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Transcript of **DR. PHILLIP WRIGHT**

Date: April 30, 2015

Case: LG ELECTRONICS, INC., ET AL v. CYPRESS SEMICONDUCTOR
CORP.

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EXHIBIT 2017

LG Elecs. v. Cypress Semiconductor
IPR2014-01302, U.S. Pat. 8,059,015

DEPOSITION OF DR. PHILLIP WRIGHT
CONDUCTED ON THURSDAY, APRIL 30, 2015

1	1 UNITED STATES PATENT AND TRADEMARK OFFICE 2 BEFORE THE PATENT TRIAL AND APPEAL BOARD 3 -----x 4 LG ELECTRONICS, INC., LG : 5 ELECTRONICS U.S.A, INC., and : 6 LG ELECTRONICS MOBILECOMM : Cases 7 U.S.A., INC., : IPR2014-01302 - Patent 8,059,015 8 Petitioner, : IPR2014-01342 - Patent 8,004,497 9 v. : IPR2014-01343 - Patent 8,519,973 10 CYPRESS SEMICONDUCTOR CORP., : 11 Patent Owner. : 12 -----x 13 14 Deposition of DR. PHILLIP WRIGHT 15 Washington, DC 16 Thursday, April 30, 2015 17 8:58 a.m. 18 19 20 Job No.: 81268 21 Pages: 1 - 161 22 Reported By: Rebecca Stonestreet, RPR, CRR	3
2	1 A P P E A R A N C E S 2 ON BEHALF OF PETITIONER: 3 BRIAN A. TOLLEFSON, ESQUIRE 4 SOUMYA P. PANDA, ESQUIRE 5 ROTHWELL, FIGG, ERNST & MANBECK, P.C. 6 607 14th Street, NW 7 Suite 800 8 Washington, DC 20005 9 (202) 783-6040 10 11 ON BEHALF OF PATENT OWNER CYPRESS SEMICONDUCTOR CORP: 12 JEFFREY A. MILLER, ESQUIRE 13 KAYE SCHOLER, LLP 14 Two Palo Alto Square 15 3000 El Camino Real 16 Suite 400 17 Palo Alto, California 94306 18 (650) 319-4500 19 20 21 22	4
2	1 Deposition of DR. PHILLIP WRIGHT, held at the 2 offices of: 3 4 5 ROTHWELL, FIGG, ERNST & MANBECK, P.C. 6 607 14th Street, NW 7 Suite 800 8 Washington, DC 20005 9 (202) 783-6040 10 11 12 13 14 Pursuant to agreement, before Rebecca Stonestreet, 15 Registered Professional Reporter, Certified Realtime 16 Reporter, and Notary Public in and for the District of 17 Columbia, who officiated in administering the oath to 18 the witness. 19 20 21 22	4
2	1 C O N T E N T S 2 EXAMINATION OF DR. PHILLIP WRIGHT PAGE 3 By Mr. Miller 6 4 By Mr. Tollefson 144 5 By Mr. Miller 154 6 7 8 E X H I B I T S 9 (Marked during the deposition and attached to the 10 transcript.) 11 EXHIBIT NUMBER PAGE 12 Exhibit 2014 Figure 7 of the '388 patent as 13 annotated by Dr. Wright 93 14 Exhibit 2015 Figure 7 of the '388 patent as 15 annotated by Dr. Wright 106 16 Exhibit 2016 Figure 7 of the '388 patent as 17 annotated by Dr. Wright 108 18 19 20 21 22	4

DEPOSITION OF DR. PHILLIP WRIGHT
CONDUCTED ON THURSDAY, APRIL 30, 2015

5

1 EXHIBITS CONTINUED
2 (Exhibits previously marked and referred to in the
3 deposition.)
4 EXHIBIT NUMBER PAGE
5 Exhibit 1001 U.S. Patent No. 8,059,015 73
6 Exhibit 1002 U.S. Patent No. 5,463,388 26
7 Exhibit 1008 U.S. Patent No. 5,543,588 39
8 Exhibit 1011 Prosecution history for Patent
9 No. 8,059,015 78
10 Exhibit 1012 U.S. Patent No. 7,844,914 112
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1 understand, you need to tell me and I'll do what I can to
2 try to clarify. Can you do that for me?
3 **A Yes, I can.**
4 **Q** And another sort of ground rule is that
5 Rebecca, I'm sure, is a terrific court reporter, but
6 there's no court reporter on earth who can record
7 testimony if multiple people are speaking at the same
8 time. So I would appreciate it if you would let me
9 finish my question, and I will do my best to allow you to
10 answer.
11 I can almost promise you that I will fail at
12 that admonition at some point today, but we should do our
13 best to work with the court reporter on that. Is that
14 okay?
15 **A Okay.**
16 **Q** Are you under any medication that would
17 prevent you from testifying truthfully today?
18 **A No.**
19 **Q** Great. Do you recall when you were retained
20 to testify in this matter?
21 **A I believe my engagement, my first period of**
22 **engagement, began in December of 2013, is when I was**

