

Page 1

1 US PATENT AND TRADEMARK OFFICE
 2 BEFORE THE PATENT TRIAL AND APPEAL BOARD
 3 WEBASTO ROOF SYSTEMS, INC.,)
 4)
 5) Petitioner,)
 6) Case No.:
 7 vs.) IPR 2014-00649
 8) Patent 7,548,037
 9)
 10) UUSI, LLC.,)
 11)
 12) Patent Owner.)
 13 _____)
 14
 15 DEPOSITION OF FRANCESCO BORRELLI
 16 Volume 1
 17 San Francisco, California
 18 Tuesday, December 16th, 2014
 19
 20
 21 REPORTED BY:
 22 MONICA LEPE-GEORG
 23 CSR No. 11976
 24 Job No. 249155
 25 PAGES 1 - 121

Page 2

1
 2
 3 DEPOSITION OF FRANCESCO BORRELLI, VOLUME
 4 NO. 1, taken on behalf of Patent Owner, at Three
 5 Embarcadero, 24th Floor, San Francisco, California,
 6 beginning at 8:08 a.m. and ending at 12:20 p.m., on
 7 Tuesday, December 16th, 2014, before Monica
 8 Lepe-Georg, Certified Shorthand Reporter No. 11976.
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Page 3

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Page 4

1 INDEX OF EXAMINATIONS
 2
 3 PAGE
 4 EXAMINATION BY MR. FALCOFF 5
 5 EXAMINATION BY MR. SANDERS 112
 6 EXAMINATION BY MR. FALCOFF 114
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16 EXHIB:
 17 9 UUSI, LLC
 18 10 Exhibit 2004
 19 11
 20 12 WEBASTO ROOF SYSTEMS, INC.
 21 Petitioner
 22 v.
 23 UUSI, LLC
 24 Patent Owner
 25



Case:
 IPR2014-00648
 Patent: 8,217,612

<p style="text-align: right;">Page 1</p> <p>1 US PATENT AND TRADEMARK OFFICE 2 BEFORE THE PATENT TRIAL AND APPEAL BOARD 3 WEBASTO ROOF SYSTEMS, INC.,) 4) 5) Petitioner,) Case No. : 6 vs.) IPR 2014-00649 7) Patent 7,548,037 8) 9) UUSI, LLC.,) 10) 11) Patent Owner.) 12) 13) 14) 15) 16) 17) 18) 19) 20) 21) 22) 23) 24) 25)</p> <p style="text-align: center;">DEPOSITION OF FRANCESCO BORRELLI Volume 1 San Francisco, California Tuesday, December 16th, 2014</p> <p>REPORTED BY: MONICA LEPE-GEORG CSR No. 11976 Job No. 249155</p> <p>PAGES 1 - 121</p>	<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES 2 3 FOR PETITIONER: 4 GOODWIN PROCTER LLP 5 BY: CHARLES H. SANDERS, ESQ. 6 TIMOTHY J. ROUSSEAU, ESQ. 7 Exchange Place 8 Boston, Massachusetts 02109 9 Telephone: 617.570.1000 10 Fax: 617.523.1231 11 E-mail: csanders@goodwinprocter.com 12 trousseau@goodwinprocter.com 13 14 FOR PATENT OWNER (Telephonically): 15 HARNESS DICKEY & PIERCE, P.L.C. 16 BY: MONTE L. FALCOFF, ESQ. 17 HEMANT M. KESKAR, ESQ. 18 5445 Corporate Drive 19 Suite 200 20 Troy, Michigan 48098 21 Telephone: 248.641.1600 22 Fax: 248.641.0270 23 E-mail: mfalcoff@hdp.com 24 hkeskar@hdp.com 25</p>
<p style="text-align: right;">Page 2</p> <p>1 2 3 DEPOSITION OF FRANCESCO BORRELLI, VOLUME 4 NO. 1, taken on behalf of Patent Owner, at Three 5 Embarcadero, 24th Floor, San Francisco, California, 6 beginning at 8:08 a.m. and ending at 12:20 p.m., on 7 Tuesday, December 16th, 2014, before Monica 8 Lepe-Georg, Certified Shorthand Reporter No. 11976. 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 INDEX OF EXAMINATIONS 2 3 4 EXAMINATION BY MR. FALCOFF PAGE 5 5 EXAMINATION BY MR. SANDERS 112 6 EXAMINATION BY MR. FALCOFF 114 7 8 9 10 11 12 13 14 INDEX OF EXHIBITS 15 16 EXHIBIT NO. DESCRIPTION PAGE 17 9 Figures 2-A and 2-B 96 18 10 Figures 5D, 5E and 6A 99 19 11 Figures 5D, 5E and 5F 99 20 12 Webster's New Universal 107 21 Unabridged Dictionary 22 23 24 25</p>



