-e-t-o-l-a, you're referring to this Exhibit 1012; is	11:04:49
19	that correct?	11:04:53
20	A That's correct.	11:04:53
21	Q And this Figure 7 shown on page 71 is from	11:04:54
22	Exhibit 1012?	11:05:01
23	A Yes, it appears to be the same.	11:05:12
24	Q Does -- does Exhibit 1012 disclose a filter that	11:05:14
25	can be removed?	11:05:54

1	A	Certainly describes a filter that can be	11:05:54
2		openable, provides an example of that where the two	11:06:21
3		portions can be unclasped and opened.	11:06:26
4	Q	And does Exhibit 1012 disclose removing the	11:06:28
5		filter when the device is opened?	11:06:36
6	A	Can you reask the question?	11:06:41
7	Q	Does Exhibit 1012 disclose removing the filter	11:09:21
8		when the device is opened?	11:09:29
9	A	Under the summary of the invention, I don't see	11:09:31
10		anything specific to that. I certainly see comments about	11:09:37
11		opening the housing and removing the particles that have	11:09:41
12		been collected.	11:09:48
13	Q	Does Exhibit 1012 disclose removing the filter	11:09:49
14		when the device is opened?	11:10:03
15	A	I didn't see that in the description that I read	11:10:04
16		quickly here.	11:10:08
17	Q	And if I point you to Column 5, starting at	11:10:09
18		line 65, do you see the sentence, The devices of the	11:10:13
19		present invention are preferably disposable?	11:10:22
20	A	Yes.	11:10:25
21	Q	Why would the devices of the present invention be	11:10:25
22		preferably disposable?	11:10:32
23	A	As I say in the background of the invention -- in	11:10:34
24		the background of the invention, a need has also remained	11:10:57
25		for blood filtered devices that are disposable,	11:11:11

1 inexpensive and easy to operate. So from an ease of use
2 standpoint is probably why they are -- why this embodiment
3 that they're discussing would be disposable.

4 Q That they're disposable makes them easy to use;
5 is that right?

6 A That's how they describe the intent of the
7 design. Inexpensive and easy to operate is the need that
8 they're describing in the Column 2, line 23 or so.

9 Q Are devices that are used to filter a patient's
10 blood during a procedure generally reused for other
11 patients?

12 A Certainly not for other patients, no.

13 Q Why not?

14 A Infection risk. Contamination.

15 Q So is it fair to say the devices that contact a
16 patient's blood are generally disposable so that you don't
17 reuse those devices with other patients to cause infection
18 or contamination?

19 A There are plenty of devices that surgeons use
20 that are cleaned and sterilized at the hospital for use
21 over and over again, and there are plenty of devices,
22 inexpensive catheters and systems that are designed to be
23 disposed of.

24 Q And is the device disclosed in Exhibit 1012
25 designed to be disposed of?

1	A	That's how they describe it, yes.	11:13:36
2	Q	If you look at the bottom of Column 5, going on	11:13:39
3		to Column 6, do you see the description of the housing	11:13:44
4		portions 3040 are detachable?	11:13:53
5	A	Yes.	11:13:57
6	Q	And what -- why does Exhibit 1012 say that the	11:14:29
7		housing portions are detachable?	11:14:36
8	A	So that the valve can be cleaned if needed during	11:14:40
9		the procedure.	11:14:43
10	Q	Why would the valve need to be cleaned during the	11:14:43
11		procedure?	11:14:49
12	A	If there's thrombus, clot material building up on	11:14:49
13		the membrane.	11:14:54
14	Q	Why would thrombus or clot material building up	11:14:56
15		on the membrane need to be cleaned during the procedure?	11:15:04
16	A	If it were so significant to clog, prevent blood	11:15:08
17		from flowing through, is one reason.	11:15:14
18	Q	Do you see on the bottom of Column 5, the phrase,	11:15:22
19		So that the valve can be cleaned?	11:15:55
20	A	Yes.	11:15:57
21	Q	And what is valve referring to in that phrase?	11:15:59
22	A	Well, as they say under the summary of the	11:16:04
23		invention, In a specific embodiment the device has a valve	11:16:13
24		member that includes at least one leaflet, and in other	11:16:20
25		embodiments, a valve member might have a plurality of	11:16:28