6

1 PROCEEDINGS
2 (DR. PHILLIP WRIGHT, having been duly sworn, testified as
3 follows:)
4 EXAMINATION BY COUNSEL FOR PATENT OWNER
5 CYPRESS SEMICONDUCTOR CORP.
6 BY MR. MILLER:
7 **Q** Good morning, Dr. Wright. My name is Jeffrey
8 Miller, I represent Cypress Semiconductor in the
9 inter partes review proceeding that we're here to discuss
10 your declaration on. Have you ever given your deposition
11 before?
12 **A This is my first.**
13 **Q** Well, I'm sure you spent some time working
14 with your lawyers to help you get ready. I may ask you
15 about that. I'll briefly tell you the way I think it's
16 going to work today, and if you have any questions,
17 please let me know.
18 So I'm going to ask you a series of questions,
19 and you're required to answer those questions unless your
20 lawyer tells you not to. Do you understand that?
21 **A Yes.**
22 **Q** If I ask you a question that you don't

8

1 **first contacted.**
2 **Q** And who contacted you?
3 **A Jason Shapiro here at the -- Rothwell & Figg.**
4 **MR. TOLLEFSON:** I just want to caution you not
5 to reveal the substance of any conversations with anyone
6 from Rothwell Figg.
7 **Q** And starting from your first retention at the
8 end of 2013 up until now, do you know how many hours
9 you've put into working on this matter?
10 **A I don't have the exact number in mind, no.**
11 **Q** Can you give me an approximate number?
12 **A Not a very accurate one without checking my**
13 **billing records. But I can roughly add up the number**
14 **very approximately.**
15 **MR. TOLLEFSON:** I'm going to object to the
16 form of the question.
17 **Q** You can still answer, even though your lawyer
18 has objected to the form of the question.
19 **A I would be coming up with a very approximate**
20 **number.**
21 **Q** Is it more than 100 hours?
22 **A It's more than 100.**

DEPOSITION OF DR. PHILLIP WRIGHT
CONDUCTED ON THURSDAY, APRIL 30, 2015

9

1 Q Is it more than 200 hours?
2 A **I don't think so.**
3 Q And you prepared, I believe, three
4 declarations?
5 A **Correct. Here in front of me.**
6 Q I have copies for you as well.
7 A **All right.**
8 Q And do you know approximately how many hours
9 you put into the preparation of all three of those
10 declarations?
11 A **Well, it would have been a subset of the total
12 amount with the upper limit that you set, and no more.**
13 Q I'm going to provide you with copies of your
14 declaration. The first one I'll give you is the
15 declaration that was filed in the IPR proceeding relating
16 to U.S. patent 8,519,973, and that is Exhibit 1010 in
17 that proceeding.
18 Next I'm going to give you a copy of
19 Exhibit 1010 in the IPR proceeding relating to U.S.
20 patent 8,004,497.
21 MR. TOLLEFSON: Jeff, are you going to
22 separately mark these since they're both exhibits?

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1 MR. MILLER: I'm not going to separately mark
2 them. I've been through this before, and it's actually
3 easier if you just go -- I'll talk to the witness about
4 it but there's no need to separately mark them.
5 Q And finally, I'm going to give you what's been
6 marked as Exhibit 1010 in the IPR proceeding relating to
7 U.S. patent 8,059,015.
8 Now, as your counsel alluded to, there are
9 three different proceedings with three different case
10 numbers. And you filed a declaration in each, and they
11 all bear the Exhibit 1010 label.
12 So when I ask you about particular statements
13 you made in a particular declaration, I'm going to
14 clarify which proceeding it related to, and I would
15 appreciate it if you could do the same for me as well.
16 A **Say, by the last three digits of the patent
17 number?**
18 Q Sure. So '497, '973, '015.
19 Who wrote these declarations?
20 A **I did.**
21 Q Did you have any help from the lawyers?
22 A **I worked with the lawyers to draft them,**

11

1 **revise them, exam them further. Yes.**
2 Q Which lawyers were those lawyers?
3 A **Principally Soum [sic] and Mike Jones.**
4 Q And do you remember the time, approximately
5 how long -- and I'm not talking about hours billed, but
6 timeframe --
7 A **Timeframe?**
8 Q -- from September to July, you know, or
9 something like that?
10 A **They had a due date. I don't remember the
11 exact due date. I think it was in mid year 2014. And
12 having a due date, we commenced work over a period of
13 some weeks. But again, I would have to check my billing
14 records if you wanted an accurate tally.**
15 Q Now, each of the declarations you've prepared
16 for the respective IPRs refers to some prior art
17 references.
18 A **Right.**
19 Q Who filed those prior art references?
20 MR. TOLLEFSON: I'm going to object. I'm
21 going to object on the grounds of privilege and instruct
22 you not to answer.