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Page 5

1 San Francisco, California
2 Tuesday, December 16th, 2014
3 8:08 a.m. - 12:20 p.m.
4 ---oOo---
5 FRANCESCO BORRELLI,
6 having been administered an oath, was examined and
7 testified as follows:
8
9 EXAMINATION
10 BY MR. FALCOFF:
11 Q. I am Monte Falcoff. I'm the attorney
12 representing the patent owner, UUSI.
13 And for the record can you please state
14 your full name.
15 A. Francesco Borrelli.
16 Q. Okay. And your birth date, please?
17 A. December 17, 1974.
18 Q. Okay. And your home address?
19 A. 396 Coventry Road, 94707, Kensington,
20 California.
21 Q. Okay. Thank you. Just some ground rules
22 for the deposition. My job is to ask questions and
23 your job is to answer them today. Webasto's
24 attorney may object to my questions, but please
25 answer them anyway unless they are attorney-client

Page 6

1 privileged.
2 You must answer all questions truthfully
3 under the penalty of perjury.
4 You must orally answer all questions with a
5 "yes," "no" or an explanation; "uh-huhs" and shrugs
6 cannot be picked up by the court reporter nor could
7 they be picked up by me over the telephone.
8 I'll do my best to make my questions clear,
9 but if you don't understand a question please let me
10 know and I will repeat the question. If you answer
11 my question then I will presume that you understood
12 it.
13 Do you understand these instructions, sir?
14 A. I do.
15 Q. Okay. This deposition is for the United
16 States Patent Office Inter Partes Review proceeding
17 filed by Webasto against UUSI regarding
18 IPR 2014-00649 for U.S. Patent No. 7,548,037.
19 Are you represented by an attorney for this
20 deposition today?
21 A. Yes. Yes.
22 Q. Okay. Thank you.
23 Have you ever been deposed before?
24 A. No.
25 Q. Okay. Have you ever testified at trial

Page 7

1 before?
2 A. No.
3 Q. Okay. Have you ever worked on a Patent
4 Office Inter Partes Review proceeding before?
5 A. No.
6 Q. Okay. Have you ever been an inventor of a
7 patent application that discloses automotive window
8 lift systems or sunroof systems?
9 A. No.
10 Q. Okay. Now, throughout this deposition I
11 may use certain acronyms or abbreviations, this will
12 include "IPR," for Inter Partes Review; "037 patent"
13 for U.S. Patent 7,548,037; "Bernard" or "GB-723" for
14 UK Patent No. 2 026 723; "Chikaraishi" or "047
15 patent" for U.S. Patent No. 3,888,047.
16 I may interchangeably refer to the patent
17 owner as "UUSI" or its deviating "Nartron"; that's
18 N-a-r-t-r-o-n; and I'll refer to Webasto as "The
19 Petitioner" who filed the present IPR with your
20 expert declaration.
21 So if you are ever unclear about acronyms
22 I'm using please let me know and I'll rephrase the
23 question.
24 Okay. For the deposition today how much
25 time did you spend preparing for it, approximately?

