

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

4 MPL BRANDS NV, INC.

5 Petitioner,

6 v.

7 BUZZBALLZ, LLC

8 Patent Owner.
9

10
11 PTAB Case No. PGR2024-00035

12 U.S. Patent No. 11,932,441
13
14
15

16 VIDEOTAPED DEPOSITION OF
17 DR. FOLKERS EDUARDO ROJAS
18 Wednesday, May 28, 2025
19
20

21 REPORTED BY:

22 RENEE HARRIS, CSR 14168, CCR, RPR

23 JOB NO. 7397671
24

25 PAGES: 1 - 104

Page 1

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

4 MPL BRANDS NV, INC.

5 Petitioner,

6 v.

7 BUZZBALLZ, LLC

8 Patent Owner.
9

10
11 PTAB Case No. PGR2024-00035

12 U.S. Patent No. 11,932,441
13
14
15

16 Video-Recorded Deposition of DR. FOLKERS
17 EDUARDO ROJAS, the witness herein, appearing
18 remotely from Phoenix, Arizona at 8:03 a.m. MST,
19 on Wednesday, May 28, 2025, before Renee Harris,
20 California Certified Shorthand Reporter No. 14168,
21 New Jersey Certified Court Reporter
22 No. 30XI00241200, New York Notary No. 01HA0037009
23 and Registered Professional Reporter.
24
25

1 APPEARANCES OF COUNSEL:

2
3 FOR THE PETITIONER MPL BRANDS NV, INC.:

4 PERKINS COIE LLP

5 BY: DANIEL T. SHVODIAN, ESQ.

6 HELENA BURNS, ESQ.

7 11452 El Camino Real, Suite 300

8 San Diego, California 92130

9 (858) 720-5700

10 dshvodian@perkinscoie.com

11 hburns@perkinscoie.com

12
13 FOR THE PATENT OWNER BUZZBALLS, LLC:

14 HAYNES AND BOONE, LLP

15 BY: ADAM ERICKSON, ESQ.

16 GREGORY P. WEBB, ESQ.

17 2801 N. Harwood St., Suite 2300

18 Dallas, Texas 75201

19 greg.webb.ipr@haynesboone.com

20 adam.erickson.ipr@haynesboone.com

21
22 ALSO PRESENT:

23 Soseh Kevorkian, Videographer

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX

EXAMINATION BY:	PAGE
MR. SHVODIAN	6

EXHIBITS

EXHIBIT NO.	DESCRIPTION	PAGE
Exhibit 1001	U.S. Patent No. 11,932,441	23
Exhibit 1020	U.S. Application No. 12/762,934	28
Exhibit 2005	U.S. Patent 5,723,202 (Mueller)	39
Exhibit 2028	Declaration - Dr. Rojas	13

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PHOENIX, ARIZONA;
TUESDAY, MAY 28, 2025;
8:03 A.M.;

THE VIDEOGRAPHER: We are going on the 08:03:42
record at 8:03 a.m. on May 28, 2025.

Please note that this deposition is being
conducted virtually. Quality of recording
depends on the quality of the camera and
Internet connection of participants. 08:03:55

What is seen from the witness and heard
on screen is what will be recorded.

This is Media Unit 1 of the
video-recorded deposition of Dr. Folkers
Eduardo Rojas taken by counsel for the 08:04:08
petitioner in the matter of MPL Brands NV,
Incorporated versus Buzzballs, PTAB Case
Number PGR-2024-000035.

My name is Soseh Kevorkian representing
Veritext, and I am the videographer. 08:04:34

At this time, would counsel and all
present please state their appearances and
affiliations for the record, beginning with
the noticing attorney.

MR. SHVODIAN: Daniel Shvodian of Perkins 08:04:43

1 Coie for Petitioner MPL Brands, and with me
2 is Helena Burns, also of Perkins Coie.

3 MR. ERICKSON: And Adam Erickson of
4 Haynes & Boone representing Buzzballs, LLC
5 and Greg Webb is also with me. 08:05:01

6 THE VIDEOGRAPHER: Thank you.

7 Will the court reporter please introduce
8 herself, swear in the witness, and Counsel,
9 you can all proceed.

10 THE REPORTER: Renee Harris, CSR 14168. 08:05:34

11

12 DR. FOLKERS EDUARDO ROJAS,
13 called as a witness and having been first duly
14 sworn by the Certified Shorthand Reporter, was
15 examined and testified as follows:

16

17 EXAMINATION

18 BY MR. SHVODIAN:

19 Q. Good morning, Dr. Rojas.

20 Have you been deposed before? 08:05:38

21 A. Yes.

22 Q. How many times?

23 A. This would be my third deposition.

24 Q. Okay. So are you generally familiar with
25 the deposition process, the Q&A back-and-forth, 08:05:53

Page 6

1 and allowing your -- your counsel time to object?

2 A. Yes.

3 Q. Okay. I'm going to ask the questions.

4 And, you know, just to go over things, if
5 your counsel does object, I'd still ask you to 08:06:14
6 answer the questions, unless you've been
7 instructed not to answer on the grounds of
8 privilege.

9 Is that understood?

10 A. Yes. 08:06:26

11 Q. And if there's anything unclear you don't
12 understand in my question, please let me know, and
13 I will try and clarify that.

14 If you need to take a break at any point,
15 let me know. We'll probably take a break about 08:06:39
16 every hour or so. But again, if you -- if
17 there -- if at some other point you need a break,
18 just ask. If there's any question pending at the
19 time, I'd ask you to answer before we go off the
20 record. 08:06:54

21 Now, do you understand that you are under
22 oath just as if you're testifying in court?

23 A. Yes.

24 Q. And since this is a remote deposition, I
25 just wanted to ask you a few questions about your 08:07:10

Page 7

1 setup and what you -- what you have there.

2 Do you have any documents in front of you
3 or with you?

4 A. Yes.

5 Q. What documents do you have? 08:07:21

6 A. I have my declaration printed out. I
7 have the '411 [sic] patent printed out; the '349
8 patent from Protais printed out. And then I was
9 just reading the Hans [sic] paper, which is -- I
10 believe is Exhibit 2028, but do not quote me on 08:07:51
11 that.

12 Q. I know Exhibit 2028 is your declaration.
13 So that's not --

14 A. That's why I said -- yeah.

15 Q. That's okay. 08:08:04

16 A. I have to go and find the number for the
17 Han.

18 Q. That's all right. We can get that later.

19 So the copies of those documents that you
20 have, are those clean copies or do they have any 08:08:16
21 markings that have been added to those?

22 A. Fresh copies. Completely clean.

23 Q. Okay. And do you have any documents open
24 on your computer?

25 A. No, I do not. 08:08:29

Page 8

1 Q. Okay. Other than this browser, do you
2 have other applications open on your computer?

3 A. Yes, I do.

4 Q. What do you have open?

5 A. So currently it's running on Zoom. So by 08:08:44
6 the request this morning, I'm running the Google
7 Chrome with Exhibit Share.

8 Q. And is that it, as far as the
9 applications?

10 A. The registry from Veritext and my e-mail 08:08:59
11 where I clicked in order to do it.

12 So I'll close the e-mail and then --

13 Q. Okay.

14 A. -- limit to Exhibit Share and that.

15 Q. And can you agree during the deposition 08:09:14
16 while we're on the record not to use any
17 communication applications during the deposition?

18 A. Agree.

19 Q. Okay. And your counsel may have
20 explained this to you, but do you understand that 08:09:27
21 while we're on the record, you're not to send or
22 receive any communications via e-mail, instant
23 messaging, text messaging, or any other form of
24 communication?

25 A. Pertaining to the case, I believe. 08:09:39

1 Q. Yes. Okay.

2 A. Yes.

3 Q. And when we take a break, can you also
4 agree not to communicate with anyone about the
5 subject matter of the deposition? 08:10:02

6 A. Agree.

7 Q. Okay. And after each break, when we come
8 back, I'll -- I'll ask you if you communicated
9 with anyone just to confirm that.

10 So going back, you said you'd been 08:10:16
11 deposed -- this is the third time. Can you tell
12 me the first time you were deposed?

13 What was that matter?

14 A. It was a center of gravity measurement.
15 It was Milwaukee versus Perseverance. I know it 08:10:29
16 was a patent case where it was measure of center
17 of gravity, and I was called in to do the
18 measurement.

19 Q. Was that a district court proceeding or a
20 PTAB proceeding? 08:10:46

21 A. I can't remember at this time.

22 Q. Were you testifying on behalf of the
23 patent owner or an accused infringer?

24 A. I was testifying on behalf of
25 Perseverance, which was the patent owner at the 08:11:02

1 time.

2 Q. And what law firm were you working with
3 on that matter?

4 A. I cannot recall at the top of my head.

5 Q. Was it Haynes & Boone? 08:11:23

6 A. I don't think so. I think this is the
7 first case I've worked with them.

8 Q. Okay. And then you said you were deposed
9 a second time. What was the general subject
10 matter of that deposition? 08:11:47

11 A. RV trailers.

12 Q. I'm sorry, what was that?

13 A. RV trailers.

14 Q. Was that a patent matter?

15 A. No, it is not. 08:12:03

16 Q. What was that dispute about?

17 A. Standards from electrical standpoint that
18 the RV industry needs to follow and they are
19 implemented, and whether those standards are being
20 followed. 08:12:19

21 Q. Do you recall which law firm you were
22 working with on that matter?

23 A. Bidegaray Law Firm.

24 Q. Were you ever deposed in any other
25 matters, other than those two prior to this 08:12:51

1 deposition?

2 A. Not that I can recall.

3 Q. Apologize. I just wanted to check one
4 thing.

5 So have you ever worked with counsel for 08:13:49
6 the patent owner in this matter prior to this PTAB
7 proceeding?

8 A. No.

9 Q. How did you come to be involved in this
10 matter? 08:14:02

11 A. They got my name from someone, and they
12 sent me an e-mail.

13 Q. Do you recall generally when -- when you
14 were contacted?

15 A. I think sometime in the fall. 08:14:18

16 Q. Did you know of any of the patent owner's
17 attorneys before you were contacted about this
18 PGR?

19 A. No.

20 Q. Is this the first time that you've ever 08:14:55
21 worked with attorneys from Haynes & Boone?

22 A. I think so.

23 Q. And do you know anyone who works at
24 Buzzballs?

25 A. No, I do not. 08:15:11

1 (Exhibit 2028 was received and marked
2 for identification on this date and is
3 attached hereto.)

4 BY MR. SHVODIAN:

5 Q. Are you able to access the documents that 08:15:13
6 I've uploaded? You can refer to your paper copy
7 if you'd like. I'm going to ask you some
8 questions about your declaration, which is
9 Exhibit 2028.

10 So you can either look at the digital 08:15:36
11 copy or your paper copy.

12 A. I'll go paper.

13 Q. Okay. If you could look at paragraphs 10
14 to 12. What I want to ask you specifically about,
15 in those paragraphs you talk about some experience 08:16:14
16 with -- working with injection molding. Can.

17 You just describe what experience you
18 have working with injection molding?

19 MR. ERICKSON: Objection to form.

20 THE WITNESS: So I have designed 08:16:31
21 injection-molded parts themselves. I have
22 made the parts out of aluminum. I have
23 operated the injection molding machines. I
24 have helped students who come into the shop
25 with injection-molded questions and parts and 08:16:50

1 draft angles; and helped the machine, also,
2 injector pins, sizing, where they would put
3 them, in the context of injection molding
4 equipment.

5 BY MR. SHVODIAN:

08:17:05

6 Q. What type of parts were -- were being
7 produced through the injection molding process?

8 A. So for -- related to the items in
9 paragraph 10, that's related to -- for the
10 students that were working with the class, that 08:17:31
11 was related to yo-yo kind of parts, or something
12 that's about the size of two fists together.

13 For industry related, it's been something
14 in the size of larger than a hand. So about seven
15 inches wide, two inches tall, three inches wide, 08:17:52
16 or components that fit into that envelope.

17 And it's -- I believe I have listed
18 Coagulo Medical Technologies, and there is an IP
19 related to that that is public, and you will be
20 able to see the injection-molded components that 08:18:17
21 are in there.

22 Q. What were the -- so your -- paragraph 11
23 refers to "microfluidic cartridges."

24 What material -- what material were they
25 made of? 08:18:39

Page 14

1 A. I actually can't disclose that part, and
2 that's because it's the company's proprietary.

3 Q. Have you done any injection molding
4 with -- with a plastic type of material?

5 A. Yes. 08:19:11

6 Q. And what -- what were you producing in
7 that process?

8 A. I produced parts of the cartridge, right,
9 and other parts associated with Coagulo's
10 technology that is more in the higher volume. 08:19:31

11 And for the items that I assisted and I
12 worked for myself at MIT, it's mostly student
13 projects.

14 Q. For those projects at MIT, what type of
15 plastic was used in the blow molding? 08:19:53

16 A. So we --

17 Q. I'm sorry, injection molding.

18 A. PET, high-density polyethylene,
19 polypropylene.

20 Q. Do you have any experience with blow 08:20:21
21 molding?

22 A. Not particular, blow molding.

23 I have thermoforming experience, which is
24 similar if you get the thermoform and you put
25 pressure underneath it, and then you bring it into 08:20:39

1 a mold; it's very similar to blow molding. Blow
2 molding has a very particular meaning in
3 engineering.

4 Q. For the thermoforming you were doing,
5 what type of material were you using for the -- 08:21:00
6 that was being formed into a shape?

7 A. We've used NRA, high-density
8 polyethylene -- sorry. High-density
9 polypropylene -- polypropylene, HDPE, PEP, and
10 PET. Those are the ones that I've used. 08:21:21

11 Q. So have you ever designed anything that
12 was to be made through a blow molding process?

13 MR. ERICKSON: Objection to form.

14 THE WITNESS: I believe not that I can
15 recall at this time. 08:21:51

16 BY MR. SHVODIAN:

17 Q. And you said you have never personally
18 made anything using blow molding; is that
19 accurate?

20 A. That is accurate. 08:22:03

21 Q. All right. If you could look on the page
22 7 of Exhibit 2028, which is your declaration, and
23 look at -- I want to ask you about paragraph 14.

24 Let me know when you're there.

25 A. I am here. 08:22:59

1 Q. Okay. So in paragraph 14 of your
2 declaration, you describe a person of ordinary
3 skill in the field of the '441 patent; correct?

4 A. Yes.

5 Q. What is the field of the '441 patent? 08:23:15

6 A. Manufacturing, machine design production;
7 in this case, you have all of those elements.

8 And in machine design, particularly, we
9 have to be able to understand the materials that
10 you're using, the functional requirements, 08:23:42
11 pressures, and material limitation aspects.

12 And in this case, blow molding is just
13 heating up a plastic and a process, just like
14 thermoforming, just like injection molding.

15 So they are just different configurations 08:24:00
16 of the same thing.

17 Q. In this field of the invention, does it
18 relate to any particular type of item being
19 produced in your opinion?

20 A. It's plastic products. 08:24:29

21 Q. So in your opinion, would a person of
22 ordinary skill have experience working with
23 plastic products?

24 A. Yes. Particularly, how to manufacture
25 them; how to produce them at scale. 08:25:15

1 And in this case, it would be
2 understanding the structural loading, as well.

3 Q. What would -- and if I use -- if I use
4 the abbreviation "POSITA" to stand for a person of
5 ordinary skill in the art of the '441 patent, can 08:25:40
6 you understand that and follow my questions?

7 A. Yes.

8 Q. Okay. So what would a POSITA for the
9 '441 patent know about manufacturing and
10 production? 08:25:53

11 A. That's a very generic question. They
12 would definitely have to have some understanding
13 of what goes into mold manufacturing.

14 In this case, machine design, I believe I
15 outline design for manufacturing, experience 08:26:18
16 performing engineering analysis, design, product
17 development. In this case, include containers,
18 and the bigger scope of it, which is understanding
19 the functional requirements of a product.

20 Q. Would they have experience working with 08:26:39
21 any particular materials?

22 A. Yes.

23 Q. What type of materials?

24 A. For this case, it would be plastics.

25 Q. Any particular type of plastics? 08:26:57

1 A. Not necessarily.

2 Q. Have you worked on any post-grant review
3 proceedings before this one?

4 A. I believe I may have.

5 Q. Okay. And specifically, I want to ask 08:27:57
6 whether you've worked on a PGR.

7 Do you understand what a PGR is, as
8 opposed to an IPR?

9 A. So post-grant review is after the patent
10 has been issued that you have a period to -- to 08:28:14
11 object; the petitioner has a period to object.
12 That's my understanding.

13 And then to answer your question -- I
14 think that answers your question there.

15 Q. Okay. And you said you think you've 08:28:31
16 worked on a PGR?

17 A. Yes.

18 Q. Okay. And was that the perseverance
19 matter?

20 A. No. I've worked as a -- I guess, can you 08:28:49
21 make a CAD of a model on it. So I don't know if
22 that counts as working towards the PGR, if I made
23 a CAD model for someone.

24 So I don't know if it was part of a PGR
25 or -- or something else. So that's why I said, I 08:29:18

1 don't know.

2 Q. Okay. Are you familiar with the standard
3 for a patent to be PGR-eligible?

4 A. I am familiar with what has been informed
5 to me by counsel. I am not a lawyer. 08:29:48

6 Q. All right. If I can refer you to
7 paragraph 22 of your declaration, which is
8 Exhibit 2028.

9 Can you read that first sentence of
10 paragraph 22 into the record? 08:30:30

11 A. [As read]:

12 "I have been informed by counsel that PGR
13 is only available for AIA patents" -- and
14 not in there is the American Inventions [sic]
15 Act. That's what AIA stands for -- "not 08:30:50
16 pre-AIA patents like the '441 patent."

17 Q. Okay. And can you read the next sentence
18 into the record?

19 A. [As read]:

20 "PGR proceedings only apply to patents 08:31:01
21 contain -- only apply to patents contain or
22 contained a claim to a claimed invention that
23 has an effective date -- filing daily after
24 March 15, 2013 or claim priority to any
25 patent or application that contains or 08:31:21

Page 20

1 contained at any time such a claim."

2 Q. Do you know why there's a reference to
3 March 15, 2013 in that sentence?

4 A. Yes.

5 Q. Why is that? 08:31:36

6 A. Because that is the date for the American
7 Invention Act [sic] that calls the cutoff.

8 Q. What's your understanding of what the
9 term "effective filing date" means?

10 MR. ERICKSON: Objection. Form. 08:31:59

11 THE WITNESS: For the effective filing
12 date, it is my understanding that is the date
13 of filing where the inventor had possession,
14 I believe -- I put it on page 25 -- of the
15 claimed subject matter at hand. 08:32:27

16 BY MR. SHVODIAN:

17 Q. How do you determine if the inventor had
18 possession of the claimed invention?

19 A. There is a written description in the
20 patent going back. 08:32:48

21 Q. Can you turn to page 31 of your
22 declaration?

23 As you state in your report, claims 9,
24 10, 15 and 16 of the '441 patent recite in part
25 that a "depression is 'visible through at least a 08:33:56

Page 21

1 portion of the container body?'"

2 Is that correct?

3 A. Yes.

4 Q. Does the presence of that claim
5 limitation in those claims of the '441 patent make 08:34:13
6 the '441 patent eligible for PGR review?

7 MR. ERICKSON: Objection. Form.

8 THE WITNESS: Repeat the question,
9 please.

10 BY MR. SHVODIAN: 08:34:29

11 Q. Sure.

12 Does the presence of that claim
13 limitation, referring to "visible through at least
14 a portion of the container body," make the '441
15 patent eligible for PGR review? 08:34:44

16 MR. ERICKSON: Objection to form.

17 THE WITNESS: It is my opinion that the
18 '441 patent is not eligible for PGR review.

19 BY MR. SHVODIAN:

20 Q. Why not? 08:35:06

21 A. Because there is written description in
22 the patent going back to the original filing date
23 of -- I believe it's April 19th or 10th of 2010.
24 And that's it.

25 Q. And that reference to the application 08:35:27

1 filed on April 19, 2010, is that referenced
2 further down in paragraph 55 of your declaration?

3 A. Yes.

4 Q. And are you referring to U.S. Patent
5 Application No. 12/762,934?

08:35:48

6 A. Yes.

7 Q. Did you review U.S. Patent Application
8 No. 12/762,934 in preparing your opinions in this
9 matter?

10 A. Yes.

08:36:17

11 Q. And for shorthand, if I refer to that as
12 "the '934 application," will that be clear, using
13 the last three digits?

14 A. Semi-clear.

15 Q. Okay.

08:36:33

16 A. So '934 original, please.

17 Q. Sure. If it's unclear -- I'll try and be
18 clear. If ever unclear, just ask me.

19 Did you say you have a copy of the '441
20 patent with you?

08:36:53

21 A. Yes.

22 (Exhibit 1001 was received and marked
23 for identification on this date and is
24 attached hereto.)