12

1 THE WITNESS: Okay.
2 Q Are you going to follow your counsel's advice
3 or instruction?
4 A **Yes.**
5 Q Do you recall when the first time was you saw
6 the prior art reference U.S. patent 5,463,388, the
7 inventor being Mr. Boie?
8 MR. TOLLEFSON: Objection to form.
9 Q You can still answer.
10 A **I don't think I have to.**
11 Q Why?
12 A **Because I was advised not to, I should say.**
13 MR. TOLLEFSON: No, I didn't advise you not
14 to. I objected to form because it was a yes or no answer
15 and I think he was trying to ask you a date. So I just
16 objected to form.
17 Q Let me rephrase and maybe that will solve the
18 problem.
19 Do you recall when the first time was you saw
20 U.S. patent 5,463,388, with the first named inventor
21 being Robert A. Boie?
22 MR. TOLLEFSON: Objection to form.

DEPOSITION OF DR. PHILLIP WRIGHT
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4 (Pages 13 to 16)

13

1 Q You can still answer.
2 A **I don't recall the date in detail.**
3 Q Was it before or after you were retained in
4 this matter?
5 A **I believe it was after.**
6 Q Thank you.
7 How about U.S. patent 5,543,588 to
8 Stephen Bisset, et al. Do you recall what the first time
9 you saw that patent was?
10 A **No, not precisely.**
11 Q Was it before or after you were retained in
12 this engagement?
13 A **I don't know.**
14 Q And how about do you recall when the first
15 time you saw U.S. patent 7,844,914, issued to
16 Bartley Andre, et al.?
17 MR. TOLLEFSON: Objection to form.
18 A **I don't recall in detail, no.**
19 Q Was it before or after you were retained in
20 this matter?
21 A **I believe it was after.**
22 Q When was the first time you saw U.S. patent

14

1 7,821,502, to Hristov?
2 MR. TOLLEFSON: Objection to form.
3 A **Could you restate the question?**
4 BY MR. MILLER:
5 Q What don't you understand about it?
6 A **Could you just repeat the question? I've been**
7 **distracted from the question. Just simply repeat it,**
8 **please.**
9 Q When was the first time you saw U.S. patent
10 7,821,502, which issued to Luben Hristov?
11 A **I don't recall the exact date.**
12 Q Was it before or after you were retained in
13 this matter?
14 A **It was after.**
15 Q When was the first time you saw U.S. patent
16 4,242,676, which was issued to Christian Piguat, et al.?
17 A **I don't recall the exact date.**
18 Q Was it before or after you were retained in
19 this matter?
20 A **I believe it was after.**
21 Q I have some questions about your background.
22 If you could pull out Exhibit 1010, which is your

15

1 declaration that you prepared in the IPR proceeding
2 relating to the '973 patent.
3 A **(Witness complies.)**
4 Q And you attached an Exhibit A to the
5 declaration, which is your CV. Could you turn to that,
6 please?
7 A **(Witness complies.)**
8 Q In the third page of your CV you list your
9 educational background.
10 A **Correct.**
11 Q And your CV says that you obtained a
12 bachelor's, a master's, and a Ph.D. in electrical
13 engineering?
14 A **The bachelor's at Purdue is in engineering.**
15 Q I apologize.
16 A **And the Ph.D. and M.S. were from the**
17 **University of Illinois in electrical engineering,**
18 **correct.**
19 Q Was there any specific research area that you
20 focused on in your studies?
21 A **Not until I was a graduate student.**
22 Q When you were a graduate student, what was

16

1 your focus of study?
2 A **My focus of study was the semiconductor**
3 **materials and electronic device structures that are used**
4 **in light emitting diodes and lasers.**
5 Q After you graduated with your Ph.D., it looks
6 like you went to go work for Varian in Palo Alto?
7 A **Uh-huh.**
8 Q What were your responsibilities at Varian?
9 A **My title was as an engineer there in the**
10 **corporate research laboratory. And that answers the**
11 **question.**
12 Q Any particular research area?
13 A **I was again, as it states here, working on**
14 **semiconductor materials and devices for light emitting**
15 **diodes and semiconductor lasers.**
16 Q And looking at your CV, it looks like you left
17 Varian and went to work for Bell Labs?
18 A **Uh-huh.**
19 Q Looks like you were there for quite a while,
20 with several different titles. Can you give me a brief
21 overview of what your areas, your technical areas of
22 responsibility were?

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