

1 GUTWIN - 11/14/2014

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

4 -----
5 SkyHawke Technologies, LLC,

6
7 Petitioner

8
9 v.

Case IPR 2014-00437

10 Case IPR 2014-00438

11 L&H Concepts, LLC,

12 Patent 5,779,566

13 Patent Owner
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17 DEPOSITION OF CARL A. GUTWIN, PH.D.

18 Austin, Texas

19 November 14, 2014
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23

24 Reported by: Susan S. Klinger, RMR-CRR, CSR

25 Job No. 86786

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November 14, 2014

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9:06 a.m.

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Deposition of Carl A. Gutwin, Ph.D. held

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at the offices of Fish & Richardson, 111

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Congress Avenue, Austin, Texas, before Susan S.

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Klinger, a Registered Merit Reporter and

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Certified Realtime Reporter of the States of

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Texas and California.

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2 A P P E A R A N C E S:

3
4 Attorneys for Petitioner:

5 Mr. Thomas Fisher

6 OBLON SPIVAK McCLELLAND MAIER & NEUSTADT

7 1940 Duke Street

8 Alexandria, Virginia 22314

9
10
11 Attorneys for Patent Owner:

12 Mr. David Morris

13 FISH & RICHARDSON

14 111 Congress Avenue

15 Austin, Texas 78701

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2 CARL GUTWIN, Ph.D.,

3 having been first duly sworn testified as
4 follows:

5 MR. MORRIS: I would like to put an
6 agreement on the record that Mr. Fisher and
7 I have discussed that this deposition is
8 going to apply both for IPR 2014-00437 and
9 2014-00438. We're combining those, so --
10 presumably we're combining length, although
11 I don't expect to use all of the length.

12 MR. FISHER: Well, you noticed one
13 depo today, both of them at the same time,
14 so we're expecting we're going to complete
15 this in one day.

16 MR. MORRIS: I expect to complete it
17 in one day.

18 EXAMINATION

19 BY MR. MORRIS:

20 Q. Please state your full name.

21 A. Carl Andrew Gutwin.

22 Q. Thanks for coming in today. My name
23 is David Morris. I represent L&H Concepts,
24 LLC. Do you understand that?

25 A. Yes.

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2 Q. And who are you here on behalf of?

3 A. The client is SkyHawke. The firm is
4 Oblon Spivak.

5 Q. Is it SkyHawke Technologies, LLC?

6 A. I believe so.

7 Q. And do you understand what IPR
8 stands for?

9 A. I do. I'm not sure I could
10 pronounce the Latin properly, but I believe I
11 understand what it means.

12 Q. Do you understand it's an inter
13 partes review process before the Patent Trial
14 and Appeal -- the Patent Trial and Appeal
15 Board?

16 A. That's correct.

17 Q. Have you ever been involved in any
18 capacity in any other IPRs?

19 A. No. I've been involved in a
20 district court ruling that I believe had an IPR
21 attached to it, but I wasn't involved in
22 that -- in that part of -- in that part of the
23 case.

24 Q. In the IPR case?

25 A. That's correct.

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