25 ///

1 BY MR. SHVODIAN:

2 Q. That is Exhibit, I believe, 1001. Let me
3 confirm that. Yes. So the '441 patent is Exhibit
4 1001 in this proceeding.

5 So you have a copy of that before you? 08:37:24

6 A. Yes.

7 Q. Do you see under the "Related U.S.
8 Application Data" on the cover page?

9 A. Yes.

10 Q. And is the application we were just 08:37:45
11 discussing, Application No. 12/762,934, the last
12 application listed in the Related U.S. Application
13 Data?

14 MR. ERICKSON: Objection to form.

15 THE WITNESS: Yes. 08:38:13

16 BY MR. SHVODIAN:

17 Q. And that was filed on April 19, 2010?

18 A. Yes.

19 Q. And did you confirm that the claim
20 limitation, "visible through at least a portion of 08:38:31
21 the container body," has written description
22 support in that Application No. 12/762,934?

23 MR. ERICKSON: Objection to form.

24 THE WITNESS: Yes. There is evidence in
25 the '934 patent that supports that. 08:38:58

Page 24

1 BY MR. SHVODIAN:

2 Q. In that list of Related U.S.
3 Applications, were any other applications
4 identified there prior to March 15, 2013?

5 Were any filed prior to March 15, 2013? 08:39:32

6 A. Can you repeat the question?

7 Q. Yes.

8 If you look in that section of the '441
9 patent, Related U.S. Application Data, were any of
10 the other applications listed there filed prior to 08:39:51
11 March 15, 2013?

12 A. I only see the '934 filed prior to the
13 AIA deadline cutoff.

14 Q. And is that why you looked for whether
15 there was support for the claim limitation, 08:40:18
16 "visible through at least a portion of the
17 container body" in the '934 application?

18 A. I looked at it in the context of
19 reviewing the material.

20 Q. Well, why were you reviewing that '934 08:40:46
21 application?

22 A. Because the '441 patent is a continuation
23 of that. So it's part of reviewing the material.

24 Q. But in paragraph 55, you specifically
25 reference that application, the '934 application, 08:41:08

Page 25

1 and none of the others -- none of the other
2 application in the chain, the priority chain.

3 So why is it that you list the '934
4 application?

5 A. Because the '934 application's the base 08:41:22
6 continuation; the original patent that this is a
7 continuation for.

8 Q. Well, how did you make the determination
9 that the claim limitation that says, "visible
10 through at least a portion of the container body," 08:42:06
11 is supported or has written description supported
12 in the '934 application?

13 MR. ERICKSON: Objection to form.

14 THE WITNESS: I believe I covered that in
15 my report, if you give me a minute to find 08:42:21
16 it.

17 Just to repeat the question -- can you
18 repeat the question so I can make sure I'm
19 correctly addressing it, pretty please,
20 because we're addressing in my under -- is my 08:43:35
21 understanding of the "visible through at
22 least a portion of the container of the
23 body."

24 Correct?

25 ///

1 BY MR. SHVODIAN:

2 Q. Sure.

3 How did you make the determination that
4 the claim limitation that says, "visible through
5 at least a portion of the container body" has 08:43:58
6 written description support in the '934
7 application?

8 A. So I believe I've answered that in
9 paragraph 63 and 64 of my report, and that's on
10 page 34 and 35. 08:44:13

11 Specifically, when we're looking at a
12 figure where you can actually see the features at
13 the bottom of it, that means the material for me
14 is visible through.

15 Q. Are you referring to the figure on page 08:44:42
16 35 of Exhibit 2028, which is your declaration?

17 A. Yes.

18 Q. And where is that figure taken from?

19 A. I believe this particular figure is
20 annotated from the '441, but it can go back to the 08:45:01
21 original filing.

22 Q. Well, did you check the '934
23 application -- the figures in the '934 application
24 during your review?

25 A. I did during my initial review. I do not 08:45:30

Page 27

1 have it in front of me at this time.

2 MR. SHVODIAN: All right. Let me bring
3 that up. Give me a second. I'll bring that
4 up in the document share.

5 (Exhibit 1020 was received and marked 08:45:55
6 for identification on this date and is
7 attached hereto.)

8 BY MR. SHVODIAN:

9 Q. Dr. Rojas, I just uploaded an exhibit
10 that I marked as Exhibit 1020 in the document 08:46:15
11 share.

12 Are you able to open that?

13 A. Yes.

14 Q. Do you recognize this as the patent
15 application, the '934 patent application, that was 08:46:45
16 filed on April 19, 2010?

17 A. Yes.

18 Q. And is this the patent application that
19 you said you reviewed while preparing your
20 declaration? 08:47:04

21 A. Yes.

22 Q. Did you review the entire application?

23 A. Yes.

24 Q. So you read through all the words and the
25 written portion of the application? 08:47:18

1 A. Yes.

2 Q. And did you look through all the figures
3 that are part of the application?

4 A. Yes.

5 Q. And as we were just discussing, the 08:47:58
6 figures shown on page 35 of your declaration,
7 Exhibit 2028, that's not taken from the '934
8 application, is it?

9 A. I disagree. The figure is cleaned up a
10 little bit, but all of that CAD is included in 08:48:22
11 there in -- I think it's page 15 of the PDF that
12 I'm looking at.

13 Q. You're referring to the page that shows
14 Figure 1 in the Exhibit 1020, which is the '934
15 application? 08:48:45

16 A. Yes.

17 Q. And I understand that you may contend
18 that there is support found here.

19 But just as far as the figure that is
20 shown on page 35, that's a cut-and-paste from the 08:48:56
21 '441 patent; right?

22 MR. ERICKSON: Objection. Form.

23 THE WITNESS: It is an annotation form of
24 the Figure 1 in the '441 patent.

25 ///

1 BY MR. SHVODIAN:

2 Q. And you've reviewed this '934 application
3 to make sure that everything shown in Figure 1 is
4 supported by the '934 application?

5 MR. ERICKSON: Objection to form. 08:49:37

6 THE WITNESS: I did review it at the time
7 of writing my report, yes. I haven't
8 reviewed it recently.

9 So I would have to take more time to
10 review it and read it again. 08:49:50

11 BY MR. SHVODIAN:

12 Q. Where did you get a copy of the '934
13 application?

14 A. It was provided to me by counsel.

15 Q. If we turn to page 36 of your 08:50:18
16 declaration, do you see the figure at the top
17 there?

18 A. Yes.

19 Q. And again, that's an annotated figure
20 taken from the '441 patent; correct? 08:51:05

21 A. The figure on page 36 in my report is an
22 annotated figure, yes, from the '441 patent
23 Figure 2.

24 Q. And is everything shown in that figure
25 supported by the '934 application? 08:51:40

Page 30

1 A. Yes.

2 Q. And did you make that determination while
3 preparing your declaration?

4 A. Yes.

5 Q. How did you make that determination? 08:51:53

6 A. By reading the '441 patent, and reading
7 the '934 patent and the -- comparing the
8 materials.

9 Q. Did you also compare the figures of the
10 '441 patent and the '934 application? 08:52:18

11 A. Yes.

12 Q. What's your understanding of how you
13 determine whether there's adequate written
14 description support in an earlier patent
15 application? 08:53:07

16 MR. ERICKSON: Objection. Form.

17 THE WITNESS: That the inventor had
18 possession of what he's claiming to have in
19 the context of -- of the patent.

20 BY MR. SHVODIAN: 08:53:32

21 Q. In determining that the '441 patent is
22 not eligible for peer review, did you make that
23 determination by reviewing the '934 application?

24 A. I did review the '934 application, yes.

25 MR. SHVODIAN: All right. We've been 08:54:19

1 going about an hour, and I'm going to upload
2 some other exhibits. Why don't we go off the
3 record now and take a ten-minute break.

4 THE VIDEOGRAPHER: We're going off the
5 record at 8:54 a.m. 08:54:29

6 (Short break taken.)

7 THE VIDEOGRAPHER: We are on the record
8 at 9:06 a.m., and this is the beginning of
9 Media 2 in the deposition of Dr. Folkers
10 Eduardo Rojas. 09:06:49

11 BY MR. SHVODIAN:

12 Q. Dr. Rojas, did you communicate with
13 anyone during the break?

14 A. Yes.

15 Q. Who did you communicate with? 09:07:03

16 A. My wife.

17 Q. I assume you did not discuss the subject
18 matter of the deposition?

19 A. That is correct.

20 Q. Did you communicate with anyone else? 09:07:15

21 A. No.

22 Q. Okay. If I can refer you back to page 31
23 of Exhibit 2028, which is your declaration. Let
24 me know when you're ready.

25 A. 31. Correct? 09:07:36

1 Q. Page 31.

2 A. There.

3 Q. Do you see in paragraph 56, you list
4 several different types of materials, and then you
5 state, "A POSITA would have known that each of 09:07:51
6 these materials are transparent"?

7 A. Yes, I see that statement.

8 Q. Is that something a POSITA would know, or
9 would a POSITA have to look that up to make that
10 determination? 09:08:08

11 A. Someone who is familiar with plastics
12 would -- would know.

13 Q. And would a POSITA in the field of the
14 '441 invention have known that those materials are
15 transparent? 09:08:33

16 A. Yes.

17 Q. Well, how would a POSITA in the field of
18 the '441 patent know or be familiar with PET
19 resin?

20 MR. ERICKSON: Objection. Form. 09:08:57

21 THE WITNESS: Various -- various ways.

22 So No. 1, in classes for manufacturing --
23 they -- actually, there are handbooks. I
24 have actually provided the Kalpakjian
25 reference that shows what would -- happens to 09:09:17

Page 33

1 plastics.

2 There are also other books that will
3 reference it in terms of what plastics are.
4 You can also go to the manufacturers of those
5 plastics, and they give you specifications 09:09:28
6 and what modifications you can make to them.

7 So while PET is transparent, right, you
8 can also add additives to it, which I believe
9 I've mentioned in my report, and there are
10 other things that can be done. 09:09:46

11 So one quick reference nowadays has
12 become looking at the reference of MatWeb
13 where they bring in all of the material
14 references from different vendors, and -- and
15 have them in one location for properties. 09:10:02

16 BY MR. SHVODIAN:

17 Q. You referenced some places that a POSITA
18 could -- could look up this information.

19 But would this be something a POSITA
20 would know without looking it up that PET resin 09:10:17
21 was transparent?

22 MR. ERICKSON: Objection. Form.

23 THE WITNESS: A POSITA requires a state
24 of POSITA based on experience, not by
25 genetic-born data. 09:10:34

1 So this is something that they would
2 acquire at one point. So at one point, they
3 had to look it up or they were told by
4 someone or they had to inquire in part of
5 their work. 09:10:50

6 BY MR. SHVODIAN:

7 Q. Understood.

8 But my question is at this -- at the
9 point in time of the earliest filing here,
10 April -- what is it -- April 19, 2010, would a 09:11:01
11 POSITA know that a PET resin was transparent
12 without looking that up?

13 MR. ERICKSON: Objection to form.

14 THE WITNESS: If that POSITA had worked
15 particular with PET before, yes. 09:11:20

16 BY MR. SHVODIAN:

17 Q. Well, in your opinion, would a POSITA in
18 the field of the '441 invention have worked with
19 PET before?

20 A. I believe that when I said that, I said 09:11:33
21 plastics, not particular PET. If I misspoke, I'm
22 sorry, but I believe my record states that it's
23 plastics.

24 Q. I understand that.

25 But my question now is: Would a POSITA 09:11:53

1 on April 19 in 2010 in the field of the '441
2 patent have known that PET was transparent?

3 MR. ERICKSON: Objection to form. Asked
4 and answered.

5 THE WITNESS: I'm still getting the same 09:12:06
6 understanding from your question.

7 So unless you want to ask a different way
8 or something, I'm still conveying that a
9 POSITA back in 2019 would have been familiar
10 with plastics, right. PET could have been 09:12:28
11 one of the plastics, yes. Is it clear? Yes.
12 But depending on the project, there might be
13 different needs of it.

14 So it's completely general on there; the
15 POSITA would have been familiar with plastics 09:12:51
16 in general. Their properties were to look
17 them up.

18 BY MR. SHVODIAN:

19 Q. My question is not about plastics. I
20 want you to focus on my question and answer the 09:12:59
21 question I ask.

22 I asked specifically about PET. Would a
23 POSITA on April 19, 2010, have known that PET
24 was -- or PET resin was transparent?

25 MR. ERICKSON: Objection. Form. Asked 09:13:20

1 and answered.

2 THE WITNESS: At the time, a POSITA would
3 have looked it up and found out the
4 properties of PET and determined that, yes,
5 it can be transparent. And it can also be 09:13:41
6 modified from being transparent, depending on
7 the manufacturing additives; a POSITA looks
8 that information up.

9 If you ask me right now for any other
10 material, I'm a POSITA. I would still look 09:14:00
11 up that information to make sure I'm not
12 recalling something from the past or if
13 something has been changed.

14 BY MR. SHVODIAN:

15 Q. So is it your opinion that a POSITA is in 09:14:20
16 possession of all knowledge they could look up, is
17 that the standard for POSITA you applied in
18 rendering your opinion?

19 MR. ERICKSON: Objection. Form.

20 THE WITNESS: I believe a POSITA is a 09:14:39
21 person who has a good foundation background
22 of it and will not make rash, I would say,
23 decisions on materials, material properties,
24 without double-checking those properties.

25 ///

1 BY MR. SHVODIAN:

2 Q. Well, you understand that the standard
3 for written description is based on what a POSITA
4 would understand at -- at the time; correct?

5 A. Yes. 09:15:27

6 MR. ERICKSON: Objection. Form.

7 BY MR. SHVODIAN:

8 Q. And so I'm asking what a POSITA would
9 know, not what a POSITA could look up, but what a
10 POSITA would know as of April 19, 2010. 09:15:41

11 So as of April 19, 2010, would a POSITA
12 know that PET was a transparent material?

13 MR. ERICKSON: Objection. Form. Asked
14 and answered.

15 THE WITNESS: So I believe paragraph 56 09:15:58
16 outlines it well. The last sentence, "A
17 POSITA would have known that each of these
18 materials are transparent."

19 And because PET is there, yes, that
20 knowledge comes from the experience and 09:16:16
21 having looked up the information in the past.

22 BY MR. SHVODIAN:

23 Q. What experience would a POSITA in the
24 field of the '441 invention have had with PET that
25 would have informed them about its properties? 09:16:37

1 A. They would have used it at one point or
2 another as a material for either injection mold,
3 in thermoforming, or blow molding, or evaluating
4 it. Even if they didn't use it, they may have
5 considered it as part of a materials evaluation. 09:17:01

6 Q. Would they have known that PET could be
7 used in the blow molding process?

8 A. Yes. They would have been able to
9 certify whether that was part of that material
10 that could have been included in discussions with 09:17:19
11 manufacturers.

12 (Exhibit 2005 was received and marked
13 for identification on this date and is
14 attached hereto.)

15 BY MR. SHVODIAN: 09:17:39

16 Q. I've upload the Exhibit 2005, if you
17 could take a look at that.

18 Let me know when you have that.

19 A. I see the exhibit.

20 Q. So Exhibit 2005 is the 5,723,202 patent 09:18:13
21 issued to Mueller, et al.; correct?

22 A. That is correct.

23 Q. And you cite Exhibit 2005 in paragraph 57
24 of your declaration; correct?

25 A. I believe I do. 09:18:39

1 Q. Would a POSITA -- well, let me back up.

2 Is Exhibit 2005 referenced anywhere in
3 the '441 patent?

4 A. I will have to double-check that right
5 now. 09:21:06

6 At a quick glance, it does not appear to
7 be.

8 Q. Is Exhibit 2005 referenced anywhere in
9 the '934 application?

10 A. I would have to go back and double-check 09:21:20
11 that, as well.

12 It does not appear at this time, and I
13 can't do a search. Search is off on Exhibit
14 Share. So I have to do a quick scan visually.

15 Q. What is the PET used for in Exhibit 2005, 09:24:53
16 which is the '202 patent?

17 A. I'm having trouble zooming in because
18 that's not one of the ones I printed.

19 The title of the patent is "Transparent
20 Printer Media With Reflective Strips for Media 09:25:13
21 Sensing."

22 Q. And what you know do the PET is used for
23 in that invention?

24 A. I have to go back and -- and review.

25 This is not one of the patents I reviewed 09:25:31

1 recently.

2 So I have to -- and this thing keeps
3 zooming in and out. Where's the number -- the
4 film --

5 Q. If it would help to have a searchable 09:26:16
6 copy, I'm happy to get that you.

7 A. It's a lot easier. I know it's the film
8 thing, but I don't want to be off-record with the
9 wrong number, kind of thing.

10 Yes, printable -- searchable copy is a 09:26:32
11 lot easier because then I can refer directly to
12 the section of it. I have in here --

13 Q. I just sent a PDF to your counsel that
14 they can forward to you.

15 MR. ERICKSON: Was it by e-mail, Daniel? 09:27:57

16 MR. SHVODIAN: Yes.

17 MR. ERICKSON: Okay. I'm still waiting
18 on it. Although I have a clean copy here.

19 MR. SHVODIAN: If you want to send him a
20 clean copy, that's fine. 09:28:07

21 MR. ERICKSON: Sounds good. There it is.

22 Okay. That's being sent to you,
23 Dr. Rojas.

24 THE WITNESS: Still in the electron
25 cloud. 09:29:02

1 BY MR. SHVODIAN:

2 Q. Have you received a copy?

3 A. I have. I'm opening it up and running
4 the search.

5 I have the searchable system now. Can 09:30:46
6 you repeat the question, please?

7 Q. Yeah.

8 So the question is: What was PET used
9 for in Exhibit 2005, which is the '202 patent?

10 A. I believe it's a sensing strip on it, and 09:31:15
11 I would have to read the patent and -- to get you
12 exactly on the number.

13 What I'm familiar, at least, with these
14 large printers, and particular that PET material,
15 is at times they use them for a strip that's about 09:31:35
16 this big (indicating) with little marks that you
17 read the marks as it goes through.

18 But I have to go back and read this one
19 because I believe I'm recalling the printer I just
20 took apart. 09:31:50

21 Q. Okay. Are you still reviewing the --

22 A. Yes.

23 Q. Okay.

24 A. So it is -- as I stated, it is the
25 transparent medium 21 which is described in Column 09:34:48

1 2, lines 15 through about 19 where it discusses
2 PET.

3 Q. Was that used to make the reflective
4 strip in the patent?

5 A. It's a coating, I believe, that is 09:35:13
6 discussed earlier on.

7 Q. Were you finished?

8 A. Yes.

9 Q. Okay. Sorry. I thought -- you said
10 "earlier on." I thought you were continuing. 09:36:01

11 Okay. Can you look back to page 7 of
12 your declaration?

13 A. Yes.

14 Q. Do you see in paragraph 14 where you
15 describe a POSITA in the field of the '441 patent? 09:36:33

16 A. Yes.

17 Q. And you state that they would have [as
18 read]:

19 "...a bachelor degree or higher in
20 mechanical engineering, materials science, or 09:36:44
21 physics and at least two years of practical
22 experience in the field of container design
23 man-" -- "container design and manufacturing,
24 including experience performing engineering
25 analysis, design, and product development in 09:36:59

1 fluid containers.

2 Is that correct?

3 A. Yes.

4 Q. So would a POSITA with that background
5 and experience in container design and development 09:37:15
6 of fluid containers be familiar with the '202
7 patent which is Exhibit 2005?

8 A. They may or they may not. It depends on
9 their background.

10 Q. You understand that a POSITA is a 09:37:39
11 hypothetical person used in legal analysis. We're
12 not talking about specific individuals. A POSITA
13 is a hypothetical individual.

14 Do you have that understanding?

15 MR. ERICKSON: Objection. Form. 09:37:52
16 Argumentative.

17 THE WITNESS: Yes.

18 BY MR. SHVODIAN:

19 Q. And you described a POSITA in
20 paragraph 14 of your declaration; correct? 09:37:58

21 A. Yes.

22 Q. So would the person -- a hypothetical
23 person with the experience listed in paragraph 14
24 who has "a bachelor's degree or higher in
25 mechanical engineering, materials science or 09:38:21

Page 44

1 physics, and at least two years of practical
2 experience in the field of container design and
3 manufacturing, including experience performing
4 engineering analysis, design, and product
5 development in fluid containers," would that 09:38:36
6 person have knowledge of the '202 patent?

7 MR. ERICKSON: Objection. Form.

8 THE WITNESS: I believe I answered that.
9 They may or may not, depending on their
10 background of the POSITA. 09:38:52

11 I understand that you said it's a
12 hypothetical, generic statement. But POSITAs
13 are engineers that work in the field that
14 have a particular background. One person may
15 be working just with a very particular 09:39:10
16 section of that engineering.

17 It doesn't mean that they have the full
18 breadth of all patents, right. They may or
19 may not, is the answer.

20 BY MR. SHVODIAN: 09:39:26

21 Q. So is it your opinion that a POSITA could
22 potentially have knowledge of any piece of
23 information in the world, depending on their
24 experience, their personal experience?

