		Page 219
1		B. Evans
2	UNITED	STATES PATENT AND TRADEMARK OFFICE
3	BEFORE	THE PATENT TRIAL AND APPEAL BOARD
4		
5		
6		PETROLEUM GEO-SERVICES INC.
7		Petitioner
8		v.
9		WESTERNGECO LLC
10		Patent Owner
11	-	
12	Case No.	IPR2014-01475, -01476, -01477, -91478
13		Patent No. 7,162,520 B2
14		Patent No. 7,162,967 B2
15		Patent No. 7,080,607
16	-	
17		
18		
19		DEPOSITION OF DR. BRIAN EVANS
20		Washington, D.C.
21		Volume Two - July 10, 2015
22		
23		
24	Reporte	ed by: Mary Ann Payonk
25	Job No	. 94682

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	Page 220		Page 221
1	B Evans	1	B. Evans
2	D. Evans	2	APPEARANCES:
3		3	ON BEHALF OF PETITIONER:
4		4	THOMAS FLETCHER, ESQUIRE
5	July 10, 2015	5	JESSAMYN BERNIKER, ESQUIRE
6	8:01 a.m.	6	DAVID BERL, ESQUIRE
7		7	CHRISTOPHER SUAREZ, ESQUIRE
8	Deposition of DR. BRIAN J. EVANS,	8	WILLIAMS & CONNOLLY
9	Ph.D., Volume Two, held at the offices of	9	725 Twelfth Street, N.W.
10	Williams & Connolly, 725 Twelfth Street, N.W.,	10	Washington, D.C. 20005
11	Washington, D.C., pursuant to Notice before	11	
12	Mary Ann Payonk, Nationally Certified Realtime	12	ON BEHALF OF PATENT OWNER:
13	Reporter and Notary Public of the District of	13	MICHAEL KIKLIS, ESQUIRE
14	Columbia, Commonwealth of Virginia, and New	14	CHRISTOPHER RICCIUTI, ESQUIRE
15	York, CA-CSR No. 13431.	15	KATHERINE CAPPAERT, ESQUIRE
16		16	OBLON, McCLELLAND, MAIER & NEUSTADT
17		17	1940 Duke Street
18		18	Alexandria, VA 22314
19		19	
20		20	SIMEON PAPACOSTAS, ESQUIRE
21		21	KIRKLAND & ELLIS
22		22	300 North LaSalle
23		23	Chicago, IL 60654
24		24	ALSO PRESENT:
25		25	Kevin Hart, Petroleum Geo-Services
	Page 222		Page 223
1	Page 222 B. Evans	1	Page 223 B. Evans
1 2	Page 222 B. Evans BRIAN J. EVANS, Ph.D.,	1 2	Page 223 B. Evans Q. I hope you feel better today because
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	Page 224		Page 225
1	B Evans	1	B Evans
2	threshold parameter in Workman's control system	2	MS BERNIKER: Objection
3	to a maximum distance	3	Δ If there were normal weather
4	Do you see that?	4	conditions the maximizing of streamer
5	A I see the first sentence says that	5	separation could still remain within threshold
6	Ω The first sentence says that: right?	6	levels of the poise limits
7	A Veah	7	BV MP KIKLIS.
8	Ω So my question to you sir is if you	8	O Well my question is -1 let me start
9	set the steerable components along the length	9	Q. Wen, my question is let me start
10	of the streamer in Workman to enforce a maximum	10	To enforce a maximum distance by the
11	distance separation, wouldn't those stoerable	11	steerable components along the length of the
12	components generate a lot of turbulence?	12	steerable components along the length of the
13	MS_BERNIKER: Objection	13	stearing isn't that right?
14	A This depends on when on the reason	14	MS DEDNIKED, Objection
15	for setting the components for a maximum	15	A Not necessarily
16	distance	16	A. NOUNCESSAINY.
