

FORD MOTOR COMPANY v. PAICE, LLC, ET AL.

NEIL HANNEMANN

April 7, 2015

Prepared for you by



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<p>1 UNITED STATES PATENT AND TRADEMARK OFFICE 2 BEFORE THE PATENT TRIAL AND APPEAL BOARD 3 4 5 FORD MOTOR COMPANY, : 6 Petitioner, : 7 v. : IPR Case No: 8 PAICE LLC & ABELL FOUNDATION, : IPR2014-00571 9 INC., : 10 Patent Owner. : 11 : 12 -----x 13 14 15 Oral Deposition of NEIL HANNEMANN 16 Washington, DC 17 Tuesday, April 7, 2015 18 9:58 a.m. 19 20 21 22 23 Job No.: 79874 24 Pages: 1 - 145 25 Reported By: Rebecca Stonestreet, RPR, CRR</p>	<p>1 A P P E A R A N C E S 2 3 4 ON BEHALF OF PETITIONER: 5 FRANK A. ANGILERI, ESQUIRE 6 JOHN P. RONDINI, ESQUIRE 7 BROOKS KUSHMAN, PC 8 1000 Town Center 9 22nd Floor 10 Southfield, MI 48075 11 (248) 226-2913 12 13 - and - 14 15 THOMAS W. YEH, ESQUIRE 16 LATHAM & WATKINS, LLP 17 555 Eleventh Street, NW 18 Suite 1000 19 Washington, DC 20004 20 (202) 637-1039 21 22 23 24 25</p>
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<p>1 Oral Deposition of NEIL HANNEMANN, held at the 2 offices of: 3 4 5 FISH & RICHARDSON, PC 6 1425 K Street, NW 7 11th Floor 8 Washington, DC 20005 9 (202) 783-5070 10 11 12 13 14 Pursuant to notice, before 15 Rebecca Stonestreet, Registered Professional Reporter, 16 Certified Realtime Reporter, and Notary Public in and for 17 the District of Columbia, who officiated in administering 18 the oath to the witness. 19 20 21 22 23 24 25</p>	<p>1 A P P E A R A N C E S C O N T I N U E D 2 3 4 ON BEHALF OF THE PATENT OWNER: 5 BRIAN J. LIVEDALEN, ESQUIRE 6 LINDA LIU KORDZIEL, ESQUIRE 7 FISH & RICHARDSON 8 1425 K Street, NW 9 11th Floor 10 Washington, DC 20005 11 (202) 783-5070 12 13 14 ALSO PRESENT: 15 Frances Keenan, Paice LLC 16 17 18 19 20 21 22 23 24 25</p>

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1 **hybrid vehicles weren't really a course of study in --**

2 **that would have been 1981.**

3 Q Did you focus at all on hybrid vehicles in

4 your undergraduate work at GMI?

5 **A No. I would say I focused more on power train**

6 **and emissions.**

7 Q What experience do you have in the

8 hybrid/electric vehicle area?

9 **A Well, I can refer to my declaration.**

10 **Actually, I think there was a supplemental declaration**

11 **that has most of my qualifications.**

12 **But it was more the -- the hybrid vehicle work**

13 **was probably within the last 10 years, and specifically**

14 **hybrids, probably the first time I did anything was at**

15 **McLaren, where I worked on some architecture for hybrid**

16 **vehicles based on a McLaren product.**

17 **And then in 2008 I was working at a company**

18 **called Aptera, where we looked at hybrid concepts, and**

19 **the patent that I worked on could be applied to a hybrid**

20 **vehicle.**

21 Q Have you ever designed a hybrid vehicle?

22 **A Well, I mean, "designed" is a pretty broad**

23 **term. The work I did at McLaren was design work in the**

24 **designing the architecture of the hybrid vehicle. So**

25 **yes, I would say I've designed a hybrid vehicle.**

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PROCEEDINGS

(NEIL HANNEMANN, having been duly sworn, testified as follows:)

EXAMINATION BY COUNSEL FOR PETITIONER

BY MR. ANGILERI:

Q Good morning.

A Good morning.

Q Can you state your name for the record,

please?

A Neil Hannemann.

Q Mr. Hannemann, what's the extent of your

formal education?

A Well, I have a bachelor's degree from General

Motors Institute. That's the only other degree I have.

I've gone to some graduate classes but didn't receive a

degree.

Q What graduate classes?

A Oh, attended some classes at the University of

California at Santa Barbara, and when I took a different

job and moved away, I just did not -- chose not to

complete that course.

Q Are any of those graduate classes relevant to

the hybrid vehicles?

A You know, in 19 -- I mean, other than they

were, you know, mechanical engineering classes, but

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MR. ANGILERI: Let's mark as Exhibit 1

Mr. Hannemann's declaration.