Page 8

1 A. Could you be more precise?
2 Q. Did you spend approximately eight hours
3 preparing for it, 40 hours preparing for it, weeks
4 preparing for it?
5 A. For the case or for the deposition?
6 Q. No, just for the deposition today. So that
7 would be after your declaration was signed.
8 A. After my declaration was signed I spent
9 around 15, 20 hours.
10 Q. Okay. And what did you do to prepare for
11 this deposition?
12 A. I have reviewed the petition, the -- my
13 declaration focusing on the 037 patent, Bernard and
14 Chikaraishi.
15 Q. Anything else?
16 A. I have reviewed the 037 patent, the Bernard
17 patent and the Chikaraishi patent.
18 Q. Now, did you meet with anyone other than
19 Webasto's attorneys?
20 A. No.
21 Q. Okay. Let's see, what year did you receive
22 your undergraduate engineering degree?
23 A. I did receive an engineering degree in
24 Italy called Laurea. And that is a five-year
25 program which includes an undergrad and a masters.



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Page 9

1 It's a master program.
2 Q. Okay. So when did you receive -- did you
3 receive an undergraduate engineering degree?
4 A. I did receive directly the master. There
5 was no undergrad degree at that time in Italy. So
6 the master degree, the Laurea, was in I believe
7 1998.
8 Q. Okay. And when did you receive your Ph.D.
9 in engineering?
10 A. 2002. I just don't want to make a mistake.
11 Yeah, 2002.
12 Q. I hear some papers flipping. Are you
13 referring to your CV or something?
14 A. Yes. I want to make sure. Sometimes I
15 forget the time.
16 Q. That's fine. Since I'm on the telephone if
17 you refer to a document please just let me know.
18 A. Sure. I was looking at my CV. It's 2002.
19 I'm hundred percent sure.
20 MR. SANDERS: I'm just showing him his CV,
21 Monte.
22 MR. FALCOFF: That's fine. Just let me
23 know when you are. Okay.
24 BY MR. FALCOFF:
25 Q. Now, how old were you in April of 1992?

Page 10

1 A. April 1992? So wait a second, I need -- so
2 I was born in December '74; '84 I was ten --
3 You say '92? Six plus ten, I must have
4 been 17, right?
5 Q. So you were 17 years old in April of 1992?
6 A. I think -- no, no, I cannot do it.
7 '74. '84. Six, seven, eight -- yeah,
8 yeah, I was 17. Yeah.
9 Q. Okay. Now, were you an engineer in April
10 of 1992 --
11 A. April 1992?
12 Q. -- when you were 17?
13 A. No.
14 Q. Okay. Were you a mechanic in April of
15 1992?
16 A. No.
17 Q. Okay. Did you even own an automobile in
18 April of 1992?
19 A. No.
20 Q. Okay. Now, your current employment --
21 what's your current employer and position?
22 A. I am an associate professor at UC Berkeley
23 in the mechanical engineering department.
24 Q. Okay. Do you have any other title?
25 A. I'm a brown chair assistant professor.

Page 11

1 This is a chair given for a merit in the department.
2 That's one of my title. And then I'm the CTO of
3 BrightBox Technologies Incorporated.
4 Q. Do you have any other employers currently?
5 A. No.
6 Q. Okay. So you're only an associate
7 professor, not a full tenured professor right now;
8 is that correct?
9 A. I am a tenured professor.
10 Q. You are?
11 A. Yes.
12 Q. Okay. Now, are you a full professor or
13 just an associate professor?
14 A. I'm an associate professor.
15 Q. Okay. Now, how long have you had that
16 title of associate professor?
17 A. I need to look at my CV.
18 Q. Please do.
19 A. So since June 2011. That's when I got my
20 tenure and I was promoted to assistant professor.
21 Q. Okay. Now, prior to April of 1992 had you
22 ever done any engineering work on automotive DC
23 motors, the under control systems in automobiles?
24 A. No.
25 Q. Okay. Prior to May of 2000 have you ever

Page 12

1 worked on any automotive fractional horsepower DC
2 motors or their control systems?
3 A. No.
4 Q. Okay. Did you do any research or
5 engineering projects prior to April of 1992
6 specifically for automotive fractional horsepower DC
7 motors?
8 A. No.
9 Q. Okay. How about prior to May of 2000?
10 A. No.
11 Q. Okay. Have you ever done any engineering
12 work prior to May of 2000 specifically pertaining to
13 automotive window lift or sunroof systems?
14 A. No.
15 Q. Okay. Have you ever worked on any
16 automotive sunroof or side window lift systems or
17 their electronic controls at any point in your
18 career prior to the present IPRs?
19 A. No.
20 Q. Okay. With regard to this IPR, at least as
21 to when you signed your expert declaration, did you
22 discuss any of the facts with any engineers?
23 A. No.
24 Q. Okay. Did you ever have any conversations
25 directly with any Webasto employees? So that would