1	leaflets.	11:16:31
2	Q What does the word valve mean?	11:16:34
3	A In general, it means a component that can open	11:16:36
4	and close. Yeah.	11:16:45
5	Q If you look at the top of Column 5, line 7	11:16:53
6	through 10. Do you see that sentence?	11:17:04
7	A I'm sorry, can you say that again?	11:17:06
8	Q Column 5, lines 7 through 10 -- or 7 through 9,	11:17:09
9	excuse me. Do you see that sentence?	11:17:15
10	A Yes.	11:17:16
11	Q What is a two-way valve?	11:17:30
12	A Well, it describes it as the blood can traverse	11:17:34
13	both ways across the valve but one way the valve membrane	11:18:01
14	will not allow blood clot particles to go through.	11:18:09
15	Q So a two-way valve allows something to pass in	11:18:15
16	both directions?	11:18:24
17	A In these embodiments, the valve materials are	11:18:25
18	composed of a membrane which allows blood to pass through	11:18:31
19	in both directions, but not the blood clot material.	11:18:34
20	Q And does the blood clot material pass in one	11:18:41
21	direction?	11:18:48
22	A It passes when the valve leaflets are in the open	11:18:48
23	position.	11:19:01
24	Q So the valve disclosed in Exhibit 1012 allows	11:19:01
25	blood clot material to pass across the valve in one	11:19:15

1	direction, correct?	11:19:19
2	A That's my understanding of this embodiment that	11:19:19
3	they're discussing.	11:19:26
4	Q If you can turn to page 76 of your declaration --	11:19:26
5	actually, let me change that. If you could go to page 62.	11:22:08
6	Let me know when you're there and ready for a question.	11:22:41
7	A Okay.	11:22:43
8	Q Do you see the item labeled, First fluid path on	11:22:46
9	page 62, in Figure 1A?	11:22:54
10	A Yes.	11:22:56
11	Q Do you see the item labeled, Second fluid path in	11:22:57
12	Figure 1A?	11:23:23
13	A Yes.	11:23:24
14	Q Are those paths in series or parallel?	11:23:25
15	MR. BARNES: Objection; vague.	11:23:31
16	THE WITNESS: I'm not sure I would characterize them	11:23:32
17	either way. The fluid paths are together as one fluid	11:23:46
18	path within the guide catheter 206, and then as the flow	11:23:51
19	reaches, I'll call it, the Y arm, where the tubing 302F	11:23:58
20	connects into the attachment/valve member, then the paths	11:24:08
21	diverge. So then there's a first fluid path noted in	11:24:19
22	green that follows the F labeling on that Figure 1A.	11:24:22
23	And the second fluid path would continue	11:24:31
24	proximally out of the attachment valve member, toward the	11:24:36
25	proximal end of that catheter.	11:24:43

1	BY MR. HAMILTON:	11:24:45
2	Q And by proximally, do you mean the end farthest	11:24:50
3	from the patient?	11:24:53
4	A Yes. Closest to the physician.	11:24:53
5	Q Much better way of phrasing it, thank you.	11:24:56
6	A Same thing.	11:25:01
7	Q So the portion of the first fluid path and the	11:25:02
8	second fluid path, after those two paths diverge, are	11:25:12
9	those portions of the path in series or parallel?	11:25:16
10	MR. BARNES: Objection; vague.	11:25:22
11	THE WITNESS: I'm not sure I'd call them either one.	11:25:23
12	BY MR. HAMILTON:	11:25:25
13	Q What is a serial flow path in the context of the	11:25:37
14	'669 patent?	11:25:44
15	A I'm not sure they use that term.	11:25:45
16	Q Do you have any understanding what a serial flow	11:25:49
17	path is?	11:25:56
18	A In one of the pump patents I reviewed recently,	11:25:56
19	they had embodiments with several filters aligned next to	11:26:30
20	each other. And those would -- I would call those flow	11:26:38
21	paths parallel to each other versus if the -- say	11:26:47
22	theoretically, there was a tube and there were three	11:26:57
23	filters in line, I would call those in parallel -- I'm	11:27:00
24	sorry, in serial, not in parallel.	11:27:06
25	Q So then when you look at page 62, Figure 1A and	11:27:09