(HANNEMANN Exhibit 1 was marked for

identification and retained by counsel.)

A Like I said, there's some additional detail of

my background in the supplemental declaration, which I

don't have with me.

Q Supplemental declaration, you said?

MR. LIVEDALEN: Objection.

(OFF THE RECORD.)

Q Let's look at -- have you ever worked for Ford

Motor Company?

A For two years I've worked for Ford Motor

Company as a contract employee through a company called

Saleen.

Q So you've never been a Ford Motor Company

employee?

A Well, I was a contract employee. It's a

little bit of a subtlety, but probably 10 or 15 percent

of all Ford engineers are working under contract. The

best way to describe it is like a Kelly Girl thing, where

your paycheck comes through a different company, but

you're called a contract employee. So that would make me

an employee of Ford.

Q I guess that's your view. But your paycheck

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1 came from Saleen. Right?
2 **A Yes.**
3 Q So you never got a paycheck from Ford Motor
4 Company?
5 **A That's correct.**
6 Q What time period were you a contract employee
7 with Saleen but located at Ford?
8 **A That was 2002 through 2004.**
9 Q How long were you employed at Saleen?
10 **A I was at Saleen for four or five years. And**
11 **two years of that was the time at Ford.**
12 Q So did your employment with Saleen start
13 before 2002?
14 **A Yes.**
15 Q When? Would your CV help?
16 **A Yes.**
17 MR. ANGILERI: Let's mark this.
18 (HANNEMANN Exhibit 2 was marked for
19 identification and retained by counsel.)
20 Q So we marked as Exhibit 2 a -- strike that.
21 What is Exhibit 2?
22 **A Exhibit 2 is my CV.**
23 Q And just for the record, what is Exhibit 1,
24 that thing we marked earlier?
25 **A Exhibit 1 is my declaration for IPR 571.**

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1 Q Back to Exhibit 2, my question is, when did
2 you work for Saleen?
3 **A I started working for Saleen in October of**
4 **2000.**
5 Q And when did you finish working for Saleen?
6 **A I was assigned by Saleen to Ford in 2002, and**
7 **that went through February of 2004.**
8 **And there's a typo on this CV. So under Ford**
9 **Motor Company it should be January 2002.**
10 Q This says you were at Ford Motor Company
11 from now, as corrected by you, January 2002 through
12 February 2004. Correct?
13 **A That's correct.**
14 Q And then it says in March 2004 you were at
15 McLaren Automotive?
16 **A Correct.**
17 Q So were you still employed by Saleen when you
18 were at McLaren or were you now a McLaren employee?
19 **A I was an employee of McLaren at that time.**
20 Q So just to be clear, you were employed by
21 Saleen from October 2000 through February 2004. Right?
22 **A That's -- yeah. And as a contract employee, I**
23 **was assigned to Ford Motor Company for part of that time.**
24 Q How did it come that Saleen assigned you to
25 work at Ford Motor Company?

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1 **A Well, Saleen had a working relationship with**
2 **Ford, and Ford, they had a project that Saleen was**
3 **working on from a subcontract standpoint. And, you know,**
4 **Ford just requested that I be assigned to them as the**
5 **chief engineer of that project.**
6 Q Who at Ford made that request?
7 **A That would have been John Coletti.**
8 Q How did you know John Coletti?
9 **A I really didn't know John. I think John**
10 **was -- worked more with other people at Saleen.**
11 **And I think -- well, possibly other people**
12 **were involved in that decision. I just -- John Coletti**
13 **is the one I met with who made that request. Other**
14 **people may have been involved in the decision; it would**
15 **have been Chris Theodore and possible Neil Ressler.**
16 Q So you never met John Coletti, but you know
17 he's the one that requested that you work on the project?
18 **A I met him in the process of this project**
19 **starting up.**
20 Q How do you know he asked that you work on the
21 project?
22 **A Well, he's the first one that asked me to come**
23 **to Detroit.**
24 Q So he literally spoke to you directly and
25 said, Please come to Detroit?

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1 **A Yes.**
2 Q Gotcha.
3 Where were you before you came to Detroit?
4 **A Oh, I was based in Irvine, California.**
5 Q That's where Saleen is?
6 **A Yes.**
7 Q Do you know why Ford wanted somebody from
8 Saleen to come on-site and work with them at that time?
9 **A I think that had less to do with Saleen and**
10 **more to do with my background.**
11 Q What about your background gives you that
12 impression?
13 **A Just the work I had done on the Dodge Viper at**
14 **Chrysler was similar type of work that they were looking**
15 **to do with the Ford GT.**
16 Q And what work is that?
17 **A Well, it was more the project, that it was**
18 **going to be a low-volume, high-performance, two-seat**
19 **sports car. So the Viper and Ford GT were similar**
20 **vehicles from that viewpoint.**
21 Q In your declaration, which is Exhibit 1 in the
22 deposition and Exhibit 2002 in the IPR, paragraph 22 has
23 a definition of a person of skill in the art.
24 Do you see that?
25 **A Yes.**

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1 Q Where did that come from?