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Page 13

1 exclude their attorneys present in the room right
2 now.
3 A. No.
4 Q. Okay. Prior to signing your expert
5 declaration in this IPR have you ever specifically
6 discussed --
7 THE REPORTER: I need you to slow down,
8 please.
9 Have you ever specifically discussed any...
10 BY MR. FALCOFF:
11 Q. -- any automotive window lift systems for
12 sunroof systems with any engineers who were active
13 in the industry prior to May of 2000?
14 A. No.
15 Q. Okay. What were the typical revolutions
16 per minute of an automotive window lift motor when
17 it was operating at its fastest closing speed prior
18 to May of 2000?
19 MR. SANDERS: Objection. Vague.
20 MR. FALCOFF: Please answer if you can.
21 THE WITNESS: I don't know.
22 BY MR. FALCOFF:
23 Q. I'm sorry, did you say, "I don't know"?
24 A. I don't know, yes.
25 Q. Okay. Was the typical closing RPMs be

Page 14

1 different from a automotive side window motor versus
2 a sunroof motor in that same time frame?
3 A. I do not know.
4 Q. Okay. Prior to May of 2000 what is the
5 typical horsepower of an automotive window lift
6 motor or sunroof motor?
7 A. I don't know.
8 Q. Okay. Prior to signing your expert
9 declaration in this IPR, did you know the details of
10 anti-pinch or anti-trap automotive window sensing
11 and control that were present in production vehicles
12 prior to May of 2000?
13 MR. SANDERS: Objection. Foundation.
14 THE WITNESS: You ask if I know the
15 details?
16 BY MR. FALCOFF:
17 Q. Okay. You don't know any of the details?
18 A. No.
19 Q. Okay. Have you ever seen any physical
20 automotive window lift motors or sunroof motors
21 prior to signing your expert declaration in this
22 IPR?
23 A. Could you repeat the question?
24 Q. Sure. Have you ever seen any physical
25 automotive window lift motors or sunroof motors

Page 15

1 prior to signing your expert declaration in this
2 IPR?
3 A. No, I haven't seen the motors.
4 Q. Okay. Prior to signing your expert
5 declaration in this IPR have you seen any electrical
6 diagrams for automotive window lift or sunroof
7 devices or their control systems that were used in
8 production automobiles?
9 A. No, I have not.
10 Q. Okay. Prior to signing your expert
11 declaration in this IPR had you seen any software
12 code, charts, or diagrams for same for automotive
13 window lift devices or control systems that were
14 used in production vehicles?
15 A. No, I have not.
16 Q. Okay. Have you ever done any garage door
17 opener engineering work in your career?
18 A. Could you be specific? Like which type of
19 work?
20 Q. As far as with regard to control systems or
21 the motor for garage door opener.
22 A. General, no.
23 Q. I'm sorry, I didn't hear that.
24 A. No, I did not.
25 Q. Okay. Have you ever reviewed an electrical

Page 16

1 diagram for a garage door opener used in an
2 industrial or residential building prior to your
3 work on these IPRs?
4 A. No.
5 Q. Okay. Did you ever review an electrical
6 diagram for garage door opener prior to signing your
7 declaration in the present IPR?
8 A. Could you repeat the question.
9 Q. Have you ever reviewed an electrical
10 diagram for a garage door opener prior to your
11 signing your expert declaration in the present IPR?
12 MR. SANDERS: Objection. Vague.
13 MR. FALCOFF: Please answer if you can.
14 THE WITNESS: I have reviewed the documents
15 which allow me to sign the declaration and in some
16 of the patents there are explanation and diagrams
17 regarding garage doors opening.
18 BY MR. FALCOFF:
19 Q. Okay. Thank you.
20 So have you ever reviewed any electrical
21 diagrams that were actually used in real world
22 industrial or residential building garage door
23 openers prior to signing your IPR declaration?
24 A. The one I reviewed I cannot claim if they
25 were using real world or not. I do not know.



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