25 MR. ERICKSON: Objection. Form. 09:39:36

1 THE WITNESS: They may have knowledge of
2 very particular aspects, some more than other
3 topics.

4 BY MR. SHVODIAN:

5 Q. So in forming your opinions that are 09:39:57
6 expressed in your declaration, is this a standard
7 that you applied for the knowledge of a POSITA?

8 A. The standard that I apply which I've
9 listed out in paragraph 14 is someone that has the
10 bachelor's degree in mechanical engineering and 09:40:23
11 experience, right. And that experience looks at
12 doing patent searches; that looks at doing the
13 engineering analysis, right.

14 Whether they looked at particularly one
15 point or another the '202 patent, or any of the 09:40:44
16 other patents specifically, because that's what
17 you're asking, I cannot guarantee.

18 I can tell you that a POSITA would have a
19 structural engineering background. It would know
20 how to do a free body diagram. They would be 09:41:01
21 familiar with drawings. That's a POSITA for me;
22 someone who has the educational background and the
23 experience.

24 Q. Well, in forming your opinions, did you
25 consider a POSITA in the field of the '441 patent 09:41:19

1 to have knowledge of Exhibit 2005, which is the
2 2002 patent?

3 MR. ERICKSON: Objection to form.

4 THE WITNESS: I believe I've answered the
5 question. 09:41:39

6 BY MR. SHVODIAN:

7 Q. I don't believe you have. I have not
8 asked that specific question.

9 So can you please answer the question
10 asked? 09:41:46

11 MR. ERICKSON: Objection. Argumentative.

12 THE WITNESS: I believe a POSITA would
13 have background to PET material, and they
14 would have done searches, similar patent
15 searches, that may include the '202 patent on 09:42:11
16 it.

17 So this is part of, like, looking
18 material up.

19 BY MR. SHVODIAN:

20 Q. So what would a POSITA in -- on April 19, 09:42:28
21 2010 have known about PET?

22 MR. ERICKSON: Objection to form.

23 THE WITNESS: They would have known it's
24 a plastic that they can use for a variety of
25 manufacturing processes; that you can blow 09:42:53

Page 47

1 mold it, thermoform, injection molding; that
2 the material properties can be found in
3 textbooks; that it doesn't not have the same
4 properties of a metal, right.

5 And that it's -- they can do the 09:43:16
6 background search, depending on what they are
7 looking for, particularly, in the material
8 for their functional requirements on it; that
9 it could be clear; that you could also have
10 additives on it, and it could be turned into 09:43:34
11 different opaque; that if you raise it past
12 its glass transition temperature, you'll lose
13 integrity of -- of the material; potentially
14 the recyclability of the material.

15 BY MR. SHVODIAN: 09:44:02

16 Q. Would a POSITA have known that PET is a
17 resin-based plastic?

18 A. A POSITA would have to actually
19 potentially look it up, depending on their
20 experience; that not all plastics are resins and 09:44:24
21 not all resins are plastics. I know colloquially
22 they are used that way but they are not.

23 Q. That wasn't my question. I want you to
24 answer the question I ask.

25 Would a POSITA have known that PET is a 09:44:43

1 resin-based plastic?

2 A. Yes.

3 Q. Would a -- would a POSITA in April of
4 2010 have known about the use of PET for making
5 fluid containers?

09:45:46

6 A. Yes.

7 Q. How would they have knowledge of that?

8 MR. ERICKSON: Objection to form.

9 THE WITNESS: In part of the evaluation
10 of a material that they consider plastics, 09:46:04
11 when you look up the materials, it tells you
12 what often they can be used for for examples
13 in the field.

14 BY MR. SHVODIAN:

15 Q. And would one of those examples would be 09:46:18
16 fluid containers in regard to the use of PET?

17 A. Yes.

18 MR. SHVODIAN: All right. I know it's
19 only been about 45 minutes but I'm going to
20 be switching a line of questions. So can we 09:47:00
21 take just a five- or ten-minute break now,
22 whatever you would prefer?

23 MR. ERICKSON: It's okay with me.

24 Dr. Rojas, all right?

25 THE WITNESS: Yes. 09:47:13

1 MR. SHVODIAN: Okay. Why don't we just
2 say a ten-minute break. We'll come back
3 about 9:57.

4 MR. ERICKSON: Sounds good.

5 THE VIDEOGRAPHER: We are going off the 09:47:21
6 record at 9:47 a.m.

7 (Short break taken.)

8 THE VIDEOGRAPHER: We are on the record
9 at 9:59 a.m., and this is the beginning of
10 Media 3 in the deposition of Dr. Folkers 09:59:09
11 Eduardo Rojas.

12 BY MR. SHVODIAN:

13 Q. Dr. Rojas, can you look to page 26, 27 of
14 your declaration? Do you see on page 27, there
15 are two figures at the top of that page? 09:59:42

16 A. Yes.

17 Q. And the figure on the right is Figure 2
18 of the '813 application; correct?

19 A. Yes.

20 Q. Now, you analyzed whether an earlier 09:59:54
21 application provided written description support
22 for Figure 2 of the '813 application; correct?

23 A. Yes.

24 Q. And what is your understanding how the
25 '813 application is relevant to whether the '441 10:00:17

1 patent is PGR-eligible?

2 MR. ERICKSON: Objection to form.

3 THE WITNESS: So my understanding is that
4 it is claimed that the '813 application,
5 because of these shading lines that they have 10:00:44
6 included, has new material, which I disagree
7 with.

8 BY MR. SHVODIAN:

9 Q. Where would you -- where would you need
10 to find support for 8- -- for Figure 2 of the '813 10:01:10
11 application for the '441 patent not to be
12 PGR-eligible?

13 MR. ERICKSON: Objection to form.

14 THE WITNESS: Okay. So can you repeat
15 the question? Because you're using numbers, 10:01:27
16 and I have to correlate to which one.

17 BY MR. SHVODIAN:

18 Q. Understood.

19 Where would you need to find support for
20 Figure 2 of the '813 application in order for the 10:01:49
21 '441 patent not to be PGR-eligible?

22 MR. ERICKSON: Objection. Form.

23 THE WITNESS: So directly on the line of
24 continuation pattern. So right here is the
25 '195 application. 10:02:10

1 BY MR. SHVODIAN:

2 Q. When was the '195 application filed?

3 A. I do not recall at the top of my head.

4 But it has a priority date of the -- April 19,

5 2010.

10:02:27

6 Q. Well, if you look at the cover of the
7 '441 patent, which is Exhibit 1001, do you see
8 under the list of Related U.S. Application Data
9 when the '195 application was filed?

10 A. Yes.

10:02:54

11 Q. When was the '195 application filed?

12 A. In the '441 under Related U.S.

13 Application Data, it says that the [as read]

14 16-800,195 was filed on February 25, 2020.

15 Q. And you obviously recognize that February
16 25, 2020 is after March 15, 2013; correct?

10:03:23

17 A. Yes.

18 Q. So the -- where would you have to find
19 support for Figure 2 of the '813 application for
20 the '441 patent not to be PGR-eligible?

10:03:43

21 A. It keeps going down all the way to the
22 '934 application, which was filed on April 19,
23 2020 -- sorry, 2010 -- April 19, 2010.

24 Q. So is your answer that you would have to
25 find support for Figure 2 of the '813 application

10:04:07

1 in the '934 application filed on April 19, 2010,
2 in order for the '441 patent not to be
3 PGR-eligible?

4 MR. ERICKSON: Objection. Form.

5 THE WITNESS: So, yes, as of the '195 10:04:28
6 application, there was no new material. The
7 only new material that was considered by a
8 patent examiner was to be the shading on a
9 design patent, which is the '813 application
10 so -- which I believe was erroneous. 10:04:47

11 So before that, none of this would have
12 been PGR-eligible at all. All of the content
13 was approved already by the patent office.

14 BY MR. SHVODIAN:

15 Q. Well, I want to ask for a clarification 10:04:59
16 about part of your answer.

17 You said as of the '195 application,
18 there was no new material. Are you contending
19 that there was no new material in the '195
20 application relative to the '934 application? 10:05:16

21 MR. ERICKSON: Objection. Form.

22 THE WITNESS: I believe that all of the
23 material for the '441, for the '195,
24 including the '813, the inventor had the
25 possession of all of the claim material at 10:05:39

1 the time of filing of the original '934
2 application filed on April 19, 2010.

3 BY MR. SHVODIAN:

4 Q. And in forming your opinions expressed in
5 the declaration, did you confirm that by looking 10:05:56
6 at the '934 application?

7 A. Yes.

8 Q. Can you look at Exhibit 1020, which was
9 provided to you earlier? And that is a copy of
10 the '934 application. 10:06:22

11 Let me know when you have that.

12 A. I have that.

13 Q. Can you point to me where in the '934
14 application that there is written description
15 support for Figure 2 of the '813 application? 10:06:53

16 A. The Exhibit Share keeps zooming in and
17 out when I try to do this. Is there any way I can
18 get this in PDF, please?

19 Q. Yes. Exhibit 1020?

20 A. Yes. 10:07:30

21 Q. Sure. Let me send that to your counsel
22 right now.

23 MR. ERICKSON: I can just take the one
24 off of the Exhibit Share if you want, Daniel.

25 MR. SHVODIAN: Okay. That's fine. Thank 10:07:57

1 you.

2 MR. ERICKSON: Okay.

3 THE WITNESS: I couldn't download.

4 MR. ERICKSON: You have to come back out

5 to the list. I'm sending it over now. 10:08:05

6 BY MR. SHVODIAN:

7 Q. All right. Just let me know when you

8 have that and are ready to continue.

9 MR. ERICKSON: Sent.

10 THE WITNESS: Okay. In the detailed 10:09:19

11 description on page 7, it says that [as

12 read], "...a metal lid to cooperate with the

13 container body which may include a pop top

14 easy-open lid 131 to provide access to the

15 user of the contents of the container body." 10:09:43

16 BY MR. SHVODIAN:

17 Q. Does that description fully describe the

18 shape shown in Figure 2 of the '813 application?

19 A. I believe it's running a text

20 recognition. Because the copy that I received 10:10:29

21 doesn't have text recognition for -- to do a quick

22 search.

23 Q. That's fine.

24 A. If I remember correctly, it refers to the

25 standard metal lid that's using soda cans. 10:10:46

1 Q. Have you completed a text recognition?

2 A. Yes. And I think it can be described on
3 material that's on PD- -- in the PDF on page 11,
4 and which also includes [as read]:

5 "While the intention is susceptible to 10:12:26
6 various modifications and alternative forms,
7 specific embodiments, therefore, have been
8 shown by way of example in the drawings and
9 are herein described in detail."

10 So this would be an example. 10:12:40

11 Q. But where -- where is there specific
12 support for Figure 2 of the '813 application?

13 A. It has it on the last page on 17, which
14 describes an easy-to-open top.

15 And by reading the text, it says, [as 10:13:11
16 read], "This is only to serve as an
17 embodiment and they are susceptible to
18 various modifications and alternative forms."

19 So this is part of that alternative form.

20 Q. Let me -- let me try and unpack that. 10:13:29

21 So you referred to Figure -- to page 17
22 of the '934 application, correct, which has, I
23 believe, Figures 4, 5, and 6 shown on it.

24 A. Yes.

25 Q. Do any of those figures, Figures 4, 5, 10:13:47

1 and 6 show the design that is in Figure 2 of the
2 '813 application?

3 MR. ERICKSON: Objection. Form.

4 THE WITNESS: A copy paste? No.

5 BY MR. SHVODIAN: 10:14:17

6 Q. Well, let's start with Figure 6. That
7 clearly does not show the design of Figure 2 of
8 the '813 application; correct?

9 MR. ERICKSON: Objection. Form.

10 BY MR. SHVODIAN: 10:14:33

11 Q. Let me -- let me restate that to be
12 clearer.

13 Figure 6 of the '934 application clearly
14 does not show the design of Figure 2 of the '813
15 application; correct? 10:14:45

16 MR. ERICKSON: Objection. Form.

17 THE WITNESS: A copy paste, no.

18 BY MR. SHVODIAN:

19 Q. It's a yes-or-no question. I don't know
20 what you mean by "copy paste." 10:15:01

21 MR. ERICKSON: Objection. Argumentative.

22 BY MR. SHVODIAN:

23 Q. Does Figure 6 of the '81- -- of the '834
24 application show the design of Figure 2 of the
25 '813 application? 10:15:15

1 MR. ERICKSON: Objection to form. Asked
2 and answered.
3 THE WITNESS: So I believe I answered it.
4 BY MR. SHVODIAN:
5 Q. You did not. Please answer the question. 10:15:28
6 MR. ERICKSON: Objection. Argumentative.
7 Asked and answered.
8 THE WITNESS: A copy paste is -- no.
9 It's not a copy paste exactly one for one.
10 BY MR. SHVODIAN: 10:15:46
11 Q. Figure 6 doesn't look anything like
12 Figure 2 --
13 MR. ERICKSON: Objection. Argumentative.
14 Objection to form.
15 BY MR. SHVODIAN: 10:15:53
16 Q. -- right?
17 A. I will answer again. A copy paste -- it
18 is not a copy paste that is exactly the image.
19 Q. Is it your opinion that Figure 6 of the
20 '934 application would support a claim in a design 10:16:13
21 patent for Figure 2 of the '813 application?
22 MR. ERICKSON: Objection. Form.
23 Objection to scope.
24 THE WITNESS: In the context of reading
25 the whole patent of the '934, it does support 10:16:27

1 it.

2 BY MR. SHVODIAN:

3 Q. How does it support it in the context of
4 reading the full '934 application?

5 A. The '934 application refers to a standard 10:16:43
6 lid or the top on it, and I believe that that, in
7 conjunction with the statement that [as read]:

8 "...while the invention is susceptible to
9 various modifications and alternative forms,
10 specific, embodiments therefore, have been 10:17:04
11 shown by way of example in the drawings
12 herein in detail."

13 Q. Let me unpack that.

14 Where is the word "standard" found
15 anywhere in the '934 application? 10:17:21

16 A. The word "standard," I believe, it is not
17 found in the '934 application upon running a quick
18 search.

19 Q. So when you have answered repeatedly
20 referring to the standard pop-top lid, the patent 10:17:42
21 never mentions any stan- -- or the '934
22 application never mentions any standard pop-top
23 lid design; correct?

24 A. I would have to review the '934
25 application again, as the material, I believe, is 10:18:02

1 covered in there.

2 Q. Well, you just confirmed that the word
3 "standard" is not in the '934 application;
4 correct?

5 A. Page 2. 10:18:27

6 [As read]: "Containers having an easy
7 open and have been used with metal lid with
8 containers in order to provide a sorts of
9 merchandise of beer and soda for a number of
10 years. These metal containers are formed 10:18:42
11 from cutting the metal and forming the metal
12 to an appropriate shape."

13 I believe here it is at the end.

14 "However, the pop-top lid is very popular
15 with consumers and fairly inexpensive to 10:19:01
16 purchase." And I believe I covered that in
17 my report, as well.

18 Q. Are you still looking for that support?

19 A. I believe I answered the question. I was
20 actually looking in the -- in my report a little 10:21:13
21 bit more.

22 Q. Okay. I was waiting for you. I thought
23 you were looking to add more to your response.

24 So the word "standard" is not used
25 anywhere in the '934 application, correct? 10:21:26

Page 60

1 MR. ERICKSON: Asked and answered.

2 BY MR. SHVODIAN:

3 Q. We've confirmed that; right?

4 MR. ERICKSON: Objection. Asked and

5 answered. 10:21:33

6 THE WITNESS: So running the OCR test, it

7 says -- it doesn't show up any results on the

8 PDF.

9 BY MR. SHVODIAN:

10 Q. And the '934 application doesn't say that 10:21:43

11 all of the metal lids have the same design;

12 correct?

13 A. Not to my knowledge.

14 Q. And the lids shown on the last page of

15 the '934 application in Figure 4, that is a 10:22:15

16 different design than the design of Figure 2 of

17 the '813 application; correct?

18 MR. ERICKSON: Objection. Form.

19 THE WITNESS: Unclear on what you are

20 stating. 10:22:47

21 BY MR. SHVODIAN:

22 Q. Those two drawings differ in a number of

23 ways; correct?

24 A. Yes.

25 Q. And I'm referring to Figure 4 of the '934 10:22:54

Page 61

1 application and Figure 2 of the '813 application.

2 A. Yes.

3 Q. For example, one end of the tab in

4 Figure 4 of the '934 application is a straight

5 line and is squared off at the end; correct?

10:23:19

6 MR. ERICKSON: Objection to form.

7 THE WITNESS: Yes.

8 BY MR. SHVODIAN:

9 Q. And that is not shown anywhere in

10 Figure 2 of the '813 application; correct?

10:23:31

11 MR. ERICKSON: Objection. Form.

12 THE WITNESS: Yes.

13 BY MR. SHVODIAN:

14 Q. And the shape of the score line where the

15 can will open is different in Figure 4 of the '934

10:23:47

16 application and Figure 2 of the '813 application;

17 correct?

18 A. Yes.

19 Q. So Figure 4 of the '934 application shows

20 a different design than Figure 2 of the '813

10:24:10

21 application; correct?

22 MR. ERICKSON: Objection. Form.

23 THE WITNESS: In the context of reading

24 the whole patent, Figure 2 of the '813

25 application is supported by written

10:24:28

1 description in the original filing of the
2 '934 application in the context of what I
3 read; that there can be -- this is an
4 embodiment of that.

5 BY MR. SHVODIAN: 10:24:50

6 Q. Do you have any understanding of the
7 coverage provided by a design patent claim?

8 A. A design patent would have to cover, what
9 is my understanding, just what is in solid lines.

10 Q. Do you believe that including in the 10:25:11
11 specification other -- the words "other
12 embodiments" allows the departure from the design
13 shown in the figures of the design patent to
14 provide coverage of other designs?

15 MR. ERICKSON: Objection. Form. 10:25:29

16 THE WITNESS: I believe that the '934
17 applications, the figures were updated per
18 the patent examiner's request, and this is
19 the early version of it, which then the
20 patent examiner approved as having all full 10:26:01
21 support of that.

22 I do not have that additional material in
23 front of me at this time.

24 BY MR. SHVODIAN:

25 Q. I'm asking you about this Exhibit 1020, 10:26:15

1 which is the original '934 application filed on
2 April 19, 2010, and whether that provides support.

3 So the question is whether that provides
4 support for Figure 2 of the '813 application?

5 MR. ERICKSON: Asked and answered. 10:26:38

6 BY MR. SHVODIAN:

7 Q. And is it --

8 MR. SHVODIAN: I didn't ask a question
9 yet, Counsel.

10 BY MR. SHVODIAN: 10:26:45

11 Q. Is it your opinion that simply by
12 including the words referencing "other
13 embodiments" -- let me strike that.

14 Is it your opinion that the design shown
15 in Figure 4 of the '934 application, as well as 10:27:22
16 the reference in the specification to "other
17 embodiments" is sufficient to provide written
18 description support for Figure 2 of the '813
19 application?

20 A. As I believe the patent history shows, 10:27:48
21 that the '813 application for design, right,
22 referenced the '195 application, which we've
23 already discussed the filing date on that.

24 And up to that point, everything in the
25 prosecution history was already approved going 10:28:14

1 back to the '934 application filed on April 19,
2 2010.

3 MR. SHVODIAN: Move to strike as
4 nonresponsive.

5 BY MR. SHVODIAN: 10:28:30

6 Q. You're not answering my question. I
7 didn't ask anything along those lines. So please
8 focus on the question I'm asking.

9 I'm talking about the '934 application
10 filed on April 19, 2010. 10:28:41

11 And my question was: Is it your opinion
12 that the design shown in Figure 4 of the '934
13 application, as well as the reference in the
14 specification to "other embodiments," is
15 sufficient to provide written description support 10:29:18
16 for Figure 2 of the '813 application?

17 A. I believe, and it is my opinion based on
18 the entire prosecution history, that the patent
19 office has already found it to be sufficient,
20 based on the figure that was already accepted in 10:29:41
21 the '195 application. So yes.

22 Q. Where did the patent examiner state that
23 everything in the '813 or -- I'm sorry -- that
24 everything in the '195 application -- well, let me
25 strike that. Let me go back to what you said. 10:30:16

1 You stated, "It is my opinion based on
2 the entire prosecution history that the
3 patent office has already found it to be
4 sufficient based on the figure that was
5 already accepted in the '195 application." 10:30:44

6 What statement by the patent office are
7 you referring to?

8 A. So the '195 application did not get
9 flagged for containing new material at all, is my
10 understanding, having read the prosecution 10:31:09
11 history.

12 Q. Do you see any statement by the examiner
13 saying, "I checked to see if the '195 application
14 had any new material, and it does not," or
15 anything along those lines? 10:31:25

16 MR. ERICKSON: Objection. Form.

17 THE WITNESS: I would have to go back and
18 double-check all the prosecution history for
19 the '195.

20 BY MR. SHVODIAN: 10:31:40

21 Q. And you recognize that it was the patent
22 owner that represented to the patent office that
23 the '195 application was a continuation and did
24 not add new matter; correct?