2 **A Oh, that was, you know, my definition in**

3 **consultation with attorneys here at Fish & Richardson.**

4 MR. LIVEDALEN: I would counsel the witness

5 not to reveal any substance in any communication between

6 the client and himself.

7 Q How did you come up with this definition?

8 **A Well --**

9 MR. LIVEDALEN: Same instruction.

10 **A I guess for my part of it, it seems that I had**

11 **a number of jobs where I had to build teams from scratch**

12 **and hired quite a few engineers. At Chrysler, they had**

13 **programs where I mentored engineers, and I was pretty**

14 **active in that.**

15 **So I had a lot of experience with engineers**

16 **out of school, and then how a career might develop and**

17 **transition. And I understood and had really my own idea**

18 **of what an engineer should be doing after 5 or 10 years,**

19 **and the best way to gain experience.**

20 **So -- you know, that experience that I had, I**

21 **used that to determine, you know, what type of experience**

22 **that someone in this time frame would have.**

23 Q What time frame?

24 **A Well, I guess you're looking at September of**

25 **1998 as the time frame for this particular IPR.**

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1 Q Did your conversations with Fish & Richardson

2 attorneys influence your analysis of the definition of a

3 person of skill in the art?

4 MR. LIVEDALEN: Same instruction.

5 **A Really, the conversations, I just -- you know,**

6 **I was told that a definition was needed, so I would say**

7 **that I wasn't influenced.**

8 Q Were you aware of the definition of skill in

9 the art of a -- strike that.

10 Were you aware of the definition of a person

11 of skill in the art that was put forth in the litigation

12 against Toyota?

13 MR. LIVEDALEN: Objection. Vague.

14 **A No, I wasn't aware of that. I probably was**

15 **only aware of the definition in Dr. Davis and Stein's**

16 **declarations. That's all I had really seen at that**

17 **point.**

18 Q At what point?

19 **A The point where I came up with this**

20 **definition.**

21 Q So you're not aware of any definition that

22 Paice offered in litigation?

23 **A No.**

24 Q Why did you pick three years of experience?

25 **A Well, I had students coming out of school and**

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1 **working through various jobs and programs. You know, at**

2 **least two but three years was about the time frame it**

3 **takes to get, you know, a full understanding of how**

4 **vehicles and systems and components all interrelate with**

5 **each other.**

6 Q What were you doing in 1998, September of

7 1998?

8 **A I was working at Chrysler and I was...I was**

9 **either in the small car platform as a vehicle development**

10 **specialist, and I think during that year I transitioned**

11 **to being the supervisor of the aerothermal lab.**

12 **Let me correct that. I would have been the**

13 **suspension design supervisor job, transitioning to the**

14 **aerothermal development supervisor job.**

15 Q Are you looking at something on your CV to

16 help you with that answer?

17 **A Yes.**

18 Q Where are you looking?

19 **A Under my DaimlerChrysler corporation**

20 **experience, which was from '89 until 2000.**

21 Q Just as a note, this Chrysler corporation has

22 a typo as well. Right? It should be 1982 to 1988?

23 **A Yes. That's correct.**

24 Q So in the DaimlerChrysler section of your CV,

25 you list these various jobs. And you said in 1998 you

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1 were transitioning from what to what?

2 **A In 1998, the year it started, I was the**

3 **suspension design supervisor. And I think during that**

4 **year I transitioned to becoming the aerothermal**

5 **development supervisor.**

6 Q You were suspension design -- so these aren't

7 in chronological order, then, obviously. Correct?

8 **A Correct. Correct.**

9 **Can I add just a little bit more to the**

10 **conversation we had about the person of skill in the art?**

11 Q Sure.

12 **A Because at Chrysler we had a two-year program**

13 **where we trained engineers out of school. So if you came**

14 **into that program with a bachelor's degree, it was a**

15 **two-year program, and the reason I went three years is**

16 **because if a company didn't have an organized program, it**

17 **might take a little longer for an engineer to gain that**

18 **type of experience. So that was -- the Chrysler program**

19 **was one thing that influenced my decision.**

20 Q As of 1998, had you worked on any hybrid

21 electric vehicles?

22 **A Well, yes. I had done -- not as a full-time**

23 **job, but Chrysler had a program, it was a race car called**

24 **the Chrysler Patriot, and I was involved in what we call**

25 **fresh eyes reviews, which -- in a fresh eyes review is**

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