

Ex. PGS 1030

(EXCERPTED)

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

WESTERNGECO LLC * 09-CV-1827
* Houston, Texas
VS. *
*
ION GEOPHYSICAL * 12:11 p.m.
CORPORATION, FUGRO *
GEOTEAM, INC., ET AL * July 24, 2012

JURY TRIAL

Volume 2
Afternoon Session

BEFORE THE HONORABLE KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE PLAINTIFF:
Lee L. Kaplan
SMYSER, KAPLAN & VESELKA, LLP
700 Louisiana, Suite 2300
Houston, Texas 77002
713.221.2300

Gregg F. LoCascio
KIRKLAND & ELLIS LLP
655 Fifteenth Street Northwest
Washington, DC 20005
202.879.5290

Sarah Tsou
Timothy K. Gilman
KIRKLAND & ELLIS LLP
Citigroup Center
153 East 53rd Street
New York, New York 10022
212.446.6435

Direct-Bittleston/By Mr. Gilman

1 realign the birds so that this line matches up with the
2 Line 46. So it starts just turning a little bit, in this
3 case, so that it's lined up with 46, and we change
4 actually the total force so it matches the arrow 46. So
01:15:28 5 it's explaining how to go from one position to another.

6 **Q.** Dr. Bittleston, did you invent the idea of trying to
7 put a lateral force on a cable?

8 **A.** No, I did not. There are many devices. I mentioned
9 the monowing, which was before this, and other people had
01:15:42 10 thought of trying to move cable sideways.

11 **Q.** Did you invent the idea of trying to use a device to
12 move one of these streamers?

13 **A.** I invented a particular embodiment, a particular
14 device, to move streamers sideways, which was a tooling in
01:15:57 15 a natural bird which had independent wings.

16 **Q.** Is that the subject matter of these patents in suit?

17 **A.** No, this is actually not the subject at all, although
18 there's a patent about it. The subject matter is about
19 not any particular device, I've shown you one particular
01:16:09 20 device. It's actually about how the move the whole thing
21 together. It's irrelevant respective of which device is
22 on the cables. These patents have nothing to say about
23 which device is on the cable, just that there are devices
24 that can move them, and they explain how to go about
01:16:24 25 managing a couple of hundred of these birds at the same

Johnny C. Sanchez, RMR, CRR - icscourtreporter@aol.com

Cross-Bittleston/By Mr. Burgert

1 making solid streamers and things like that. So we looked
2 at the number of different areas. This was one of them.

3 **Q.** And I think you told Mr. Gilman that others before
4 you had looked at ways to move streamers laterally; is
5 that right?

03:08:58

6 **A.** Of course, because the streamers are moved laterally
7 by monowings, They existed before. In fact, the first
8 time people started to move cables sideways like this was
9 the second world war for minesweepers. So you know, the
10 history of devices that pull cables sideways is a very
11 long history.

03:09:15

12 **Q.** So any statement that you invented lateral steering
13 is just wrong?

14 **A.** Yes. I am not the inventor of laterally steering.
15 I'm an inventor of a global control system.

03:09:28

16 **Q.** And the global control system is software in a
17 computer, isn't it?

18 **A.** It's rather more than that. There's many components
19 of what I call an overall control system. It's the
20 methods by which you're going to do it. It's the
21 measurements you're going to need to do it and the other
22 devices. But it depends on your terminology, I think, and
23 how you -- what you encompass in that statement.

03:09:44

24 **Q.** All right. Well, one of the -- and the reason I
25 asked that is because, in response to one of Mr. Gilman's

03:09:59

Johnny C. Sanchez, RMR, CRR - jcsreporter@aol.com