25 MR. ERICKSON: Objection. Form. 10:31:52

1 THE WITNESS: Correct.

2 BY MR. SHVODIAN:

3 Q. Well, absent anything said in the
4 prosecution history; absent anything that you
5 believe the examiner said, I'm asking you a 10:32:05
6 question now solely about Exhibit 1020, which is
7 the '934 application and Figure 2 of the '813
8 application.

9 So disregarding anything that may have
10 happened in the prosecution history, anything that 10:32:24
11 you think that happened in the prosecution
12 history, can you point me to where there is
13 written description support for Figure 2 of the
14 '813 application in the '934 application?

15 MR. ERICKSON: Objection. Asked and 10:32:48
16 answered.

17 THE WITNESS: You're asking me to
18 disregard the patent office that -- the
19 patents that were issued. I -- I haven't
20 done that, of disregarding the entire patent 10:33:05
21 history of a document as part of the
22 analysis.

23 BY MR. SHVODIAN:

24 Q. Well, you're looking at -- right now,
25 looking at Figure 2 of the '934 application. 10:33:16

Page 67

1 You have that in front of you; correct?

2 A. I have Figure 2 of the '813 application
3 pulled up.

4 Q. I'm sorry.

5 Yes, you've got Figure 2 of the '813 10:33:36
6 application and you have Figure 4 of the '934
7 application; correct?

8 A. On page 27, I'm looking at Figure 2 of
9 the '813 application as it corresponds to its
10 direct lineage of continuation patent of the '195 10:33:56
11 application, Figure 4.

12 Q. Yes. But I'm not asking you about that.

13 I'm asking you about Figure 4 of the '934
14 application that was filed on April 19, 2010.

15 So do you have Figure 4 in front of you? 10:34:14

16 A. Yes.

17 Q. All right. Now, I want to go back to an
18 earlier question that I asked that I don't believe
19 you answered.

20 What is your understanding of the -- what 10:34:33
21 is your understanding of the legal standard for
22 the claims of a design patent application?

23 MR. ERICKSON: Objection to form and
24 scope.

25 THE WITNESS: I believe I answered the 10:34:59

1 first order, what a design patent is on it,
2 which is it covers the solid lines of it
3 there.

4 BY MR. SHVODIAN:

5 Q. Do you believe that the words in the 10:35:23
6 design patent -- well, strike that.

7 If a design patent specification includes
8 the words "or other embodiments," do you believe
9 that expands the scope of coverage of the design
10 patent to all other embodiments beyond the 10:35:40
11 drawings in the design patent application?

12 MR. ERICKSON: Objection to form and
13 scope.

14 THE WITNESS: So you're confusing me.
15 Because you're saying the written description 10:35:51
16 of -- in a design patent, and my
17 understanding is a design patent is drawings.

18 So I don't understand your question.

19 BY MR. SHVODIAN:

20 Q. Do you understand that there can be words 10:36:15
21 associated with -- as part of a design patent
22 application, in addition to figures?

23 A. Yes. The way the question was asked, I
24 was a little bit confused by the references of --
25 I believe you were trying to say utility patent 10:36:39

1 and design patent comparing, but you only stated
2 design patent on it.

3 So if you can ask the question again
4 or -- I was confused by it.

5 Q. Sure. Happy to clarify. 10:36:51

6 I said, if a design patent
7 specification -- well, let me -- let me back up
8 just so we're clear.

9 Do you understand what the specification
10 of a patent includes? 10:37:10

11 A. Yes.

12 Q. What does it include?

13 A. It includes the material, everything from
14 the background all the way down to the claims.

15 Q. So if a design patent specification 10:37:19
16 includes the words "other embodiments," do you
17 believe that expands the scope of the design
18 coverage of the patent to all other embodiments
19 beyond the drawings in the design patent
20 application? 10:37:40

21 MR. ERICKSON: Objection to form. Scope.

22 THE WITNESS: So because you're stating
23 on a design patent, I have to be very careful
24 on how I'm answering because I'm not a
25 lawyer, and I don't know the implications of 10:37:57

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that.

BY MR. SHVODIAN:

Q. So you can't answer the question?

A. In a utility patent, which I'm more familiar with, then yes, it includes that other embodiment. 10:38:18

In a design patent, I don't know the legalese or repercussions of that statement because I'm not a lawyer.

Q. Do you know whether including the words "other embodiments" in the specification of a parent application provides adequate written description support for a design patent beyond the actual figures in the parent application? 10:38:33

MR. ERICKSON: Objection. Form. Scope. 10:39:00
Asked and answered.

THE WITNESS: I believe I answered that question as to the best of my ability thus far.

BY MR. SHVODIAN: 10:39:20

Q. Would you agree that Figure 2 of the '813 application is not depicted anywhere in the figures of the '934 application?

MR. ERICKSON: Objection to form.

THE WITNESS: Yes. 10:39:43

1 BY MR. SHVODIAN:

2 Q. Were you ever told by counsel the legal
3 standard for determining if there is written
4 description support in a parent application for a
5 design application or -- I'm sorry. Let me reword 10:40:53
6 that.

7 Were you ever told by counsel the legal
8 standard for determining if there is written
9 description support in a parent application for
10 the claims of a design patent? 10:41:09

11 A. I believe they did. And looking at the
12 figures of the '934 patent as it was released from
13 the patent office, that figure is included in
14 Figure 4 of it if you do the number search.

15 So you relate it to -- you're asking me 10:41:36
16 to ignore all of the examiner and patent
17 prosecution history, which is -- I don't know if
18 it's appropriate for this.

19 Q. And that Figure 4 of when the '934
20 application issued on April -- or issued as the 10:42:14
21 '296 patent, is that what you're referencing?

22 A. So when it issued, yes, it would be the
23 10,000 -- or 10,604,296 and that's how it should
24 be.

25 Q. And is Figure 4 of that '296 patent 10:42:42

1 depicted in Exhibit 1020, which is the '934
2 application filed on April 19, 2010?

3 MR. ERICKSON: Objection. Form.

4 THE WITNESS: If I remember reading the
5 prosecution history, the patent examiner 10:43:09
6 asked them to revise their drawings, and they
7 submitted revise drawings, and then that went
8 through fine.

9 There was no new material, if I remember
10 correctly, going through the prosecution 10:43:25
11 history.

12 MR. SHVODIAN: Move to strike as
13 nonresponsive.

14 BY MR. SHVODIAN:

15 Q. If you could please focus on my question, 10:43:33
16 and answer the question I'm asking.

17 Is Figure 4 of the '296 patent depicted
18 in Exhibit 1020, which is the '934 application
19 filed on April 19, 2010?

20 MR. ERICKSON: Objection. Form. 10:43:56

21 THE WITNESS: It is my opinion that the
22 drawings were cleaned up in the context of
23 the full '934 application and prosecution
24 history, and it has support to be depicted.

25 ///

1 BY MR. SHVODIAN:

2 Q. What do you mean by "cleaned up"?

3 A. I believe the figures were just cleaned
4 up in CAD and --

5 Q. Is it your testimony that Figure 4 of 10:44:49
6 Exhibit 1020, if that were to be drawn in CAD, it
7 would look like Figure 2 of the '813 application?

8 A. That is not.

9 Q. Okay. So it's not just taking the
10 figures and putting them in CAD. Other changes 10:45:09
11 were made to the figures of the '934 application;
12 correct?

13 A. I believe that the patent itself, and
14 that the inventor had possession of the entire
15 claim subject, what is covered in the '934 10:45:29
16 application and was released.

17 Q. That's not my question. Would you please
18 focus on my questions, or we're going to be here
19 all day. I will keep asking them until you
20 answer. 10:45:42

21 MR. ERICKSON: Objection. Argumentative.

22 BY MR. SHVODIAN:

23 Q. Is Figure 4 of the '296 patent -- well,
24 let me -- let me start over on that.

25 Is Figure 2 of the '813 application 10:46:03

1 depicted in the '934 application?

2 MR. ERICKSON: Objection. Asked and
3 answered.

4 THE WITNESS: I believe I've answered
5 this one several times: As a copy paste, no. 10:46:21

6 BY MR. SHVODIAN:

7 Q. And there are numerous changes to the
8 design shown in Figure 4 of the '934 application
9 relative to Figure 2 of the '813 application
10 beyond just shading; correct? 10:46:43

11 A. There's audio in the back. Can you read
12 the question again, please?

13 Q. There are numerous changes to the design
14 shown in Figure 4 of the '934 application relative
15 to Figure 2 of the '813 application beyond just 10:47:08
16 shading; correct?

17 A. Yes.

18 Q. The shape of the tab is different;
19 correct? The shape of the pull tab, to be clear.

20 A. Yes. And as I've answered, these 10:47:42
21 drawings, what you are sharing of the '934
22 initially submitted to the patent office is not
23 the drawings that were released that are after the
24 examiner requested, if I remember correctly, for
25 the drawings to be cleaned up. 10:48:01

1 Q. Please just answer the questions I'm
2 asking, and we'll get out of here a lot sooner.

3 The shape of the scored area where the
4 opening in the lid will be formed, as shown in
5 Figure 4 of the '934 application, is different 10:48:22
6 than the shape of the scored area shown in
7 Figure 3 -- or Figure 2 of the '813 application;
8 correct?

9 MR. ERICKSON: Objection. Asked and
10 answered. 10:48:48

11 THE WITNESS: So I believe that I've
12 answered this in the context of the whole
13 patent as a copy paste. You're -- yes.

14 BY MR. SHVODIAN:

15 Q. In the shape of the contour lines that 10:49:01
16 extend from the side of the tab in Figure 2 of the
17 '813 application, are different than any contour
18 lines shown in Figure 4 of the '934 application;
19 correct?

20 MR. ERICKSON: Objection. Form. 10:49:20

21 THE WITNESS: I believe I've answered the
22 question. It's not a copy paste.

23 BY MR. SHVODIAN:

24 Q. I've never asked the question before
25 about the contour lines. So please answer the 10:49:35

1 question asked.

2 Is the shape of the contour lines that
3 extend from the side of the tab in Figure 2 of the
4 '813 application different than the contour lines
5 shown in Figure 4 of the '934 application? 10:49:52

6 MR. ERICKSON: Objection. Form.

7 THE WITNESS: Once again, yes, and these
8 are not the fully released drawings of the
9 '934 application.

10 MR. ERICKSON: Counsel, we're getting 10:50:28
11 pretty close to an hour here. You want to
12 take a break, or are we wrapping up this line
13 of questioning soon, or how would you like to
14 do this?

15 MR. SHVODIAN: Give me a minute, please. 10:50:42

16 MR. ERICKSON: Okay.

17 BY MR. SHVODIAN:

18 Q. Dr. Rojas, you agree you reviewed the
19 '934 application as part of the materials in
20 preparing your declaration; correct? 10:51:12

21 MR. ERICKSON: Objection. Asked and
22 answered.

23 THE WITNESS: Yes.

24 BY MR. SHVODIAN:

25 Q. Okay. If you could turn to -- starting 10:51:18

1 on page 1 of your declaration, in paragraph 4,
2 there's a list of materials reviewed.

3 Is there a reason why you did not list
4 the '934 application as something you reviewed in
5 forming your opinions? 10:51:51

6 A. It should be there. Prosecution history.
7 It should be there.

8 Q. But it's not there; right?

9 A. I believe I reviewed it in the context of
10 looking at the prosecution history of the '195 10:52:43
11 patent application, which is Exhibit 2002.

12 Q. I can assure you, it is not part of that
13 exhibit.

14 A. Well, I'm stating that I would have
15 reviewed it as part of that statement. 10:53:04

16 Q. I don't follow that answer.

17 Exhibit 2002 does not have the '934
18 prosecution history in it. So what -- I don't
19 follow your answer.

20 Can you explain that? 10:53:33

21 A. I would have reviewed it by reading the
22 prosecution history of the '195 patent.

23 Q. Which you list here in your expert -- or
24 in your declaration as Exhibit 2002; correct?

25 A. Yes. 10:53:48

1 Q. And Exhibit 2002 does not contain the
2 file history of the '934 application?

3 A. I may have asked for it from counsel
4 and --

5 MR. SHVODIAN: All right. I think we can 10:54:28
6 take a break.

7 MR. ERICKSON: Sounds good.

8 THE VIDEOGRAPHER: We are going off the
9 record at 10:54 a.m.

10 (Short break taken.) 11:06:49

11 THE VIDEOGRAPHER: We are on the record
12 at 11:06 a.m., and this is the beginning of
13 Media 4 in the deposition of Dr. Folkers
14 Eduardo Rojas.

15 BY MR. SHVODIAN: 11:07:03

16 Q. Dr. Rojas, could you turn to page 62 of
17 your declaration?

18 Are you there?

19 A. Yes.

20 Q. Okay. And do you see the figure at the 11:07:20
21 top of page 62?

22 A. Yes.

23 Q. And do you see where that cites to the
24 petition, page 114, and says "enlarged"?

25 A. Yes. 11:07:38

1 Q. Well, I don't know if you have the
2 petition in front of you. I'm happy to bring it
3 up if you want to double-check.

4 But I'll represent to you that the
5 petition at 114 does not include any red lines 11:07:47
6 on -- that are shown in the enlarged picture on
7 page 62 of your declaration.

8 A. I do not have the petition, and I have a
9 black and white copy. So I cannot.

10 Q. Okay. If you look at -- if you can pull 11:08:07
11 up the copy of your -- of Exhibit 2028, which is
12 your declaration, that was in Exhibit Share; that
13 should be color.

14 A. I am on page 61.

15 Q. On page 62, there's an enlarged photo at 11:08:53
16 the top of the page or a figure.

17 A. Yes.

18 Q. And do you see the red lines in that
19 enlarged figure?

20 A. Yes. 11:09:16

21 Q. And I'll represent to you -- if you want
22 to double-check this, we can.

23 But those red lines are not in the figure
24 on page 114 of the petition.

25 A. Let's double-check. 11:09:35

1 Q. Sure.

2 Do you have the petition that you can
3 pull up, or do you want me to get you a copy of
4 that?

5 A. Get a copy, please. 11:09:43

6 MR. ERICKSON: I can e-mail it.

7 MR. SHVODIAN: Okay. Thank you.

8 MR. ERICKSON: I'm just verifying that
9 it's a clean copy.

10 MR. SHVODIAN: I e-mailed you a copy but 11:11:26
11 it's large. It may take a while.

12 MR. ERICKSON: Okay. I'm about to send
13 one, as well.

14 MR. SHVODIAN: Okay. I just sent it to
15 Counsel. 11:11:40

16 MR. ERICKSON: Okay. All right. I just
17 sent one to you, Dr. Rojas, but it might take
18 a little time.

19 BY MR. SHVODIAN:

20 Q. While we wait for that to come through, 11:12:10
21 Dr. Rojas, did you communicate with anyone during
22 the break?

23 A. I have not communicated with counsel
24 during the break.

25 Q. Have you communicated with anyone about 11:12:25

1 the subject of this deposition?

2 A. No.

3 So I have it pulled up. I'm on page 114
4 of the petition.

5 Q. You see that the figure at the top of 11:12:49
6 page 114 does not have any red lines?

7 A. Yes.

8 Q. So the figure on page 62 of your
9 declaration is not just enlarged. It's also been
10 annotated; correct? 11:13:04

11 A. Yes.

12 Q. What are the red lines intended to
13 represent?

14 A. It is intended to represent the
15 difference -- and I think I put it here. 11:13:16

16 The depression that you have in color
17 purple on figure -- on the figure that it is on
18 page 114 of the petition -- and I have to pull up
19 the color version of my declaration, give me one
20 second, please -- is not part of the first 11:13:48
21 outline, and that would be included in the context
22 of material that is covered from page 56 going
23 forward to 63.

24 Q. All right. Well, going back to the
25 figure on page 62 of your declaration. What is 11:14:32

1 the space that's in between those two red lines?

2 A. We're on page 62 of my declaration?

3 Q. Yes.

4 So on the -- in the figure at the top of

5 page 62, you have the two red lines, and I'm 11:15:02

6 asking: What is the space in between those two

7 red lines?

8 A. I can interpret it as a -- as a fillet,

9 at best.

10 Q. A what? 11:15:22

11 A. A fillet.

12 Q. What is that, please?

13 A. Curvature.

14 Q. So is that a curvature coming from the

15 depression upward from the interior line upward to 11:15:34

16 the exterior red line?

17 A. I don't know if I've actually covered

18 that material in my report.

19 Can you point me to where that -- I bring

20 that up? 11:15:59

21 Q. I don't believe you specifically address

22 what that area is. But it is relevant to your

23 report.

24 So I'm asking you if -- what is your

25 opinion as to what that area is between the red 11:16:14

1 lines shown in the figure on page 62 of your
2 declaration?

3 A. That's part of the Protais -- Protais, if
4 I remember correctly, and I pulled it up here.
5 Here, they refer to it as -- 28 in the Protais 11:16:52
6 patent.

7 (Reporter clarifying.)

8 THE WITNESS: So on page 28 of the
9 Protais patent, he's asking me to identify a
10 space in between two of them, and that figure 11:17:10
11 particularly is -- I don't discuss it in my
12 report.

13 The best thing I can do is go to Figure 3
14 of the '349 patent which outlines to 28 a
15 number for that region, and that region on 11:17:33
16 28, it says two lateral phalanges.

17 BY MR. SHVODIAN:

18 Q. And from Figure 3 of the Protais patent,
19 which is the '349 patent, and that is Exhibit
20 1008, that space that you've referred to as a 11:18:07
21 phalange, that is extending upward from the
22 depression; correct?

23 A. I don't refer to that. The patent refers
24 to them and calls them two lateral phalanxes, and
25 I would have to read the patent in order to ensure 11:18:31

1 that that is correct.

2 Q. Do you see in Figure 3 there is a table
3 for No. 30, Figure 3 of the Protais patent?

4 A. Yes.

5 Q. What -- what is your understanding of 11:19:23
6 what that portion 30 represents?

7 MR. ERICKSON: Objection. Form.

8 THE WITNESS: As stated in the patent,
9 Column 7, line, roughly, 22, "distal end
10 portion. " 11:19:44

11 BY MR. SHVODIAN:

12 Q. The distal end portion of the reinforcing
13 groove; correct?

14 A. Distal end portion comprised of a bottom
15 wall, which is 26. 11:20:08

16 Q. I'm sorry, where are you reading this in
17 Protais?

18 A. In Protais, 26 is called a "bottom wall."
19 It's in Column 7, line 30.

20 Q. Yes. 11:20:34

21 And it says, "The concave inner wall is
22 provided with" -- I'm sorry. You're reading
23 at lines 22 of Column 7?

24 A. We are looking at line 28.

25 [As read], "The bottom of the hollow body 11:21:01

1 as claimed in claim 2 characterized in that
2 reinforced grooves No. 3 comprise a bottom
3 wall 26, and two lateral phalanges and have a
4 plane of symmetry 29."

5 Q. Yes. 11:21:19

6 And I was asking you about the portion
7 labeled 30, which I believe is addressed above
8 around line 22 of that column.

9 And that line identifies 30 as the
10 "distal end portion of the reinforcing grooves." 11:21:37
11 Correct?

12 A. Yes. It's pointing towards a contour
13 line of 27 and 28, or something of the shape.

14 Q. And the reinforcing grooves are indents
15 on the bottom of the container; correct? 11:22:01

16 A. Reinforcing grooves are labeled as 3 and
17 26, depending on which figure you go into.

18 Q. And those are indents on the bottom of
19 the Protais container; correct?

20 A. They refer to as reinforced grooves, and 11:22:30
21 that's the -- what I will refer to them as.

22 Q. And I'm asking you, if you look at
23 Figure 3, you can see that those are indents from
24 the bottom of the container; correct?

25 A. Can you point me towards the text that 11:22:58

1 actually calls them indents in the patent?

2 Q. I'm asking you to look at Figure 3, and
3 from Figure 3, can you tell if those portions
4 labeled 26 -- the portion labeled 26, is that a --
5 is that flat with the bottom, is it an indent, or 11:23:27
6 is it a protrusion?

7 A. I can only go by what the patent says,
8 and '326 actually says it's a bottom wall of
9 reinforced groove 3.

10 Q. And the groove is an indent; correct? 11:23:47

11 A. I will stay with the patent's wording. I
12 don't want to accidentally put words on the patent
13 that are not claimed by the patent.

14 Q. So you're unable to assess Figure 3? As
15 an expert in this field, you can't look at 11:24:13
16 Figure 3 and form an opinion on whether that's an
17 indent, whether that's flat, or whether that's a
18 protrusion?

19 MR. ERICKSON: Objection. Form.

20 Argumentative. 11:24:25

21 THE WITNESS: The best I can tell you,
22 the best wording is in the patent.

23 If you want to use "indent" to describe
24 that that scallop section -- that would be
25 more of a scallop cutout section. That's 11:24:51

1 what I would use as a -- as a POSA.