17	BV MP KIKI IS	17	DI MR. KIKLIS.
18	O Okay Could you explain that?	18	Q. Okay. And what do you mean by that?
19	A Under some conditions, near weather	19	A It depends on current directions
20	A. Older some conditions, poor weather,	20	A. It depends on current directions,
21	approximation of streamore makes no difference to	21	DV MD VIVLIS.
22	the poice in many access under poor weather	22	DI MR. NIKLIS:
23	conditions	23	Q. So assuming that there was no force that is pulling the streamers to their maximum
24	Ω Assuming that there weren't near	24	distance, with that assumption if you get the
25	Q. Assuming that there weren't poor	25	steership components along the length of the
	weather conditions.	20	steerable components along the length of the
	Dago 226		Dago 227
	Page 226		Page 227
1	Page 226 B. Evans	1	Page 227 B. Evans
1 2	Page 226 B. Evans streamer in Workman to enforce a maximum	1 2	Page 227 B. Evans to pull the front ends over.
1 2 3	Page 226 B. Evans streamer in Workman to enforce a maximum distance separation, wouldn't these steerable	1 2 3	Page 227 B. Evans to pull the front ends over. And that does not mean that any force
1 2 3 4	Page 226 B. Evans streamer in Workman to enforce a maximum distance separation, wouldn't these steerable components generate a lot of turbulence?	1 2 3 4	Page 227 B. Evans to pull the front ends over. And that does not mean that any force is then exerted on the other streamer steering
1 2 3 4 5	Page 226 B. Evans streamer in Workman to enforce a maximum distance separation, wouldn't these steerable components generate a lot of turbulence? MS. BERNIKER: Objection.	1 2 3 4 5	Page 227 B. Evans to pull the front ends over. And that does not mean that any force is then exerted on the other streamer steering devices, they take the force on their own.
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	Page 228		Page 229
1	B Evans	1	B Evans
2	MS BERNIKER: Objection	2	you set the steerable components along the
3	BY MR. KIKLIS:	3	length of the streamer in Workman to enforce a
4	O. So I'm not talking about a stormy	4	maximum distance situation. wouldn't those
5	situation.	5	steerable components generate a lot of
6	A. First of all	6	turbulence?
7	O. Let me just I want to make sure	7	MS. BERNIKER: Objection.
8	we're clear on the hypothetical, okay? Not	8	A. In this hypothetical, why would you
9	talking about a stormy situation. All I'm	9	put the streamer where there are normal
10	talking about is a small current traveling from	10	currents at a maximum distance? I don't
11	right to left. We're assuming the vessel is	11	understand the even the hypothetical.
12	going straight.	12	BY MR. KIKLIS:
13	A. That's what I was going to say. I	13	Q. I
14	don't know which way the vessel's going.	14	A. We put them at a maximum distance for
15	Q. Polar coordinates, I guess. So the	15	at-risk situations.
16	vessel	16	Q. Sir, it's not important that you
17	A. Cartesian.	17	understand why I ask the question. Please
18	Q. The Cartesian. Okay. So let's	18	answer my hypothetical.
19	assume that the vessel is traveling north.	19	MS. BERNIKER: Objection, asked and
20	A. Okay.	20	answered.
21	Q. Due north, okay? Streamers of course	21	A. The hypothetical
22	trailing south. There is a small current going	22	MR. KIKLIS: Well, wait. Wait a
23	from east to west, and those are and that's	23	minute. You ve got to be kidding me.