1	you compare the portion of the second flow path and the	11:27:15
2	first flow path after they diverge, would you refer to	11:27:18
3	one -- those portions as being in parallel?	11:27:27
4	MR. BARNES: Objection; vague.	11:27:29
5	THE WITNESS: I wouldn't use that term. I think that	11:27:30
6	two paths just diverge.	11:27:35
7	BY MR. HAMILTON:	11:27:38
8	Q And why wouldn't you use that term -- let me	11:27:43
9	rephrase the question. Would it be reasonable to say that	11:27:51
10	those two paths are parallel even though you wouldn't use	11:27:53
11	that term?	11:27:57
12	A Yeah, I don't know. I don't think they talk	11:27:58
13	about that in the patents. They're certainly not in	11:28:11
14	series. There's not one after the other. But I would	11:28:23
15	just characterize it as the two flow paths diverge at the	11:28:27
16	Y arm connector. At least as shown in my declaration, on	11:28:34
17	the prior page 61, it's clear that there's a Y arm there,	11:28:40
18	and that's where the flows diverge in the Garrison example	11:28:46
19	given there.	11:28:53
20	Q So then where the flows diverge, those flows are	11:28:53
21	not in series; is that correct?	11:28:58
22	A I wouldn't say they're in series. Something in	11:28:59
23	series, I would call, for instance, the filter chamber, as	11:29:03
24	we look at Figure 34, is in series with the check valve	11:29:09
25	3419 is in series with the vacuum source. It's all in	11:29:15

1	line.	11:29:20
2	Q And then what about if you take the junction of	11:29:21
3	the flow controller, do you see that?	11:29:32
4	A Yes.	11:29:34
5	Q Does that show the merging of two paths that are	11:29:35
6	in parallel?	11:29:43
7	MR. BARNES: Objection; vague. Joe, just to be clear,	11:29:46
8	are we talking about Figure 1A on 62 or Figure 34 on 61?	11:29:54
9	MR. HAMILTON: Figure 34.	11:30:03
10	THE WITNESS: Can you ask again?	11:30:05
11	BY MR. HAMILTON:	11:30:08
12	Q So the item labeled 3325, I believe you've	11:30:08
13	annotated that as a flow controller, where two paths	11:30:11
14	merge. Does that show the merger of two parallel paths,	11:30:17
15	two paths that are in parallel?	11:30:23
16	MR. BARNES: Objection; vague.	11:30:25
17	THE WITNESS: Well, it shows three connection points	11:30:25
18	to the flow controller. It's a three-way stopcock in this	11:30:30
19	example. So there's really only one fluid flowing, one	11:30:33
20	fluid path flowing at a time. So I'm not sure which fluid	11:30:41
21	paths you're talking about.	11:30:58
22	BY MR. HAMILTON:	11:31:00
23	Q So the fluid path from -- through 2025 and the	11:31:00
24	fluid path through 2045, do you see those two paths?	11:31:05
25	A Yeah, this is depicting with the stopcock closed	11:31:10

Transcript of Troy Layne Thornton
Conducted on August 11, 2026

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1	to tubing 2025. So there's only one fluid path following	11:31:16
2	the green dotted line.	11:31:23
3	Q And if the stopcock is not closed so that there	11:31:25
4	are two fluid paths, is that depicting two parallel fluid	11:31:32
5	paths?	11:31:37
6	A I'm not sure I'd use that term. They're	11:31:37
7	certainly not in series. They are different fluid paths	11:31:37
8	that are joined together.	11:31:50
9	THE STENOGRAPHIC REPORTER: Sorry, I --	11:31:50
10	THE WITNESS: I'm not sure I would use that term.	11:31:52
11	There are certainly two fluid paths that are joining	11:31:55
12	together. They're certainly not in series. There's not	11:31:57
13	one in front of the other. So it may be considered by	11:32:03
14	some people to be parallel, fluid path.	11:32:07
15	BY MR. HAMILTON:	11:32:11
16	Q Why don't we take a five-minute break.	11:32:58
17	A Okay.	11:33:01
18	THE VIDEOGRAPHER: Okay. We're going off the record.	11:33:02
19	The time is 11:33 a.m.	11:33:03
20	(Recess taken.)	11:46:23
21	THE VIDEOGRAPHER: Back on the record. The time is	11:46:23
22	11:46 a.m.	11:46:44
23	BY MR. HAMILTON:	11:46:45
24	Q Mr. Thornton, you understand you're still under	11:46:58
25	oath?	11:47:00