2 BY MR. SHVODIAN:

3 Q. Going back to your declaration on page
4 62.

5 Do you agree that that portion of the 11:25:46
6 figure between the red lines is a portion that
7 connects the reinforcing groove to the rest of the
8 bottom of the container?

9 MR. ERICKSON: Objection. Form.

10 THE WITNESS: The lateral phalanges, 27, 11:26:00
11 28, which is the portion around what you're
12 referring to as "indent" around the first
13 impression, yes, connects that scallop region
14 to the rest of the container.

15 BY MR. SHVODIAN: 11:26:44

16 Q. I want to refer you to Figure 3 of the
17 '441 patent.

18 Can you let me know when you have that
19 up?

20 A. Yes. 11:26:56

21 Q. Do you see the portion labeled
22 "depression 115"?

23 A. Yes.

24 Q. And it's got two arrows. I'm looking at
25 the portion that arrow b is pointing to. 11:27:31

Page 88

1 Do you see that?

2 A. Yes.

3 Q. And surrounding that depression, there is
4 another structure labeled as a "depression side
5 wall," correct, "117"? 11:27:50

6 A. Yes.

7 Q. And if you look to page 57 of your
8 declaration, do you have that up?

9 A. Yes.

10 Q. Do you see the blue line marked in the 11:28:40
11 first outline that you've annotated and added to
12 that figure?

13 A. Yes.

14 Q. That blue line runs outside of the
15 depression side wall; correct? 11:29:00

16 MR. ERICKSON: Objection to form.

17 THE WITNESS: No. It partially defines
18 the first outline as stated in paragraph 108.

19 BY MR. SHVODIAN:

20 Q. I don't know what you mean by "partially 11:29:30
21 defines."

22 But looking at the figure, do you see
23 that blue line is running outside of the portion
24 of the figure that you just agreed is the
25 depression side wall 117; correct? 11:29:41

1 MR. ERICKSON: Objection. Argumentative.

2 THE WITNESS: I believe I've asked and
3 answered, and it's covered in my report in
4 108 that I --

5 BY MR. SHVODIAN: 11:29:58

6 Q. You did not answer my question, and I
7 want you to focus on my questions.

8 As I said, I'll stay here all day and ask
9 it over and over. I need you to answer the
10 questions I'm asking. 11:30:06

11 Now, when we just looked at Figure 3 of
12 the '441 patent, you agreed as to what portion is
13 identified as the depression side wall 117;
14 correct?

15 A. Can you ask your question again? You're 11:30:29
16 making statements and afterwards saying, "do you
17 agree."

18 And I believe I've answered the question
19 with the figure on page 57 and the text that it's
20 in paragraph 108. 11:30:43

21 Q. Okay. I'm asking you to look at Figure 3
22 of the '441 patent.

23 Are you looking at that?

24 A. Yes.

25 Q. And do you see the portion that's 11:31:02

1 identified in that figure as the "depression side
2 wall 117"; correct?

3 A. Yes.

4 Q. And if we compare that to Figure 3 on
5 page 57 of your declaration, the blue line touches 11:31:20
6 the depression side wall; correct?

7 A. The blue line, yes, touches the
8 depression side wall that's labeled in 117.

9 Q. And the blue line, if we look back at
10 Figure 4 of the '441 patent, you see the part 11:31:47
11 that's identified as "depression 115," and by the
12 "arrow b"; correct?

13 A. Yes.

14 Q. And the blue line in -- on page 57 of
15 your declaration in Figure 3, the blue line that 11:32:06
16 you've added does not touch the depression 115
17 pointed to by figure -- by arrow b; correct?

18 A. I disagree. 117 says it's the depression
19 side wall.

20 Therefore, it says "depression" in there, 11:32:26
21 and it all is part of it as defined in the text
22 and as covered in paragraph 108 in my report.

23 Q. Figure 3 of the '441 patent identifies
24 a -- has an arrow pointing to a specific portion
25 that's identified as "depression 115"; correct? 11:32:50

1 A. Yes. And as is stated in my text 17- --

2 Q. I haven't asked any questions.

3 A. This is part of my answer because I keep
4 stating this. 117 is part of that depression as
5 it states on Figure 3 of the '441 patent.

11:33:34

6 Q. And so the depression includes the part
7 that -- the side wall that extends upward to the
8 rest of the bottom of the container?

9 Is that your -- is that the basis for
10 your opinion?

11:34:02

11 A. 117 is not just labeled 'side wall.'
12 It's labeled "depression side wall." Therefore,
13 it is part of the depression.

14 Q. Going back to figure -- to your
15 declaration on page 62 and the figure shown at the
16 top, can you refer back to that?

11:34:27

17 A. Yes.

18 Q. And do you have a color copy? You can
19 see the two red lines that you annotated into that
20 figure?

11:34:54

21 A. Yes.

22 Q. And I believe you're indicating that the
23 outer red line is part of the first outline; is
24 that accurate?

25 A. Yes.

11:35:16

1 Q. Can the inner red line also be part of
2 the first outline?

3 A. No. Not as defined --

4 Q. I'm sorry, were you finished?

5 A. No, not as it was defined in the 11:35:37
6 petition.

7 Q. But I'm not asking as defined in the
8 petition.

9 I'm saying, can the outer red line and
10 the inner red line both be part of the first 11:35:51
11 outline?

12 A. I've answered the question no.

13 Q. Why not?

14 A. Because it was defined in the petition in
15 color purple. That is what you have defined as 11:36:06
16 the section that should be part of the first
17 outline, and it is not touching.

18 Therefore, there is a feature or space as
19 defined in Protais that does not state that that
20 is part of that feature. 11:36:35

21 Q. Now, I'm not asking you about what's in
22 the petition. I'm asking you based on the claims
23 of the '441 patent where it references the first
24 outline.

25 Can these two red lines shown on page 62 11:36:47

1 both be part of the first outline?

2 MR. ERICKSON: Objection. Asked and
3 answered.

4 THE WITNESS: This figure comes from the
5 petition. Therefore, once again, removing 11:37:02
6 all context from it.

7 You've done this twice already that
8 you're like, remove all of that information.
9 You can't. It has -- it has to be put in
10 context. 11:37:14

11 And in context, this figure is from the
12 petition. So then let's remove the entire
13 petition, and there's no case.

14 BY MR. SHVODIAN:

15 Q. I'm asking you a specific question, and I 11:37:24
16 am not referring to the petition.

17 I'm asking for your opinion. I'm
18 entitled to ask your opinion on things, and I'm
19 entitled to ask on things that relate to your --

20 MR. ERICKSON: Do you have a question, 11:37:38
21 Counsel?

22 BY MR. SHVODIAN:

23 Q. -- declaration.

24 MR. SHVODIAN: Yes. If he's going to
25 lecture me, I'm going to respond in kind. 11:37:42

1 MR. ERICKSON: Okay. Let's get back the
2 questions and answers.

3 MR. SHVODIAN: And he's going to answer
4 the questions, or we're going to be all day.

5 MR. ERICKSON: Okay. Take the time we 11:37:49
6 need. Go ahead and ask your question.

7 BY MR. SHVODIAN:

8 Q. Can the two red lines shown on page 62 of
9 your declaration both be part of a first outline?

10 MR. ERICKSON: Objection. Asked and 11:38:09
11 answered.

12 THE WITNESS: No.

13 BY MR. SHVODIAN:

14 Q. If the petition had drawn the blue
15 line -- a blue line also going around the purple 11:38:22
16 part, could those two red lines both be part of a
17 first outline?

18 MR. ERICKSON: Objection. Asked and
19 answered. Objection. Calls for speculation.

20 MR. SHVODIAN: He's an expert. I'm 11:38:39
21 allowed to ask for his opinion on things.

22 THE WITNESS: Can you repeat the
23 question, please?

24 BY MR. SHVODIAN:

25 Q. Yes. 11:38:48

1 If the petition had drawn a blue line
2 around the part that's colored in purple in the
3 figure on page 62 of your declaration, could both
4 of the red lines that you've shown there be part
5 of the first outline? 11:39:03

6 MR. ERICKSON: Objection. Asked and
7 answered. Calls for speculation.

8 THE WITNESS: I think I have stated, no.
9 BY MR. SHVODIAN:

10 Q. Why not? 11:39:14

11 A. Because you see that it's a different
12 perimeter line that we're following.

13 Q. So does the first outline have to follow
14 a singular perimeter line?

15 A. Protais does not identify that feature 11:39:39
16 as -- as part of the, quote, "depression" that
17 you're suggesting.

18 And I believe I was clear in my report in
19 paragraphs -- 117 of this.

20 Q. Well, paragraph 117 has a conclusion that 11:40:27
21 says:

22 "Accordingly, the first depression of
23 Protais's base does not partially define a
24 first outline as claimed."

25 My question to you was: Why can't both 11:40:39

1 of these red lines be part of the first outline as
2 claimed?

3 MR. ERICKSON: Objection. Asked and
4 answered.

5 THE WITNESS: So I believe I have 11:40:57
6 answered it.

7 I have been asked to view this material
8 in the context of what it was given to me
9 from the petition and the material of the
10 petition. 11:41:06

11 Had the petition done something else and
12 colored it, this calls for speculating, and
13 then what would I do.

14 In the context of what was provided, that
15 is not part of the first outline, and it's 11:41:17
16 not supported in the text by Protais that
17 that is considered the depression, as the
18 '441 clearly calls that part of the
19 depression side wall.

20 BY MR. SHVODIAN: 11:41:51

21 Q. As an expert in this matter, I am allowed
22 to present you with hypotheticals.

23 And I presented you with a hypothetical
24 that if the petition had presented the first
25 outline as being the blue line shown and also 11:41:59

1 another blue line outlining, going around the
2 purple part of the figure shown on page 62 of your
3 declaration, would both of the red lines shown in
4 that figure be part of the first outline?

5 MR. ERICKSON: Objection. Form. Asked 11:42:20
6 and answered.

7 THE WITNESS: As an expert, I would have
8 to review all of the material in the context
9 again, and not make statements without
10 reviewing the material again. 11:42:35

11 BY MR. SHVODIAN:

12 Q. If you turn back to page 57 of your
13 declaration.

14 Who prepared that figure shown at the top
15 of the page? 11:43:17

16 A. I asked counsel to prepare a figure.

17 Q. Did you ask them to crop off the labels
18 on the left side of the figure?

19 A. I don't remember if I asked for that
20 detail or not. 11:43:32

21 Q. But you agree those labels are -- are
22 cropped off what's shown here in Figure 3;
23 correct?

24 A. Correct.

25 MR. SHVODIAN: All right. Let's take a 11:44:07

1 break. I may be done. Just take a
2 five-minute break.

3 MR. ERICKSON: That sounds good.

4 THE VIDEOGRAPHER: We're going off the
5 record at 11:44 a.m. 11:44:16

6 (Short break taken.)

7 THE VIDEOGRAPHER: We are on the record
8 at 11:50 a.m., and this is the beginning of
9 Media 5 in the deposition of Dr. Folkers
10 Eduardo Rojas. 11:50:13

11 MR. SHVODIAN: I don't have any further
12 questions for Dr. Rojas.

13 MR. ERICKSON: Okay. Would we -- I know
14 we just took a break. But would it be okay
15 to take a ten-minute break to determine if we 11:50:28
16 have any redirect? I don't think we do, but
17 I'm just going to review things briefly.

18 Is that all right?

19 MR. SHVODIAN: Sure.

20 THE VIDEOGRAPHER: We are going off the 11:50:37
21 record at 11:50 a.m.

22 (Short break taken.)

23 THE VIDEOGRAPHER: We are on the record
24 at is 11:55 a.m. This is the beginning of
25 Media 6 in the deposition of Dr. Folkers 11:55:28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Eduardo Rojas.

MR. ERICKSON: No redirect from us.

Thank you.

MR. SHVODIAN: Thank you, Dr. Rojas.

THE VIDEOGRAPHER: Okay. So we are going 11:55:43
off the record at 11:55 a.m., and this
concludes today's testimony given by
Dr. Folkers Eduardo Rojas.

The total number of media units used was
six, and will be retained by Veritext. 11:55:55

(TIME NOTED: 11:55 a.m.)

1 I, RENEE HARRIS, do hereby certify that I
2 am a licensed Certified Shorthand Reporter, duly
3 qualified and certified in the State of California
4 and the State of New Jersey; Notary Public in the
5 State of New York and State of Florida; and
6 Registered Professional Reporter;

7 That prior to being examined, the witness
8 named in the foregoing deposition was by me duly
9 sworn to testify to tell the truth, the whole
10 truth, and nothing but the truth;

11 That the said deposition was by me
12 recorded stenographically;

13 And the foregoing pages constitute a full,
14 true, complete and correct record of the testimony
15 given by the said witness;

16 That I am a disinterested person, not
17 being in any way interested in the outcome of said
18 action, or connected with, nor related to any of
19 the parties in said action, or to their respective
20 counsel, in any manner whatsoever.

21
22 

23 Renee Harris, CSR, CCR, RPR
24 CA CSR No. 14168
25 NJ CCR No. 30XI00241200
NY Notary No. 01HA0037009
FL Notary No. 1708946

1 ADAM ERICKSON, ESQ.

2 adam.erickson.ipr@haynesboone.com

3 May 29, 2025

4 RE: MPL Brands NV, Inc. v. Buzzballz, LLC

5 5/28/2025, Dr. Folkers Eduardo Rojas (#7397671)

6 The above-referenced transcript is available for
7 review.

8 Within the applicable timeframe, the witness should
9 read the testimony to verify its accuracy. If there are
10 any changes, the witness should note those with the
11 reason, on the attached Errata Sheet.

12 The witness should sign the Acknowledgment of
13 Deponent and Errata and return to the deposing attorney.
14 Copies should be sent to all counsel, and to Veritext at
15 (production-ca@veritext.com).

16 Return completed errata within 30 days from
17 receipt of testimony.

18 If the witness fails to do so within the time
19 allotted, the transcript may be used as if signed.

20

21

22 Yours,

23 Veritext Legal Solutions

24

25

1 MPL Brands NV, Inc. v. Buzzballz, LLC
2 Dr. Folkers Eduardo Rojas (#7397671)
3 E R R A T A S H E E T
4 PAGE_____ LINE_____ CHANGE_____
5 _____
6 REASON_____
7 PAGE_____ LINE_____ CHANGE_____
8 _____
9 REASON_____
10 PAGE_____ LINE_____ CHANGE_____
11 _____
12 REASON_____
13 PAGE_____ LINE_____ CHANGE_____
14 _____
15 REASON_____
16 PAGE_____ LINE_____ CHANGE_____
17 _____
18 REASON_____
19 PAGE_____ LINE_____ CHANGE_____
20 _____
21 REASON_____
22 _____
23 _____
24 Dr. Folkers Eduardo Rojas Date
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MPL Brands NV, Inc. v. Buzzballz, LLC

Dr. Folkers Eduardo Rojas (#7397671)

ACKNOWLEDGEMENT OF DEPONENT

I, Dr. Folkers Eduardo Rojas, do hereby declare that I have read the foregoing transcript, I have made any corrections, additions, or changes I deemed necessary as noted above to be appended hereto, and that the same is a true, correct and complete transcript of the testimony given by me.

Dr. Folkers Eduardo Rojas

Date

*If notary is required

SUBSCRIBED AND SWORN TO BEFORE ME THIS
_____ DAY OF _____, 20____.

NOTARY PUBLIC

&	82:18	1708946 101:25	2002 47:2
& 6:4 11:5 12:21	11452 3:7 115 88:22 91:11,16,25	19 23:1 24:17 28:16 35:10 36:1,23 38:10	78:11,17,24 79:1 2005 4:16
0	117 89:5,25 90:13 91:2,8 91:18 92:4,11	38:11 43:1 47:20 52:4,22 52:23 53:1	39:12,16,20,23 40:2,8,15 42:9 44:7 47:1
01ha0037009 2:22 101:24	96:19,20	54:2 64:2 65:1 65:10 68:14 73:2,19	2010 22:23 23:1 24:17 28:16 35:10
1	11:06 79:12 11:44 99:5 11:50 99:8,21	195 51:25 52:2 52:9,11 53:5 53:17,19,23	36:1,23 38:10 38:11 47:21 49:4 52:5,23
1 1:25 5:13 29:14,24 30:3 33:22 78:1	11:55 99:24 100:6,11	64:22 65:21,24 66:5,8,13,19,23 68:10 78:10,22	52:23 53:1 54:2 64:2 65:2 65:10 68:14 73:2,19
10 13:13 14:9 21:24	12 13:14 12/762,934 4:14 23:5,8 24:11,22	19th 22:23	2013 20:24 21:3 25:4,5,11 52:16
10,000 72:23 10,604,296 72:23	13 4:19 131 55:14 14 16:23 17:1 43:14 44:20,23 46:9	2 30:23 32:9 43:1 50:17,22 51:10,20 52:19	2019 36:9 202 40:16 42:9 44:6 45:6 46:15 47:15
1001 4:11 23:22 24:2,4 52:7	14168 1:22 2:20 6:10 101:23	52:25 54:15 55:18 56:12 57:1,7,14,24 58:12,21 60:5 61:16 62:1,10 62:16,20,24 64:4,18 65:16 67:7,13,25 68:2,5,8 71:21 74:7,25 75:9 75:15 76:7,16 77:3 86:1	2020 52:14,16 52:23 2024-000035 5:18 2025 1:18 2:19 5:2,6 102:3 2028 4:19 8:10 8:12 13:1,9 16:22 20:8 27:16 29:7 32:23 80:11
1008 84:20 1020 4:13 28:5 28:10 29:14 54:8,19 63:25 67:6 73:1,18 74:6	15 20:24 21:3 21:24 25:4,5 25:11 29:11 43:1 52:16	20 104:15	
104 1:25 108 89:18 90:4 90:20 91:22 10:54 79:9 10th 22:23 11 14:22 56:3 11,932,441 1:12 2:12 4:11 114 79:24 80:5 80:24 82:3,6	16 21:24 16-800,195 52:14 17 56:13,21 92:1		

21 42:25 22 20:7,10 85:9 85:23 86:8 23 4:11 2300 3:17 25 21:14 52:14 52:16 25025 101:22 26 50:13 85:15 85:18 86:3,17 87:4,4 27 50:13,14 68:8 86:13 88:10 28 1:18 2:19 4:13 5:2,6 84:5 84:8,14,16 85:24 86:13 88:11 2801 3:17 29 86:4 102:3 296 72:21,25 73:17 74:23	300 3:7 30xi00241200 2:22 101:24 31 21:21 32:22 32:25 33:1 326 87:8 34 27:10 349 8:7 84:14 84:19 35 27:10,16 29:6,20 36 30:15,21 39 4:16	40:3 43:15 46:25 50:25 51:11,21 52:7 52:12,20 53:2 53:23 88:17 90:12,22 91:10 91:23 92:5 93:23 97:18 45 49:19	64 27:9
		5	7
		5 56:23,25 99:9 5,723,202 4:16 39:20 5/28/2025 102:5 55 23:2 25:24 56 33:3 38:15 82:22 57 39:23 89:7 90:19 91:5,14 98:12	7 16:22 43:11 55:11 85:9,19 85:23 720-5700 3:9 7397671 1:23 102:5 103:2 104:2 75201 3:18
	4	6	8
	4 56:23,25 61:15,25 62:4 62:15,19 64:15 65:12 68:6,11 68:13,15 72:14 72:19,25 73:17 74:5,23 75:8 75:14 76:5,18 77:5 78:1 79:13 91:10	6 4:4 56:23 57:1,6,13,23 58:11,19 99:25 61 80:14 62 79:16,21 80:7,15 82:8 82:25 83:2,5 84:1 88:4 92:15 93:25 95:8 96:3 98:2 63 27:9 82:23	8 51:10 81 57:23 813 50:18,22,25 51:4,10,20 52:19,25 53:9 53:24 54:15 55:18 56:12 57:2,8,14,25 58:21 61:17 62:1,10,16,20 62:24 64:4,18 64:21 65:16,23 67:7,14 68:2,5 68:9 71:21 74:7,25 75:9 75:15 76:7,17 77:4 834 57:23 858 3:9 8:03 2:18 5:3,6 8:54 32:5
3			
3 50:10 76:7 84:13,18 85:2 85:3 86:2,16 86:23 87:2,3,9 87:14,16 88:16 90:11,21 91:4 91:15,23 92:5 98:22 30 85:3,6,19 86:7,9 102:16	411 8:7 441 17:3,5 18:5 18:9 20:16 21:24 22:5,6 22:14,18 23:19 24:3 25:8,22 27:20 29:21,24 30:20,22 31:6 31:10,21 33:14 33:18 35:18 36:1 38:24		

[9 - answer]