25	all there is to the hypothetical, and those	25	four witness has refused to answer
25	storms nouning erse. In that situation, if	25	uie
	Page 230		Page 231
1	Page 230	1	Page 231
1 2	Page 230 B. Evans MS. BERNIKER: He answered it	1	Page 231 B. Evans My understanding of your situation is
1 2 3	Page 230 B. Evans MS. BERNIKER: He answered it. MR. KIKUIS: question and your	1 2 3	Page 231 B. Evans My understanding of your situation is that it is not at-risk and that there's a minor
1 2 3 4	Page 230 B. Evans MS. BERNIKER: He answered it. MR. KIKLIS: question, and your objection is	1 2 3 4	Page 231 B. Evans My understanding of your situation is that it is not at-risk and that there's a minor cross-flowing current. There is no
1 2 3 4 5	Page 230 B. Evans MS. BERNIKER: He answered it. MR. KIKLIS: question, and your objection is MS. BERNIKER: He told you it	1 2 3 4 5	Page 231 B. Evans My understanding of your situation is that it is not at-risk and that there's a minor cross-flowing current. There is no hypothetical that this would never happen in
1 2 3 4 5 6	Page 230 B. Evans MS. BERNIKER: He answered it. MR. KIKLIS: question, and your objection is MS. BERNIKER: He told you it wouldn't happen.	1 2 3 4 5 6	Page 231 B. Evans My understanding of your situation is that it is not at-risk and that there's a minor cross-flowing current. There is no hypothetical that this would never happen in practice, to my understanding, according to
1 2 3 4 5 6 7	Page 230 B. Evans MS. BERNIKER: He answered it. MR. KIKLIS: question, and your objection is MS. BERNIKER: He told you it wouldn't happen. MR. KIKLIS: Okay.	1 2 3 4 5 6 7	Page 231 B. Evans My understanding of your situation is that it is not at-risk and that there's a minor cross-flowing current. There is no hypothetical that this would never happen in practice, to my understanding, according to Workman.
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	Page 232		Page 233
1	B Evans	1	B Evans
2 than	was already there	2	Ω So if you set your streamers to a
3 O	Okay Your answer sir you referred	3	maximum distance, you're not going to be doing
4 to str	reamers not put at their maximum but	4	recording is that right?
5 A	Right	5	MS BERNIKER: Objection
6 0	I'm asking you, sir, if they were	6	A. The reason for setting streamers at a
7 put a	t their maximum maximum distance in the	7	maximum distance is to prevent them from
⁸ hypo	thetical that I gave you, wouldn't that	8	tangling essentially when weather conditions
⁹ gene	rate a lot of turbulence?	9	are inclement, poor, rough seas. That is the
10	MS. BERNIKER: Objection.	10	condition. And you make that decision
11 A	. I did answer before that the the	11	abandoning the seismic survey at that point in
12 parav	vanes take the maximum noise. They take	12	time, and the first to go are the paravanes.
¹³ the n	oise away from the cable when they tow to	13	MR. KIKLIS: I'm handing you what's
¹⁴ a ma	ximum distance. They don't necessarily	14	been marked as Exhibit 1058.
¹⁵ have	to be at the front end of the cable.	15	THE WITNESS: We've finished with
16	In other words, in that case, the	16	that one, have we?
¹⁷ cable	positioning devices would not have a lot	17	MR. KIKLIS: For the moment, yes.
¹⁸ of no	ise and you could, in this situation, in	18	You can put that aside.
¹⁹ your	hypothetical, you would not be recording,	19	BY MR. KIKLIS:
²⁰ of co	urse.	20	Q. I've handed you what's been marked
²¹ BY M	MR. KIKLIS:	21	Exhibit 1058, Dr. Evans. Do you recognize
²² Q	. Why wouldn't you be recording?	22	this?
²³ A	. You've taken your streamers far away	23	A. I do.
²⁴ from	the locations on the pre-plots and you'll	24	Q. What is it?
²⁵ have	shut down recording.	25	A. A paper by Gikas or Gikas. Which
	Page 234		Page 235
1	Page 234 B. Evans	1	Page 235 B. Evans
¹ ² interr	Page 234 B. Evans pretation would you like me to use?	1 2	Page 235 B. Evans to page 11.
1 2 interp 3 Q.	Page 234 B. Evans pretation would you like me to use? Gikas.	1 2 3	Page 235 B. Evans to page 11. A. Yeah.
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