1	A	Yes.	11:47:00
2	Q	Did you review any documents during the break?	11:47:00
3	A	No.	11:47:04
4	Q	Did you communicate with anyone in any way	11:47:04
5		regarding the substance of your testimony here today	11:47:07
6		during the break?	11:47:09
7	A	No.	11:47:10
8	Q	If you could turn to page 102 of your	11:47:10
9		declaration. Just let me know when you're ready for a	11:47:18
10		question.	11:47:38
11	A	Okay.	11:47:38
12	Q	Do you see on page 102 an annotated Figure 2?	11:48:13
13	A	Yes.	11:48:21
14	Q	Do you see the annotation, Enclosed region?	11:48:23
15	A	Yes.	11:48:28
16	Q	Did you include that annotation in Figure 2?	11:48:28
17	A	I believe so.	11:48:35
18	Q	And what are you pointing to for the enclosed	11:48:38
19		region?	11:48:43
20	A	In this example, we're just pointing to the, you	11:48:43
21		know, exterior portion of the filter element 34.	11:48:55
22	Q	And how is the exterior portion of filter on the	11:48:59
23		34 an enclosed region?	11:49:14
24	A	Well, I think once it's assembled, there's an	11:49:16
25		enclosed region both on the inside of the filter, this	11:49:21

1 cup-like filter element, and there's an enclosed region on 11:49:27
2 the outside of the cup-like filter element. That I'm just 11:49:31
3 pointing to the exterior for this example. 11:49:36
4 Q And what do you mean by cup-like? 11:49:38
5 A I'm just trying to describe the shape of that 11:49:44
6 filter element 34. 11:49:47
7 Q And how is the shape of filter element 34 11:49:48
8 cup-like? 11:50:13
9 A It appears to be curved along the bottom and 11:50:13
10 appears to be open on the top of this image. 11:50:20
11 Q And what do you mean it appears to be open on the 11:50:25
12 top of the image? 11:50:29
13 A I'd have to look at some other drawings within 11:50:29
14 that Goff reference, but I'm picturing it as a cup-like 11:50:37
15 filter element. 11:50:46
16 Q And is it possible that the top -- and by top, I 11:50:47
17 mean the portion at the -- near the top of the page side 11:50:56
18 of the filter -- is just a flat surface and then the 11:51:00
19 filter is a solid piece of material? 11:51:04
20 A These not how I interpret it from looking at that 11:51:06
21 Goff reference. 11:51:15
22 Q So is it your understanding then that this filter 11:51:16
23 element 34 must be hollowed out from the top? 11:51:33
24 A I think it could be a solid surface on the top 11:51:40
25 and hollow underneath. So the cup could be, you know, 11:51:46

1 inverted from what is kind of shown there. And it could 11:51:50
2 be the opposite where it's the upper portion is open, and 11:51:54
3 it's a closed filter along the curved portion on the 11:51:59
4 bottom of the image. 11:52:04

5 Q And what's shown in Figure 2? 11:52:05

6 A I'd have to look at some other figures to -- or 11:52:07
7 the patent, the Goff patent, to further determine that. 11:52:12

8 Q So looking at Figure 2, you can't determine 11:52:17
9 whether the top surface of this filter element is solid or 11:52:21
10 the bottom surface is solid; is that right? 11:52:27

11 MR. BARNES: Objection; mischaracterizes testimony. 11:52:28

12 THE WITNESS: It's not completely clear with this one 11:52:30
13 image, and I'd need to look at the other images within 11:52:37
14 Goff to confirm that. 11:52:39

15 BY MR. HAMILTON: 11:52:42

16 Q So looking at this one image, you can't tell 11:52:47
17 whether the top surface is solid or the bottom surface is 11:52:50
18 solid; is that right? 11:52:53

19 MR. BARNES: Objection; mischaracterizes testimony. 11:52:55

20 THE WITNESS: Based on the crosshatching, the top 11:52:58
21 surface may be the -- I won't call it solid because it's a 11:53:03
22 membrane. It's a porous membrane as a filter, but it may 11:53:09
23 be enclosed on the upper portion. It's not clear to me 11:53:16
24 from the draftsman's crosshatching if that's a crosshatch 11:53:22
25 designed to show the top surface or a crosshatch to show 11:53:30