9	a		
9 21:23	a.m. 2:18 5:3,6	actually 15:1	al 39:21
92130 3:8	32:5,8 50:6,9	27:12 33:23,24	allotted 102:19
934 23:12,16	79:9,12 99:5,8	48:18 60:20	allowed 95:21
24:25 25:12,17	99:21,24 100:6	83:17 87:1,8	97:21
25:20,25 26:3	100:11	adam 3:15 6:3	allowing 7:1
26:5,12 27:6	abbreviation	102:1	allows 63:12
27:22,23 28:15	18:4	adam.erickso...	alternative
29:7,14 30:2,4	ability 71:18	3:20 102:2	56:6,18,19
30:12,25 31:7	able 13:5 14:20	add 34:8 60:23	59:9
31:10,23,24	17:9 28:12	66:24	aluminum
40:9 52:22	39:8	added 8:21	13:22
53:1,20 54:1,6	above 86:7	89:11 91:16	american 20:14
54:10,13 56:22	102:6 104:7	addition 69:22	21:6
57:13 58:20,25	absent 67:3,4	additional	analysis 18:16
59:4,5,15,17,21	accepted 65:20	63:22	43:25 44:11
59:24 60:3,25	66:5	additions 104:6	45:4 46:13
61:10,15,25	access 13:5	additives 34:8	67:22
62:4,15,19	55:14	37:7 48:10	analyzed 50:20
63:2,16 64:1	accidentally	address 83:21	angles 14:1
64:15 65:1,9	87:12	addressed 86:7	annotated
65:12 67:7,14	accuracy 102:9	addressing	27:20 30:19,22
67:25 68:6,13	accurate 16:19	26:19,20	82:10 89:11
71:23 72:12,19	16:20 92:24	adequate 31:13	92:19
73:1,18,23	accused 10:23	71:12	annotation
74:11,15 75:1	acknowledge...	affiliations	29:23
75:8,14,21	104:3	5:23	answer 7:6,7
76:5,18 77:5,9	acknowledg...	agree 9:15,18	7:19 19:13
77:19 78:4,17	102:12	10:4,6 71:21	36:20 45:19
79:2	acquire 35:2	77:18 88:5	47:9 48:24
9:06 32:8	act 20:15 21:7	90:17 98:21	52:24 53:16
9:47 50:6	action 101:18	agreed 89:24	58:5,17 71:3
9:57 50:3	101:19	90:12	73:16 74:20
9:59 50:9	actual 71:14	ahead 95:6	76:1,25 78:16
		aia 20:13,15,16	78:19 90:6,9
		25:13	92:3 95:3

[answered - associated]

answered 27:8 36:4 37:1 38:14 45:8 47:4 58:2,3,7 59:19 60:19 61:1,5 64:5 67:16 68:19,25 71:16,17 75:3 75:4,20 76:10 76:12,21 77:22 90:3,18 93:12 94:3 95:11,19 96:7 97:4,6 98:6 answering 65:6 70:24 answers 19:14 95:2 apart 42:20 apologize 12:3 appeal 1:2 2:2 appear 40:6,12 appearances 3:1 5:22 appearing 2:17 appended 104:7 applicable 102:8 application 4:13 20:25 22:25 23:5,7 23:12 24:8,10 24:11,12,12,22 25:9,17,21,25	25:25 26:2,4 26:12 27:7,23 27:23 28:15,15 28:18,22,25 29:3,8,15 30:2 30:4,13,25 31:10,15,23,24 40:9 50:18,21 50:22,25 51:4 51:11,20,25 52:2,8,9,11,13 52:19,22,25 53:1,6,9,17,20 53:20 54:2,6 54:10,14,15 55:18 56:12,22 57:2,8,13,15,24 57:25 58:20,21 59:4,5,15,17,22 59:25 60:3,25 61:10,15,17 62:1,1,4,10,16 62:16,19,21,25 63:2 64:1,4,15 64:19,21,22 65:1,9,13,16,21 65:24 66:5,8 66:13,23 67:7 67:8,14,14,25 68:2,6,7,9,11 68:14,22 69:11 69:22 70:20 71:12,14,22,23 72:4,5,9,20 73:2,18,23	74:7,11,16,25 75:1,8,9,14,15 76:5,7,17,18 77:4,5,9,19 78:4,11 79:2 application's 26:5 applications 9:2,9,17 25:3,3 25:10 63:17 applied 37:17 46:7 apply 20:20,21 46:8 appropriate 60:12 72:18 approved 53:13 63:20 64:25 april 22:23 23:1 24:17 28:16 35:10,10 36:1,23 38:10 38:11 47:20 49:3 52:4,22 52:23 53:1 54:2 64:2 65:1 65:10 68:14 72:20 73:2,19 area 76:3,6 83:22,25 argumentative 44:16 47:11 57:21 58:6,13 74:21 87:20	90:1 arizona 2:18 5:1 arrow 88:25 91:12,17,24 arrows 88:24 art 18:5 asked 36:3,22 36:25 38:13 47:8,10 58:1,7 61:1,4 64:5 67:15 68:18 69:23 71:16 73:6 75:2 76:9 76:24 77:1,21 79:3 90:2 92:2 94:2 95:10,18 96:6 97:3,7 98:5,16,19 asking 38:8 46:17 63:25 65:8 67:5,17 68:12,13 72:15 73:16 74:19 76:2 83:6,24 84:9 86:6,22 87:2 90:10,21 93:7,21,22 94:15,17 aspects 17:11 46:2 assess 87:14 assisted 15:11 associated 15:9 69:21
---	--	---	--

[assume - california]

assume 32:17 assure 78:12 attached 13:3 23:24 28:7 39:14 102:11 attorney 5:24 102:13 attorneys 12:17 12:21 audio 75:11 available 20:13 102:6	48:6 70:14 base 26:5 96:23 based 34:24 38:3 48:17 49:1 65:17,20 66:1,4 93:22 basis 92:9 beer 60:9 beginning 5:23 32:8 50:9 79:12 99:8,24 behalf 10:22,24 believe 8:10 9:25 14:17 16:14 18:14 19:4 21:14 22:23 24:2 26:14 27:8,19 34:8 35:20,22 37:20 38:15 39:25 42:10,19 43:5 45:8 47:4 47:7,12 53:10 53:22 55:19 56:23 58:3 59:6,16,25 60:13,16,19 63:10,16 64:20 65:17 67:5 68:18,25 69:5 69:8,25 70:17 71:17 72:11 74:3,13 75:4 76:11,21 78:9 83:21 86:7	90:2,18 92:22 96:18 97:5 best 71:18 83:9 84:13 87:21,22 beyond 69:10 70:19 71:13 75:10,15 bidegaray 11:23 big 42:16 bigger 18:18 bit 29:10 60:21 69:24 black 80:9 blow 15:15,20 15:22 16:1,1 16:12,18 17:12 39:3,7 47:25 blue 89:10,14 89:23 91:5,7,9 91:14,15 95:14 95:15 96:1 97:25 98:1 board 1:2 2:2 body 22:1,14 24:21 25:17 26:10,23 27:5 46:20 55:13,15 85:25 books 34:2 boone 3:14 6:4 11:5 12:21 born 34:25 bottom 27:13 85:14,18,25	86:2,15,18,24 87:5,8 88:8 92:8 brands 1:4 2:4 3:3 5:16 6:1 102:4 103:1 104:1 breadth 45:18 break 7:14,15 7:17 10:3,7 32:3,6,13 49:21 50:2,7 77:12 79:6,10 81:22,24 99:1 99:2,6,14,15,22 briefly 99:17 bring 15:25 28:2,3 34:13 80:2 83:19 browser 9:1 burns 3:6 6:2 buzzballs 3:13 5:17 6:4 12:24 buzzballz 1:7 2:7 102:4 103:1 104:1
b			c
b 88:25 91:12 91:17 bachelor 43:19 bachelor's 44:24 46:10 back 6:25 10:8 10:10 21:20 22:22 27:20 32:22 36:9 40:1,10,24 42:18 43:11 50:2 55:4 65:1 65:25 66:17 68:17 70:7 75:11 82:24 88:3 91:9 92:14,16 95:1 98:12 background 37:21 44:4,9 45:10,14 46:19 46:22 47:13			ca 101:23 102:15 cad 19:21,23 29:10 74:4,6 74:10 california 2:20 3:8 101:3

[called - conclusion]

called 6:13 10:17 85:18 calls 21:7 84:24 87:1 95:19 96:7 97:12,18 camera 5:9 camino 3:7 cans 55:25 careful 70:23 cartridge 15:8 cartridges 14:23 case 1:11 2:11 5:17 9:25 10:16 11:7 17:7,12 18:1 18:14,17,24 94:13 ccr 1:22 101:23 101:24 center 10:14,16 certified 2:20 2:21 6:14 101:2,3 certify 39:9 101:1 chain 26:2,2 change 103:4,7 103:10,13,16 103:19 changed 37:13 changes 74:10 75:7,13 102:10 104:6	characterized 86:1 check 12:3 27:22 40:4,10 66:18 80:3,22 80:25 checked 66:13 checking 37:24 chrome 9:7 cite 39:23 cites 79:23 claim 20:22,24 21:1 22:4,12 24:19 25:15 26:9 27:4 53:25 58:20 63:7 74:15 86:1 claimed 20:22 21:15,18 51:4 86:1 87:13 96:24 97:2 claiming 31:18 claims 21:23 22:5 68:22 70:14 72:10 93:22 clarification 53:15 clarify 7:13 70:5 clarifying 84:7 class 14:10 classes 33:22	clean 8:20,22 41:18,20 81:9 cleaned 29:9 73:22 74:2,3 75:25 clear 23:12,14 23:18 36:11 48:9 70:8 75:19 96:18 clearer 57:12 clearly 57:7,13 97:18 clicked 9:11 close 9:12 77:11 cloud 41:25 coagulo 14:18 coagulo's 15:9 coating 43:5 coie 3:4 6:1,2 colloquially 48:21 color 80:13 82:16,19 92:18 93:15 colored 96:2 97:12 column 42:25 85:9,19,23 86:8 come 10:7 12:9 13:24 50:2 55:4 81:20 comes 38:20 94:4	coming 83:14 communicate 10:4 32:12,15 32:20 81:21 communicated 10:8 81:23,25 communication 9:17,24 communicati... 9:22 company's 15:2 compare 31:9 91:4 comparing 31:7 70:1 complete 101:14 104:8 completed 56:1 102:16 completely 8:22 36:14 components 14:16,20 comprise 86:2 comprised 85:14 computer 8:24 9:2 concave 85:21 concludes 100:7 conclusion 96:20
---	--	---	--

[conducted - covered]

conducted 5:8 configurations 17:15 confirm 10:9 24:3,19 54:5 confirmed 60:2 61:3 confused 69:24 70:4 confusing 69:14 conjunction 59:7 connected 101:18 connection 5:10 connects 88:7 88:13 consider 46:25 49:10 considered 39:5 53:7 97:17 constitute 101:13 consumers 60:15 contacted 12:14,17 contain 20:21 20:21 79:1 contained 20:22 21:1	container 22:1 22:14 24:21 25:17 26:10,22 27:5 43:22,23 44:5 45:2 55:13,15 86:15 86:19,24 88:8 88:14 92:8 containers 18:17 44:1,6 45:5 49:5,16 60:6,8,10 containing 66:9 contains 20:25 contend 29:17 contending 53:18 content 53:12 contents 55:15 context 14:3 25:18 31:19 58:24 59:3 62:23 63:2 73:22 76:12 78:9 82:21 94:6,10,11 97:8,14 98:8 continuation 25:22 26:6,7 51:24 66:23 68:10 continue 55:8 continuing 43:10	contour 76:15 76:17,25 77:2 77:4 86:12 conveying 36:8 cooperate 55:12 copies 8:19,20 8:22 102:14 copy 13:6,11,11 23:19 24:5 30:12 41:6,10 41:18,20 42:2 54:9 55:20 57:4,17,20 58:8,9,17,18 75:5 76:13,22 80:9,11 81:3,5 81:9,10 92:18 correct 17:3 22:2 26:24 30:20 32:19,25 38:4 39:21,22 39:24 44:2,20 50:18,22 52:16 56:22 57:8,15 59:23 60:4,25 61:12,17,23 62:5,10,17,21 66:24 67:1 68:1,7 74:12 75:10,16,19 76:8,19 77:20 78:24 82:10 84:22 85:1,13 86:11,15,19,24	87:10 89:5,15 89:25 90:14 91:2,6,12,17,25 98:23,24 101:14 104:8 corrections 104:6 correctly 26:19 55:24 73:10 75:24 84:4 correlate 51:16 corresponds 68:9 counsel 3:1 5:15,21 6:8 7:1 7:5 9:19 12:5 20:5,12 30:14 41:13 54:21 64:9 72:2,7 77:10 79:3 81:15,23 94:21 98:16 101:20 102:14 counts 19:22 court 2:21 6:7 7:22 10:19 cover 24:8 52:6 63:8 coverage 63:7 63:14 69:9 70:18 covered 26:14 60:1,16 74:15 82:22 83:17 90:3 91:22
---	--	--	--

[covers - detail]

covers 69:2 crop 98:17 cropped 98:22 csr 1:22 6:10 101:23,23 currently 9:5 curvature 83:13,14 cut 29:20 cutoff 21:7 25:13 cutout 87:25 cutting 60:11	17:2 20:7 21:22 23:2 27:16 28:20 29:6 30:16 31:3 32:23 39:24 43:12 44:20 46:6 50:14 54:5 77:20 78:1,24 79:17 80:7,12 82:9,19,25 83:2 84:2 88:3 89:8 91:5,15 92:15 94:23 95:9 96:3 98:3 98:13 declare 104:4 deemed 104:6 define 96:23 defined 91:21 93:3,5,7,14,15 93:19 defines 89:17 89:21 definitely 18:12 degree 43:19 44:24 46:10 density 15:18 16:7,8 departure 63:12 depending 36:12 37:6 45:9,23 48:6 48:19 86:17	depends 5:9 44:8 depicted 71:22 73:1,17,24 75:1 deponent 102:13 104:3 deposed 6:20 10:11,12 11:8 11:24 deposing 102:13 deposition 1:16 2:16 5:7,14 6:23,25 7:24 9:15,17 10:5 11:10 12:1 32:9,18 50:10 79:13 82:1 99:9,25 101:8 101:11 depression 21:25 82:16 83:15 84:22 88:22 89:3,4 89:15,25 90:13 91:1,6,8,11,16 91:18,20,25 92:4,6,12,13 96:16,22 97:17 97:19 describe 13:17 17:2 43:15 55:17 87:23	described 42:25 44:19 56:2,9 describes 56:14 description 4:9 21:19 22:21 24:21 26:11 27:6 31:14 38:3 50:21 54:14 55:11,17 63:1 64:18 65:15 67:13 69:15 71:13 72:4,9 design 17:6,8 18:14,15,16 43:22,23,25 44:5 45:2,4 53:9 57:1,7,14 57:24 58:20 59:23 61:11,16 61:16 62:20 63:7,8,12,13 64:14,21 65:12 68:22 69:1,6,7 69:9,11,16,17 69:21 70:1,2,6 70:15,17,19,23 71:7,13 72:5 72:10 75:8,13 designed 13:20 16:11 designs 63:14 detail 56:9 59:12 98:20
d			
daily 20:23 dallas 3:18 daniel 3:5 5:25 41:15 54:24 data 24:8,13 25:9 34:25 52:8,13 date 13:2 20:23 21:6,9,12,12 22:22 23:23 28:6 39:13 52:4 64:23 103:24 104:12 day 74:19 90:8 95:4 104:15 days 102:16 deadline 25:13 decisions 37:23 declaration 4:19 8:6,12 13:8 16:22			

[detailed - ensure]

detailed 55:10 determination 26:8 27:3 31:2 31:5,23 33:10 determine 21:17 31:13 99:15 determined 37:4 determining 31:21 72:3,8 development 18:17 43:25 44:5 45:5 diagram 46:20 diego 3:8 differ 61:22 difference 82:15 different 17:15 33:4 34:14 36:7,13 48:11 61:16 62:15,20 75:18 76:5,17 77:4 96:11 digital 13:10 digits 23:13 direct 68:10 directly 41:11 51:23 disagree 29:9 51:6 91:18 disclose 15:1 discuss 32:17 84:11	discussed 43:6 64:23 discusses 43:1 discussing 24:11 29:5 discussions 39:10 disinterested 101:16 dispute 11:16 disregard 67:18 disregarding 67:9,20 distal 85:9,12 85:14 86:10 district 10:19 document 28:4 28:10 67:21 documents 8:2 8:5,19,23 13:5 doing 16:4 46:12,12 double 37:24 40:4,10 66:18 80:3,22,25 download 55:3 dr 1:17 2:16 4:19 5:14 6:12 6:19 28:9 32:9 32:12 41:23 49:24 50:10,13 77:18 79:13,16 81:17,21 99:9 99:12,25 100:4	100:8 102:5 103:2,24 104:2 104:4,12 draft 14:1 drawings 46:21 56:8 59:11 61:22 69:11,17 70:19 73:6,7 73:22 75:21,23 75:25 77:8 drawn 74:6 95:14 96:1 dshvodian 3:10 duly 6:13 101:2 101:8 <tr> <td>e</td><td colspan="2"></td></tr> <tr> <td> e 9:10,12,22 12:12 41:15 81:6,10 103:3 103:3,3 earlier 31:14 43:6,10 50:20 54:9 68:18 earliest 35:9 early 63:19 easier 41:7,11 easy 55:14 56:14 60:6 eduardo 1:17 2:17 5:15 6:12 32:10 50:11 79:14 99:10 100:1,8 102:5 103:2,24 104:2 104:4,12 </td><td colspan="2"></td></tr>	e			e 9:10,12,22 12:12 41:15 81:6,10 103:3 103:3,3 earlier 31:14 43:6,10 50:20 54:9 68:18 earliest 35:9 early 63:19 easier 41:7,11 easy 55:14 56:14 60:6 eduardo 1:17 2:17 5:15 6:12 32:10 50:11 79:14 99:10 100:1,8 102:5 103:2,24 104:2 104:4,12		
e								
e 9:10,12,22 12:12 41:15 81:6,10 103:3 103:3,3 earlier 31:14 43:6,10 50:20 54:9 68:18 earliest 35:9 early 63:19 easier 41:7,11 easy 55:14 56:14 60:6 eduardo 1:17 2:17 5:15 6:12 32:10 50:11 79:14 99:10 100:1,8 102:5 103:2,24 104:2 104:4,12								

educational
46:22

effective 20:23
21:9,11

either 13:10
39:2

el 3:7

electrical 11:17

electron 41:24

elements 17:7

eligible 20:3
22:6,15,18
31:22 51:1,12
51:21 52:20
53:3,12

embodiment
56:17 63:4
71:6

embodiments
56:7 59:10
63:12 64:13,17
65:14 69:8,10
70:16,18 71:11

engineering
16:3 18:16
43:20,24 44:25
45:4,16 46:10
46:13,19

engineers
45:13

enlarged 79:24
80:6,15,19
82:9

ensure 84:25

[entire - field]

entire 28:22 65:18 66:2 67:20 74:14 94:12 entitled 94:18 94:19 envelope 14:16 equipment 14:4 erickson 3:15 6:3,3 13:19 16:13 21:10 22:7,16 24:14 24:23 26:13 29:22 30:5 31:16 33:20 34:22 35:13 36:3,25 37:19 38:6,13 41:15 41:17,21 44:15 45:7,25 47:3 47:11,22 49:8 49:23 50:4 51:2,13,22 53:4,21 54:23 55:2,4,9 57:3,9 57:16,21 58:1 58:6,13,22 61:1,4,18 62:6 62:11,22 63:15 64:5 66:16,25 67:15 68:23 69:12 70:21 71:15,24 73:3 73:20 74:21	75:2 76:9,20 77:6,10,16,21 79:7 81:6,8,12 81:16 85:7 87:19 88:9 89:16 90:1 94:2,20 95:1,5 95:10,18 96:6 97:3 98:5 99:3 99:13 100:2 102:1 errata 102:11 102:13,16 erroneous 53:10 esq 3:5,6,15,16 102:1 et 39:21 evaluating 39:3 evaluation 39:5 49:9 evidence 24:24 exactly 42:12 58:9,18 examination 4:3 6:17 examined 6:15 101:7 examiner 53:8 63:20 65:22 66:12 67:5 72:16 73:5 75:24 examiner's 63:18	example 56:8 56:10 59:11 62:3 examples 49:12 49:15 exhibit 4:9,11 4:13,16,19 8:10,12 9:7,14 13:1,9 16:22 20:8 23:22 24:2,3 27:16 28:5,9,10 29:7 29:14 32:23 39:12,16,19,20 39:23 40:2,8 40:13,15 42:9 44:7 47:1 52:7 54:8,16,19,24 63:25 67:6 73:1,18 74:6 78:11,13,17,24 79:1 80:11,12 84:19 exhibits 4:8 32:2 expands 69:9 70:17 experience 13:15,17 15:20 15:23 17:22 18:15,20 34:24 38:20,23 43:22 43:24 44:5,23 45:2,3,24,24 46:11,11,23	48:20 expert 78:23 87:15 95:20 97:21 98:7 explain 78:20 explained 9:20 expressed 46:6 54:4 extend 76:16 77:3 extending 84:21 extends 92:7 exterior 83:16
f			
fails 102:18 fairly 60:15 fall 12:15 familiar 6:24 20:2,4 33:11 33:18 36:9,15 42:13 44:6 46:21 71:5 far 9:8 29:19 71:19 feature 93:18 93:20 96:15 features 27:12 february 52:14 52:15 field 17:3,5,17 33:13,17 35:18 36:1 38:24 43:15,22 45:2 45:13 46:25			

[field - forms]

49:13 87:15 figure 27:12,15 27:18,19 29:9 29:14,19,24 30:3,16,19,21 30:22,23,24 50:17,17,22 51:10,20 52:19 52:25 54:15 55:18 56:12,21 57:1,6,7,13,14 57:23,24 58:11 58:12,19,21 61:15,16,25 62:1,4,10,15,16 62:19,20,24 64:4,15,18 65:12,16,20 66:4 67:7,13 67:25 68:2,5,6 68:8,11,13,15 71:21 72:13,14 72:19,25 73:17 74:5,7,23,25 75:8,9,14,15 76:5,7,7,16,18 77:3,5 79:20 80:16,19,23 82:5,8,17,17,25 83:4 84:1,10 84:13,18 85:2 85:3 86:17,23 87:2,3,14,16 88:6,16 89:12 89:22,24 90:11	90:19,21 91:1 91:4,10,15,17 91:23 92:5,14 92:15,20 94:4 94:11 96:3 98:2,4,14,16,18 98:22 figures 27:23 29:2,6 31:9 50:15 56:23,25 56:25 63:13,17 69:22 71:14,23 72:12 74:3,10 74:11 file 79:2 filed 23:1 24:17 25:5,10,12 28:16 52:2,9 52:11,14,22 53:1 54:2 64:1 65:1,10 68:14 73:2,19 filing 20:23 21:9,11,13 22:22 27:21 35:9 54:1 63:1 64:23 fillet 83:8,11 film 41:4,7 find 8:16 26:15 51:10,19 52:18 52:25 fine 41:20 54:25 55:23 73:8	finished 43:7 93:4 firm 11:2,21,23 first 6:13 10:12 11:7 12:20 20:9 69:1 82:20 88:12 89:11,18 92:23 93:2,10,16,23 94:1 95:9,17 96:5,13,22,24 97:1,15,24 98:4 fists 14:12 fit 14:16 five 49:21 99:2 fl 101:25 flagged 66:9 flat 87:5,17 florida 101:5 fluid 44:1,6 45:5 49:5,16 focus 36:20 65:8 73:15 74:18 90:7 folkers 1:17 2:16 5:14 6:12 32:9 50:10 79:13 99:9,25 100:8 102:5 103:2,24 104:2 104:4,12 follow 11:18 18:6 78:16,19 96:13	followed 11:20 following 96:12 follows 6:15 foregoing 101:8,13 104:5 form 9:23 13:19 16:13 21:10 22:7,16 24:14,23 26:13 29:22,23 30:5 31:16 33:20 34:22 35:13 36:3,25 37:19 38:6,13 44:15 45:7,25 47:3 47:22 49:8 51:2,13,22 53:4,21 56:19 57:3,9,16 58:1 58:14,22 61:18 62:6,11,22 63:15 66:16,25 68:23 69:12 70:21 71:15,24 73:3,20 76:20 77:6 85:7 87:16,19 88:9 89:16 98:5 formed 16:6 60:10 76:4 forming 46:5 46:24 54:4 60:11 78:5 forms 56:6,18 59:9
--	--	--	---

[forth - identification]

forth 6:25 forward 41:14 82:23 found 29:18 37:3 48:2 59:14,17 65:19 66:3 foundation 37:21 free 46:20 fresh 8:22 front 8:2 28:1 63:23 68:1,15 80:2 full 45:17 59:4 63:20 73:23 101:13 fully 55:17 77:8 functional 17:10 18:19 48:8 further 23:2 99:11	82:19 given 97:8 100:7 101:15 104:9 glance 40:6 glass 48:12 go 7:4,19 8:16 13:12 27:20 32:2 34:4 40:10,24 42:18 65:25 66:17 68:17 84:13 86:17 87:7 95:6 goes 18:13 42:17 going 5:5 7:3 10:10 13:7 21:20 22:22 32:1,1,4 49:19 50:5 52:21 64:25 73:10 74:18 79:8 82:22,24 88:3 92:14 94:24,25 95:3,4,15 98:1 99:4,17,20 100:5 good 6:19 37:21 41:21 50:4 79:7 99:3 google 9:6 grant 19:2,9 gravity 10:14 10:17	greg 6:5 greg.webb.ipr 3:19 gregory 3:16 groove 85:13 87:9,10 88:7 grooves 86:2,10 86:14,16,20 grounds 7:7 guarantee 46:17 guess 19:20	hdpe 16:9 head 11:4 52:3 heard 5:11 heating 17:13 helena 3:6 6:2 help 41:5 helped 13:24 14:1 hereto 13:3 23:24 28:7 39:14 104:7 high 15:18 16:7 16:8 higher 15:10 43:19 44:24 history 64:20 64:25 65:18 66:2,11,18 67:4,10,12,21 72:17 73:5,11 73:24 78:6,10 78:18,22 79:2 hollow 85:25 hour 7:16 32:1 77:11 hypothetical 44:11,13,22 45:12 97:23 hypotheticals 97:22
g		h	
general 11:9 36:14,16 generally 6:24 12:13 generic 18:11 45:12 genetic 34:25 getting 36:5 77:10 give 26:15 28:3 34:5 77:15		h 103:3 han 8:17 hand 14:14 21:15 handbooks 33:23 hans 8:9 happened 67:10,11 happens 33:25 happy 41:6 70:5 80:2 harris 1:22 2:19 6:10 101:1,23 harwood 3:17 haynes 3:14 6:4 11:5 12:21 haynesboone.... 3:19,20 102:2 hburns 3:11	
		i	identification 13:2 23:23 28:6 39:13

[identified - known]

identified 25:4 90:13 91:1,11 91:25 identifies 86:9 91:23 identify 84:9 96:15 ignore 72:16 image 58:18 implemented 11:19 implications 70:25 impression 88:13 inches 14:15,15 14:15 include 18:17 47:15 55:13 70:12 80:5 included 29:10 39:10 51:6 72:13 82:21 includes 56:4 69:7 70:10,13 70:16 71:5 92:6 including 43:24 45:3 53:24 63:10 64:12 71:10 incorporated 5:17 indent 87:5,10 87:17,23 88:12	indents 86:14 86:18,23 87:1 index 4:1 indicating 42:16 92:22 individual 44:13 individuals 44:12 industry 11:18 14:13 inexpensive 60:15 information 34:18 37:8,11 38:21 45:23 94:8 informed 20:4 20:12 38:25 infringer 10:23 initial 27:25 initially 75:22 injection 13:16 13:18,21,23,25 14:3,7,20 15:3 15:17 17:14 39:2 48:1 injector 14:2 inner 85:21 93:1,10 inquire 35:4 instant 9:22 instructed 7:7 integrity 48:13	intended 82:12 82:14 intention 56:5 interested 101:17 interior 83:15 internet 5:10 interpret 83:8 introduce 6:7 invention 17:17 20:22 21:7,18 33:14 35:18 38:24 40:23 59:8 inventions 20:14 inventor 21:13 21:17 31:17 53:24 74:14 involved 12:9 ip 14:18 ipr 19:8 issued 19:10 39:21 67:19 72:20,20,22 item 17:18 items 14:8 15:11 j jersey 2:21 101:4 job 1:23	k kalpakjian 33:24 keep 74:19 92:3 keeps 41:2 52:21 54:16 kevorkian 3:23 5:19 kind 14:11 41:9 94:25 know 7:4,12,15 8:12 10:15 12:16,23 16:24 18:9 19:21,24 20:1 21:2 32:24 33:8,12 33:18 34:20 35:11 38:9,10 38:12 39:18 40:22 41:7 46:19 48:21 49:18 54:11 55:7 57:19 70:25 71:7,10 72:17 80:1 83:17 88:18 89:20 99:13 knowledge 37:16 38:20 45:6,22 46:1,7 47:1 49:7 61:13 known 33:5,14 36:2,23 38:17 39:6 47:21,23
--	--	--	---

[known - march]

48:16,25 49:4	86:8,9,13	loading 18:2	m
l	89:10,14,23	location 34:15	machine 14:1
labeled 86:7,16	91:5,7,9,14,15	look 13:10,13	17:6,8 18:14
87:4,4 88:21	92:23 93:1,9	16:21,23 25:8	machines 13:23
89:4 91:8	93:10 95:15,15	29:2 33:9	made 13:22
92:11,12	96:1,12,14	34:18 35:3	14:25 16:12,18
labels 98:17,21	97:25 98:1	36:16 37:10,16	19:22 74:11
large 42:14	103:4,7,10,13	38:9 39:17	104:5
81:11	103:16,19	43:11 48:19	mail 9:10,12,22
larger 14:14	lineage 68:10	49:11 50:13	12:12 41:15
lateral 84:16,24	lines 43:1 51:5	52:6 54:8	81:6
86:3 88:10	63:9 65:7	58:11 74:7	mailed 81:10
law 11:2,21,23	66:15 69:2	80:10 86:22	make 19:21
lawyer 20:5	76:15,18,25	87:2,15 89:7	22:5,14 26:8
70:25 71:9	77:2,4 80:5,18	90:21 91:9	26:18 27:3
lecture 94:25	80:23 82:6,12	looked 25:14	30:3 31:2,5,22
left 98:18	83:1,5,7 84:1	25:18 37:3	33:9 34:6
legal 44:11	85:23 88:6	38:21 46:14	37:11,22 43:3
68:21 72:2,7	92:19 93:25	90:11	98:9
102:23	95:8,16 96:4	looking 27:11	making 49:4
legalese 71:8	97:1 98:3	29:12 34:12,20	90:16
licensed 101:2	list 25:2 26:3	35:12 47:17	man 43:23
lid 55:12,14,25	33:3 52:8 55:5	48:7 54:5	manner 101:20
59:6,20,23	78:2,3,23	60:18,20,23	manufacture
60:7,14 76:4	listed 14:17	67:24,25 68:8	17:24
lids 61:11,14	24:12 25:10	72:11 78:10	manufacturers
limit 9:14	44:23 46:9	85:24 88:24	34:4 39:11
limitation	little 29:10	89:22 90:23	manufacturing
17:11 22:5,13	42:16 60:20	looks 37:7	17:6 18:9,13
24:20 25:15	69:24 81:18	46:11,12	18:15 33:22
26:9 27:4	llc 1:7 2:7 3:13	lose 48:12	37:7 43:23
line 49:20	6:4 102:4	lot 41:7,11 76:2	45:3 47:25
51:23 62:5,14	103:1 104:1		march 20:24
77:12 83:15,16	llp 3:4,14		21:3 25:4,5,11
85:9,19,24			52:16

[marked - nra]

marked 13:1 23:22 28:5,10 39:12 89:10 markings 8:21 marks 42:16,17 material 14:24 14:24 15:4 16:5 17:11 25:19,23 27:13 34:13 37:10,23 38:12 39:2,9 42:14 47:13,18 48:2,7,13,14 49:10 51:6 53:6,7,18,19,23 53:25 56:3 59:25 63:22 66:9,14 70:13 73:9 82:22 83:18 97:7,9 98:8,10 materials 17:9 18:21,23 31:8 33:4,6,14 37:23 38:18 39:5 43:20 44:25 49:11 77:19 78:2 matter 5:16 10:5,13 11:3 11:10,14,22 12:6,10 19:19 21:15 23:9 32:18 66:24 97:21	matters 11:25 matweb 34:12 mean 45:17 57:20 74:2 89:20 meaning 16:2 means 21:9 27:13 measure 10:16 measurement 10:14,18 mechanical 43:20 44:25 46:10 media 5:13 32:9 40:20,20 50:10 79:13 99:9,25 100:9 medical 14:18 medium 42:25 mentioned 34:9 mentions 59:21 59:22 merchandise 60:9 messaging 9:23 9:23 metal 48:4 55:12,25 60:7 60:10,11,11 61:11 microfluidic 14:23 milwaukee 10:15	minute 26:15 32:3 49:21 50:2 77:15 99:2,15 minutes 49:19 misspoke 35:21 mit 15:12,14 model 19:21,23 modifications 34:6 56:6,18 59:9 modified 37:6 mold 16:1 18:13 39:2 48:1 molded 13:21 13:25 14:20 molding 13:16 13:18,23 14:3 14:7 15:3,15 15:17,21,22 16:1,2,12,18 17:12,14 39:3 39:7 48:1 morning 6:19 9:6 move 65:3 73:12 mpl 1:4 2:4 3:3 5:16 6:1 102:4 103:1 104:1 mst 2:18 mueller 4:17 39:21	n n 3:17 name 5:19 12:11 named 101:8 necessarily 19:1 necessary 104:6 need 7:14,17 51:9,19 90:9 95:6 needs 11:18 36:13 never 16:17 59:21,22 76:24 new 2:21,22 51:6 53:6,7,18 53:19 66:9,14 66:24 73:9 101:4,5 nj 101:24 nonresponsive 65:4 73:13 notary 2:22 101:4,24,25 104:13,19 note 5:7 102:10 noted 100:11 104:7 noticing 5:24 nowadays 34:11 nra 16:7
---	---	--	--

[number - page]

number 5:18 8:16 41:3,9 42:12 60:9 61:22 72:14 84:15 100:9 numbers 51:15 numerous 75:7 75:13 nv 1:4 2:4 3:3 5:16 102:4 103:1 104:1 ny 101:24	69:12 70:21 71:15,24 73:3 73:20 74:21 75:2 76:9,20 77:6,21 85:7 87:19 88:9 89:16 90:1 94:2 95:10,18 95:19 96:6 97:3 98:5 obviously 52:15 ocr 61:6 office 1:1 2:1 53:13 65:19 66:3,6,22 67:18 72:13 75:22 okay 6:24 7:3 8:15,23 9:1,13 9:19 10:1,7 11:8 13:13 17:1 18:8 19:5 19:15,18 20:2 20:17 23:15 32:22 41:17,22 42:21,23 43:9 43:11 49:23 50:1 51:14 54:25 55:2,10 60:22 74:9 77:16,25 79:20 80:10 81:7,12 81:14,16 90:21 95:1,5 99:13	99:14 100:5 once 77:7 94:5 ones 16:10 40:18 opaque 48:11 open 8:23 9:2,4 28:12 55:14 56:14 60:7 62:15 opening 42:3 76:4 operated 13:23 opinion 17:19 17:21 22:17 35:17 37:15,18 45:21 58:19 64:11,14 65:11 65:17 66:1 73:21 83:25 87:16 92:10 94:17,18 95:21 opinions 23:8 46:5,24 54:4 78:5 opposed 19:8 order 9:11 51:20 53:2 60:8 69:1 84:25 ordinary 17:2 17:22 18:5 original 22:22 23:16 26:6 27:21 54:1 63:1 64:1	outcome 101:17 outer 92:23 93:9 outline 18:15 82:21 89:11,18 92:23 93:2,11 93:17,24 94:1 95:9,17 96:5 96:13,24 97:1 97:15,25 98:4 outlines 38:16 84:14 outlining 98:1 outside 89:14 89:23 owner 1:8 2:8 3:13 10:23,25 12:6 66:22 owner's 12:16
o			p
oath 7:22 object 7:1,5 19:11,11 objection 13:19 16:13 21:10 22:7,16 24:14 24:23 26:13 29:22 30:5 31:16 33:20 34:22 35:13 36:3,25 37:19 38:6,13 44:15 45:7,25 47:3 47:11,22 49:8 51:2,13,22 53:4,21 57:3,9 57:16,21 58:1 58:6,13,14,22 58:23 61:4,18 62:6,11,22 63:15 66:16,25 67:15 68:23			p 3:16 page 4:3,9 16:21 21:14,21 24:8 27:10,15 29:6,11,13,20 30:15,21 32:22 33:1 43:11 50:13,14,15 55:11 56:3,13 56:21 60:5 61:14 68:8 78:1 79:16,21 79:24 80:7,14 80:15,16,24

82:3,6,8,18,22 82:25 83:2,5 84:1,8 88:3 89:7 90:19 91:5,14 92:15 93:25 95:8 96:3 98:2,12 98:15 103:4,7 103:10,13,16 103:19 pages 1:25 101:13 paper 8:9 13:6 13:11,12 paragraph 14:9,22 16:23 17:1 20:7,10 23:2 25:24 27:9 33:3 38:15 39:23 43:14 44:20,23 46:9 78:1 89:18 90:20 91:22 96:20 paragraphs 13:13,15 96:19 parent 71:12 71:14 72:4,9 part 15:1 19:24 21:24 25:23 29:3 35:4 39:5 39:9 47:17 49:9 53:16 56:19 67:21 69:21 77:19	78:12,15 82:20 84:3 91:10,21 92:3,4,6,13,23 93:1,10,16,20 94:1 95:9,16 95:16 96:2,4 96:16 97:1,15 97:18 98:2,4 partially 89:17 89:20 96:23 participants 5:10 particular 15:22 16:2 17:18 18:21,25 27:19 35:15,21 42:14 45:14,15 46:2 particularly 17:8,24 46:14 48:7 84:11 parties 101:19 parts 13:21,22 13:25 14:6,11 15:8,9 past 37:12 38:21 48:11 paste 29:20 57:4,17,20 58:8,9,17,18 75:5 76:13,22 patent 1:1,2,8 1:12 2:1,2,8,12 3:13 4:11,16 8:7,8 10:16,23	10:25 11:14 12:6,16 17:3,5 18:5,9 19:9 20:3,16,25 21:20,24 22:5 22:6,15,18,22 23:4,7,20 24:3 24:25 25:9,22 26:6 28:14,15 28:18 29:21,24 30:20,22 31:6 31:7,10,14,19 31:21 33:18 36:2 39:20 40:3,16,19 42:9,11 43:4 43:15 44:7 45:6 46:12,15 46:25 47:2,14 47:15 51:1,11 51:21 52:7,20 53:2,8,9,13 58:21,25 59:20 62:24 63:7,8 63:13,18,20 64:20 65:18,22 66:3,6,21,22 67:18,20 68:10 68:22 69:1,6,7 69:10,11,16,17 69:21,25 70:1 70:2,6,10,15,18 70:19,23 71:4 71:7,13 72:10 72:12,13,16,21	72:25 73:5,17 74:13,23 75:22 76:13 78:11,22 84:6,9,14,18,19 84:23,25 85:3 85:8 87:1,7,12 87:13,22 88:17 90:12,22 91:10 91:23 92:5 93:23 patent's 87:11 patents 20:13 20:16,20,21 40:25 45:18 46:16 67:19 pattern 51:24 pd 56:3 pdf 29:11 41:13 54:18 56:3 61:8 peer 31:22 pending 7:18 pep 16:9 performing 18:16 43:24 45:3 perimeter 96:12,14 period 19:10,11 perkins 3:4 5:25 6:2 perkinscoie.c... 3:10,11 perseverance 10:15,25 19:18
--	--	---	--

[person - pressures]

person 17:2,21 18:4 37:21 44:11,22,23 45:6,14 101:16 personal 45:24 personally 16:17 pertaining 9:25 pet 15:18 16:10 33:18 34:7,20 35:11,15,19,21 36:2,10,22,23 36:24 37:4 38:12,19,24 39:6 40:15,22 42:8,14 43:2 47:13,21 48:16 48:25 49:4,16 petition 79:24 80:2,5,8,24 81:2 82:4,18 93:6,8,14,22 94:5,12,13,16 95:14 96:1 97:9,10,11,24 petitioner 1:5 2:5 3:3 5:16 6:1 19:11 pgr 5:18 12:18 19:6,7,16,22,24 20:3,12,20 22:6,15,18 51:1,12,21 52:20 53:3,12	pgr2024-00035 1:11 2:11 phalange 84:21 phalanges 84:16 86:3 88:10 phalanxes 84:24 phoenix 2:18 5:1 photo 80:15 physics 43:21 45:1 picture 80:6 piece 45:22 pins 14:2 places 34:17 plane 86:4 plastic 15:4,15 17:13,20,23 47:24 48:17 49:1 plastics 18:24 18:25 33:11 34:1,3,5 35:21 35:23 36:10,11 36:15,19 48:20 48:21 49:10 please 5:7,22 6:7 7:12 22:9 23:16 26:19 42:6 47:9 54:18 58:5 65:7 73:15 74:17 75:12	76:1,25 77:15 81:5 82:20 83:12 95:23 point 7:14,17 35:2,2,9 39:1 46:15 54:13 64:24 67:12 83:19 86:25 pointed 91:17 pointing 86:12 88:25 91:24 polyethylene 15:18 16:8 polypropylene 15:19 16:9,9 pop 55:13 59:20,22 60:14 popular 60:14 portion 22:1,14 24:20 25:16 26:10,22 27:5 28:25 85:6,10 85:12,14 86:6 86:10 87:4 88:5,6,11,21,25 89:23 90:12,25 91:24 portions 87:3 posa 88:1 posita 18:4,8 33:5,8,9,13,17 34:17,19,23,24 35:11,14,17,25 36:9,15,23 37:2,7,10,15,17	37:20 38:3,8,9 38:10,11,17,23 40:1 43:15 44:4,10,12,19 45:10,21 46:7 46:18,21,25 47:12,20 48:16 48:18,25 49:3 positas 45:12 possession 21:13,18 31:18 37:16 53:25 74:14 post 19:2,9 potentially 45:22 48:13,19 practical 43:21 45:1 pre 20:16 prefer 49:22 prepare 98:16 prepared 98:14 preparing 23:8 28:19 31:3 77:20 presence 22:4 22:12 present 3:22 5:22 97:22 presented 97:23,24 pressure 15:25 pressures 17:11
---	---	---	---