1	the inside of a curved surface farther away from the	11:53:35
2	viewer.	11:53:40
3	BY MR. HAMILTON:	11:53:41
4	Q Thank you for your time. I have no further	11:54:18
5	questions.	11:54:19
6	A Okay.	11:54:21
7	MR. BARNES: Hold on. I have just a couple of	11:54:24
8	questions for you, Mr. Thornton.	11:54:27
9	EXAMINATION	11:54:28
10	BY MR. BARNES:	11:54:28
11	Q Could you turn back to page 61, I believe, in	11:54:29
12	Figure 34 of Garrison, you were being asked about. Is	11:54:36
13	there a filter in Figure 34 of Garrison?	11:54:46
14	A Yes. Filter chamber 3418 is shown in that	11:54:49
15	figure.	11:54:55
16	Q And when this system in Figure 34 of Garrison is	11:54:55
17	used to aspirate clots, where would the aspirated clots be	11:55:00
18	collected in the system?	11:55:07
19	A In the filter chamber.	11:55:08
20	Q Is there also a vacuum source in Figure 34?	11:55:10
21	A Yes. It's shown as 3430 in that figure.	11:55:16
22	Q And do you recall earlier being asked about the	11:55:23
23	pumps that are disclosed in the Pons reference?	11:55:30
24	A Yes.	11:55:33
25	Q So if those pumps in the Pons reference were used	11:55:36

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1 as the vacuum source in Garrison's system, would the clots 11:55:42
2 still be collected within that filter chamber 3418? 11:55:49

3 A Yes. Regardless of the vacuum source, that is 11:55:55
4 where a clot would be collected, is in the filter chamber. 11:56:02

5 Q So if the pumps in the Brady reference were used 11:56:06
6 as the vacuum source, the clots would still be collected 11:56:12
7 in the filter chamber? 11:56:16

8 A Yes. 11:56:18

9 Q I have no further questions. 11:56:19

10 THE STENOGRAPHIC REPORTER: Would you like to add 11:56:25
11 anything else, Counsel? 11:56:27

12 MR. HAMILTON: I have no further questions, thank you. 11:56:27

13 THE STENOGRAPHIC REPORTER: Before we go off, are we 11:56:33
14 marking this transcript confidential in any way? 11:56:34

15 MR. BARNES: No, we are not. 11:56:37

16 MR. HAMILTON: No. 11:56:40

17 THE VIDEOGRAPHER: We are going off the record. The 11:56:40
18 time is 11:56 a.m. 11:56:41

19 (WHEREUPON THE DEPOSITION WAS

20 CONCLUDED AT 11:56 A.M.)

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1 Please be advised I have read the
2 foregoing deposition, pages 1 through
59, inclusive.

3 I hereby state there are:
4
5

6 (Check one) _____ no corrections
7
8 _____ corrections per attached
9
10 _____

11 TROY LAYNE THORNTON
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WITNESS'S CHANGES OR CORRECTIONS

NOTE: If you are adding to your testimony, print the exact words you want to add. If you are deleting from your testimony, print the exact words you want to delete. Specify with "Add" or "Delete" and sign this form.

Deposition of: TROY THORNTON
Case Title: IMPERATIVE V. INARI
Date of Deposition: AUGUST 11, 2026

I, _____ have
the following corrections to make to my deposition:

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CERTIFICATE OF SHORTHAND REPORTER/STENOGRAPHER

I, Christa Yan, Certified Shorthand/Stenographic Reporter
within and for the State of California do hereby certify:

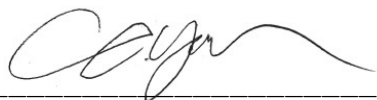
That Troy L. Thornton, the Witness whose deposition is
hereinbefore set forth, was duly sworn by me before the
commencement of such deposition and that such deposition
was taken before me and is a true record of the testimony
given by such witness.

I further certify that both parties were represented by
counsel at the deposition.

I further certify that the deposition of Troy L. Thornton
occurred at 333 Bush Street in San Francisco, California
on August 11, 2026 commencing at 9:06 a.m. to 11:56 a.m.

I further certify that I am not related to any of the
parties to this action by blood or marriage, I am not
employed by or an attorney to any of the parties to this
action, and that I am in no way interested, financially or
otherwise, in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th
day of August 2026.



CERTIFIED SHORTHAND/STENOGRAPHIC REPORTER
IN AND FOR THE STATE OF CALIFORNIA

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