[pretty - read]

pretty 26:19 77:11	102:15	85:22 97:14	65:6,8,11 67:6
printable 41:10	products 17:20 17:23	provides 64:2,3 71:12	68:18 69:18,23
printed 8:6,7,8 40:18	professional 2:23 101:6	ptab 1:11 2:11 5:17 10:20 12:6	70:3 71:3,18
printer 40:20 42:19	project 36:12	public 14:19 101:4 104:19	73:15,16 74:17
printers 42:14	projects 15:13 15:14	pull 75:19 80:10 81:3 82:18	75:12 76:22,24
prior 11:25 12:6 25:4,5,10 25:12 101:7	properties 34:15 36:16 37:4,23,24 38:25 48:2,4	pulled 68:3 82:3 84:4	77:1 90:6,15
priority 20:24 26:2 52:4	proprietary 15:2	purchase 60:16	90:18 93:12
privilege 7:8	prosecution 64:25 65:18 66:2,10,18 67:4,10,11 72:17 73:5,10 73:23 78:6,10 78:18,22	purple 82:17 93:15 95:15 96:2 98:2	94:15,20 95:6
probably 7:15		put 14:2 15:24 21:14 82:15 87:12 94:9	95:23 96:25
proceed 6:9		putting 74:10	questioning 77:13
proceeding 10:19,20 12:7 24:4			questions 7:3,6 7:25 13:8,25
proceedings 19:3 20:20			18:6 49:20
process 6:25 14:7 15:7 16:12 17:13 39:7	protais 8:8 84:3,3,5,9,18 85:3,17,18 86:19 93:19 96:15 97:16	q	74:18 76:1
processes 47:25	protais's 96:23	q&a 6:25	90:7,10 92:2
produce 17:25	protrusion 87:6,18	qualified 101:3	95:2,4 99:12
produced 14:7 15:8 17:19	provide 55:14 60:8 63:14 64:17 65:15	quality 5:8,9	quick 34:11 40:6,14 55:21 59:17
producing 15:6	provided 30:14 33:24 50:21 54:9 63:7	question 7:12 7:18 18:11 19:13,14 22:8 25:6 26:17,18 35:8,25 36:6 36:19,20,21 42:6,8 47:5,8,9 48:23,24 51:15 57:19 58:5 60:19 64:3,8	quote 8:10 96:16
product 18:16 18:19 43:25 45:4			r
production 17:6 18:10			r 103:3,3
			raise 48:11
			rash 37:22
			read 20:9,11,17 20:19 28:24 30:10 42:11,17 42:18 43:18 52:13 55:12 56:4,16 59:7 60:6 63:3 66:10 75:11 84:25 85:25

65:6,8,11 67:6
68:18 69:18,23
70:3 71:3,18
73:15,16 74:17
75:12 76:22,24
77:1 90:6,15
90:18 93:12
94:15,20 95:6
95:23 96:25

questioning
77:13

questions 7:3,6
7:25 13:8,25
18:6 49:20
74:18 76:1
90:7,10 92:2
95:2,4 99:12

quick 34:11
40:6,14 55:21
59:17

quote 8:10
96:16

r

r 103:3,3

raise 48:11

rash 37:22

read 20:9,11,17
20:19 28:24
30:10 42:11,17
42:18 43:18
52:13 55:12
56:4,16 59:7
60:6 63:3
66:10 75:11
84:25 85:25

[read - reporter]

102:9 104:5 reading 8:9 31:6,6 56:15 58:24 59:4 62:23 73:4 78:21 85:16,22 ready 32:24 55:8 real 3:7 reason 78:3 102:11 103:6,9 103:12,15,18 103:21 recall 11:4,21 12:2,13 16:15 52:3 recalling 37:12 42:19 receipt 102:17 receive 9:22 received 13:1 23:22 28:5 39:12 42:2 55:20 recently 30:8 41:1 recite 21:24 recognition 55:20,21 56:1 recognize 28:14 52:15 66:21 record 5:6,23 7:20 9:16,21 20:10,18 32:3	32:5,7 35:22 41:8 50:6,8 79:9,11 99:5,7 99:21,23 100:6 101:14 recorded 2:16 5:12,14 101:12 recording 5:8 recyclability 48:14 red 80:5,18,23 82:6,12 83:1,5 83:7,16,25 88:6 92:19,23 93:1,9,10,25 95:8,16 96:4 97:1 98:3 redirect 99:16 100:2 refer 13:6 20:6 23:11 32:22 41:11 84:5,23 86:20,21 88:16 92:16 reference 21:2 22:25 25:25 33:25 34:3,11 34:12 64:16 65:13 referenced 23:1 34:17 40:2,8 64:22 102:6 references 34:14 69:24 93:23	referencing 64:12 72:21 referred 56:21 84:20 referring 22:13 23:4 27:15 29:13 59:20 61:25 66:7 88:12 94:16 refers 14:23 55:24 59:5 84:23 reflective 40:20 43:3 regard 49:16 region 84:15,15 88:13 registered 2:23 101:6 registry 9:10 reinforced 86:2 86:20 87:9 reinforcing 85:12 86:10,14 86:16 88:7 relate 17:18 72:15 94:19 related 14:8,9 14:11,13,19 24:7,12 25:2,9 52:8,12 101:18 relative 53:20 75:9,14 released 72:12 74:16 75:23	77:8 relevant 50:25 83:22 remember 10:21 55:24 73:4,9 75:24 84:4 98:19 remote 7:24 remotely 2:18 remove 94:8,12 removing 94:5 rendering 37:18 renee 1:22 2:19 6:10 101:1,23 repeat 22:8 25:6 26:17,18 42:6 51:14 95:22 repeatedly 59:19 repercussions 71:8 report 21:23 26:15 27:9 30:7,21 34:9 60:17,20 83:18 83:23 84:12 90:3 91:22 96:18 reported 1:21 reporter 2:20 2:21,23 6:7,10 6:14 84:7 101:2,6
--	--	--	---

[represent - semi]

represent 80:4 80:21 82:13,14 represented 66:22 representing 5:19 6:4 represents 85:6 request 9:6 63:18 requested 75:24 required 104:13 requirements 17:10 18:19 48:8 requires 34:23 resin 33:19 34:20 35:11 36:24 48:17 49:1 resins 48:20,21 respective 101:19 respond 94:25 response 60:23 rest 88:7,14 92:8 restate 57:11 results 61:7 retained 100:10 return 102:13 102:16	review 19:2,9 22:6,15,18 23:7 27:24,25 28:22 30:6,10 31:22,24 40:24 59:24 98:8 99:17 102:7 reviewed 28:19 30:2,8 40:25 77:18 78:2,4,9 78:15,21 reviewing 25:19,20,23 31:23 42:21 98:10 revise 73:6,7 reword 72:5 right 8:18 15:8 16:21 20:6 28:2 29:21 31:25 34:7 36:10 37:9 40:4 45:18 46:11,13 48:4 49:18,24 50:17 51:24 54:22 55:7 58:16 61:3 64:21 67:24 68:17 78:8 79:5 81:16 82:24 98:25 99:18 rojas 1:17 2:17 4:19 5:15 6:12 6:19 28:9	32:10,12 41:23 49:24 50:11,13 77:18 79:14,16 81:17,21 99:10 99:12 100:1,4 100:8 102:5 103:2,24 104:2 104:4,12 roughly 85:9 rpr 1:22 101:23 running 9:5,6 42:3 55:19 59:17 61:6 89:23 runs 89:14 rv 11:11,13,18 s s 103:3 san 3:8 saying 66:13 69:15 90:16 93:9 says 26:9 27:4 52:13 55:11 56:15 61:7 79:24 84:16 85:21 87:7,8 91:18,20 96:21 scale 17:25 scallop 87:24 87:25 88:13 scan 40:14 science 43:20 44:25	scope 18:18 58:23 68:24 69:9,13 70:17 70:21 71:15 score 62:14 scored 76:3,6 screen 5:12 search 40:13,13 42:4 48:6 55:22 59:18 72:14 searchable 41:5,10 42:5 searches 46:12 47:14,15 second 11:9 28:3 82:20 section 25:8 41:12 45:16 87:24,25 93:16 see 14:20 24:7 25:12 27:12 30:16 33:3,7 39:19 43:14 50:14 52:7 66:12,13 79:20 79:23 80:18 82:5 85:2 86:23 88:21 89:1,10,22 90:25 91:10 92:19 96:11 seen 5:11 semi 23:14
--	--	--	---

[send - specifically]

send 9:21 41:19 54:21 81:12 sending 55:5 sensing 40:21 42:10 sent 12:12 41:13,22 55:9 81:14,17 102:14 sentence 20:9 20:17 21:3 38:16 serve 56:16 setup 8:1 seven 14:14 several 33:4 75:5 shading 51:5 53:8 75:10,16 shape 16:6 55:18 60:12 62:14 75:18,19 76:3,6,15 77:2 86:13 share 9:7,14 28:4,11 40:14 54:16,24 80:12 sharing 75:21 sheet 102:11 shop 13:24 short 32:6 50:7 79:10 99:6,22 shorthand 2:20 6:14 23:11 101:2	show 57:1,7,14 57:24 61:7 shown 29:6,20 30:3,24 55:18 56:8,23 59:11 61:14 62:9 63:13 64:14 65:12 75:8,14 76:4,6,18 77:5 80:6 84:1 92:15 93:25 95:8 96:4 97:25 98:2,3 98:14,22 shows 29:13 33:25 62:19 64:20 shvodian 3:5 4:4 5:25,25 6:18 13:4 14:5 16:16 21:16 22:10,19 24:1 24:16 25:1 27:1 28:2,8 30:1,11 31:20 31:25 32:11 34:16 35:6,16 36:18 37:14 38:1,7,22 39:15 41:16,19 42:1 44:18 45:20 46:4 47:6,19 48:15 49:14,18 50:1 50:12 51:8,17	52:1 53:14 54:3,25 55:6 55:16 57:5,10 57:18,22 58:4 58:10,15 59:2 61:2,9,21 62:8 62:13 63:5,24 64:6,8,10 65:3 65:5 66:20 67:2,23 69:4 69:19 71:2,20 72:1 73:12,14 74:1,22 75:6 76:14,23 77:15 77:17,24 79:5 79:15 81:7,10 81:14,19 84:17 85:11 88:2,15 89:19 90:5 94:14,22,24 95:3,7,13,20,24 96:9 97:20 98:11,25 99:11 99:19 100:4 sic 8:7,9 20:14 21:7 side 76:16 77:3 89:4,15,25 90:13 91:1,6,8 91:19 92:7,11 92:12 97:19 98:18 sign 102:12 signature 101:22	signed 102:19 similar 15:24 16:1 47:14 simply 64:11 singular 96:14 six 100:10 size 14:12,14 sizing 14:2 skill 17:3,22 18:5 soda 55:25 60:9 solely 67:6 solid 63:9 69:2 solutions 102:23 soon 77:13 sooner 76:2 sorry 11:12 15:17 16:8 35:22 43:9 52:23 65:23 68:4 72:5 85:16,22 93:4 sorts 60:8 soseh 3:23 5:19 sounds 41:21 50:4 79:7 99:3 space 83:1,6 84:10,20 93:18 specific 44:12 47:8 56:7,11 59:10 91:24 94:15 specifically 13:14 19:5
--	--	--	---

[specifically - technology]

25:24 27:11 36:22 46:16 83:21 specification 63:11 64:16 65:14 69:7 70:7,9,15 71:11 specifications 34:5 speculating 97:12 speculation 95:19 96:7 squared 62:5 st 3:17 stan 59:21 stand 18:4 standard 20:2 37:17 38:2 46:6,8 55:25 59:5,14,16,20 59:22 60:3,24 68:21 72:3,8 standards 11:17,19 standpoint 11:17 stands 20:15 start 57:6 74:24 starting 77:25 state 5:22 21:23 33:5 34:23 43:17	65:22 93:19 101:3,4,5,5 stated 42:24 66:1 70:1 85:8 89:18 92:1 96:8 statement 33:7 45:12 59:7 66:6,12 71:8 78:15 statements 90:16 98:9 states 1:1 2:1 35:22 92:5 stating 61:20 70:22 78:14 92:4 stay 87:11 90:8 stenographic... 101:12 straight 62:4 strike 64:13 65:3,25 69:6 73:12 strip 42:10,15 43:4 strips 40:20 structural 18:2 46:19 structure 89:4 student 15:12 students 13:24 14:10 subject 10:5 11:9 21:15	32:17 74:15 82:1 submitted 73:7 75:22 subscribed 104:14 sufficient 64:17 65:15,19 66:4 suggesting 96:17 suite 3:7,17 support 24:22 25:15 27:6 29:18 31:14 50:21 51:10,19 52:19,25 54:15 56:12 58:20,25 59:3 60:18 63:21 64:2,4 64:18 65:15 67:13 71:13 72:4,9 73:24 supported 26:11,11 30:4 30:25 62:25 97:16 supports 24:25 sure 22:11 23:17 26:18 27:2 30:3 37:11 54:21 70:5 81:1 99:19 surrounding 89:3	susceptible 56:5,17 59:8 swear 6:8 switching 49:20 sworn 6:14 101:9 104:14 symmetry 86:4 system 42:5
			t
			t 3:5 103:3,3 tab 62:3 75:18 75:19 76:16 77:3 table 85:2 take 7:14,15 10:3 30:9 32:3 39:17 49:21 54:23 77:12 79:6 81:11,17 95:5 98:25 99:1,15 taken 5:15 27:18 29:7 30:20 32:6 50:7 79:10 99:6,22 talk 13:15 talking 44:12 65:9 tall 14:15 technologies 14:18 technology 15:10

[tell - under]

tell 10:11 46:18 87:3,21 101:9 tells 49:11 temperature 48:12 ten 32:3 49:21 50:2 99:15 term 21:9 terms 34:3 test 61:6 testified 6:15 testify 101:9 testifying 7:22 10:22,24 testimony 74:5 100:7 101:14 102:9,17 104:8 texas 3:18 text 9:23 55:19 55:21 56:1,15 86:25 90:19 91:21 92:1 97:16 textbooks 48:3 thank 6:6 54:25 81:7 100:3,4 thermoform 15:24 48:1 thermoforming 15:23 16:4 17:14 39:3 thing 12:4 17:16 41:2,8,9 84:13	things 7:4 34:10 94:18,19 95:21 99:17 think 11:6,6 12:15,22 19:14 19:15 29:11 56:2 67:11 79:5 82:15 96:8 99:16 third 6:23 10:11 thought 43:9 43:10 60:22 three 14:15 23:13 time 5:21 7:1 7:19 10:11,12 10:21 11:1,9 12:20 16:15 21:1 28:1 30:6 30:9 35:9 37:2 38:4 40:12 54:1 63:23 81:18 95:5 100:11 102:18 timeframe 102:8 times 6:22 42:15 75:5 title 40:19 today's 100:7 together 14:12 told 35:3 72:2,7 took 42:20 99:14	top 11:4 30:16 50:15 52:3 55:13 56:14 59:6,20,22 60:14 79:21 80:16 82:5 83:4 92:16 98:14 topics 46:3 total 100:9 touch 91:16 touches 91:5,7 touching 93:17 towards 19:22 86:12,25 trademark 1:1 2:1 trailers 11:11 11:13 transcript 102:6,19 104:5 104:8 transition 48:12 transparent 33:6,15 34:7 34:21 35:11 36:2,24 37:5,6 38:12,18 40:19 42:25 trial 1:2 2:2 trouble 40:17 true 101:14 104:8	truth 101:9,10 101:10 try 7:13 23:17 54:17 56:20 trying 69:25 tuesday 5:2 turn 21:21 30:15 77:25 79:16 98:12 turned 48:10 twice 94:7 two 11:25 14:12,15 43:21 45:1 50:15 61:22 83:1,5,6 84:10,16,24 86:3 88:24 92:19 93:25 95:8,16 type 14:6 15:4 15:14 16:5 17:18 18:23,25 types 33:4
			u
			u.s. 1:12 2:12 4:11,13,16 23:4,7 24:7,12 25:2,9 52:8,12 unable 87:14 unclear 7:11 23:17,18 61:19 under 7:21 24:7 26:20 52:8,12

[underneath - witness]

underneath 15:25	47:24 49:4,16 87:23 88:1	video 2:16 5:14	90:7
understand 7:12,21 9:20 17:9 18:6 19:7 29:17 35:24 38:2,4 44:10 45:11 69:18,20 70:9	used 15:15 16:7 16:10 39:1,7 40:15,22 42:8 43:3 44:11 48:22 49:12 60:7,24 100:9 102:19	videographer 3:23 5:5,20 6:6 32:4,7 50:5,8 79:8,11 99:4,7 99:20,23 100:5	wanted 7:25 12:3
understanding 18:2,12,18 19:12 21:8,12 26:21 31:12 36:6 44:14 50:24 51:3 63:6,9 66:10 68:20,21 69:17 85:5	user 55:15 using 16:5,18 17:10 23:12 51:15 55:25 utility 69:25 71:4	videotaped 1:16 view 97:7 virtually 5:8 visible 21:25 22:13 24:20 25:16 26:9,21 27:4,14 visually 40:14 volume 15:10	way 36:7 48:22 52:21 54:17 56:8 59:11 69:23 70:14 101:17 ways 33:21 61:23 we've 16:7 31:25 61:3 64:22 webb 3:16 6:5 wednesday 1:18 2:19 went 73:7 whatsoever 101:20 white 80:9 wide 14:15,15 wife 32:16 witness 2:17 5:11 6:8,13 13:20 16:14 21:11 22:8,17 24:15,24 26:14 29:23 30:6 31:17 33:21 34:23 35:14 36:5 37:2,20 38:15 41:24 44:17 45:8 46:1 47:4,12 47:23 49:9,25
understood 7:9 35:7 51:18 unit 5:13 united 1:1 2:1 units 100:9 unpack 56:20 59:13 updated 63:17 upload 32:1 39:16 uploaded 13:6 28:9 upward 83:15 83:15 84:21 92:7 use 9:16 18:3,3 39:4 42:15	v v 1:6 2:6 102:4 103:1 104:1 variety 47:24 various 33:21 33:21 56:6,18 59:9 vendors 34:14 verify 102:9 verifying 81:8 veritext 5:20 9:10 100:10 102:14,23 veritext.com 102:15 version 63:19 82:19 versus 5:17 10:15	w wait 81:20 waiting 41:17 60:22 wall 85:15,18 85:21 86:3 87:8 89:5,15 89:25 90:13 91:2,6,8,19 92:7,11,12 97:19 want 13:14 16:23 19:5 36:7,20 41:8 41:19 48:23 53:15 54:24 68:17 77:11 80:3,21 81:3 87:12,23 88:16	

[witness - zooming]

51:3,14,23	working 11:2
53:5,22 55:3	11:22 13:16,18
55:10 57:4,17	14:10 17:22
58:3,8,24 61:6	18:20 19:22
61:19 62:7,12	45:15
62:23 63:16	works 12:23
66:17 67:1,17	world 45:23
68:25 69:14	wrapping
70:22 71:17,25	77:12
73:4,21 75:4	writing 30:7
76:11,21 77:7	written 21:19
77:23 84:8	22:21 24:21
85:8 87:21	26:11 27:6
88:10 89:17	28:25 31:13
90:2 94:4	38:3 50:21
95:12,22 96:8	54:14 62:25
97:5 98:7	64:17 65:15
101:7,15 102:8	67:13 69:15
102:10,12,18	71:12 72:3,8
word 59:14,16	wrong 41:9
60:2,24	y
wording 87:11	yeah 8:14 42:7
87:22	years 43:21
words 28:24	45:1 60:10
63:11 64:12	yo 14:11,11
69:5,8,20	york 2:22 101:5
70:16 71:10	z
87:12	zoom 9:5
work 35:5	zooming 40:17
45:13	41:3 54:16
worked 11:7	
12:5,21 15:12	
19:2,6,16,20	
35:14,18	