

1 certain, to achieve a certain purpose.

2 Q. Something more than contact or
3 spraying?

4 MR. PEJIC: Objection, form.

5 A. Contact could imply pressure.

6 Q. Would spraying imply pressure also?

7 A. Spraying is an impact -- spraying
8 relates to non impact printing, where there is
9 no pressure created between two surfaces.

10 Q. So with the spraying process, you
11 would not have pressure; correct?

12 A. You would not have pressure between
13 two surfaces coming together.

14 Q. And Claim 7 uses the term pressure
15 adhering. Is that different in your view than
16 the bonding by pressure of Claim 1?

17 MR. PEJIC: Objection, form.

18 A. Pressure adhering refers to
19 pressure required to bond material on to a
20 surface, so it sticks.

21 Q. So is pressure adhering used in
22 Claim 7 different than bonding by pressure in
23 Claim 1 in some way?

24 MR. PEJIC: Objection to form.

25 A. Well, they could be different.



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1 Bonding represents a permanent state, where an
2 image or material is securely fastened to a
3 surface and it's not going to change from that
4 point on.

5 Pressure adhering could refer to
6 the initial step of actually getting the
7 material to initially adhere to a surface prior
8 to perhaps another step that firmly and
9 permanently bonds it to the surface.

10 Q. So bonding implies something more
11 permanent than adhering?

12 A. It could be the case. Could be.

13 Q. In the context of these claims, is
14 it the case, or don't you know?

15 MR. PEJIC: Objection, form.

16 A. It's not a matter of not knowing,
17 it's a matter of not being clear what the
18 difference is.

19 Q. Not clear to you?

20 A. To me it's not clear in the patent.

21 Q. Does scraping imply pressure?

22 MR. PEJIC: Objection to form.

23 A. If one surface is coming in contact
24 to another and then, because of a variation in
25 the surface speed of two surfaces, there could



1 be pressure.

2 MR. PORTER: This is a good time
3 for a break.

4 (Recess had.)

5 BY MR. PORTER:

6 Q. Dr. Levenson, is there anything you
7 want to change or clarify of what we've covered
8 so far?

9 A. No.

10 Q. Have you heard the term secondary
11 considerations of obviousness before?

12 A. Yes.

13 Q. What's your understanding of
14 secondary considerations of obviousness?

15 A. Things such as how successful the
16 product is in the field. This is not something
17 that I think about every day, but success in
18 the field would be one. Another would be the
19 need for a particular product, I believe.

20 Let's see. What else?

21 There are a -- I've heard of it
22 before. There are a few others. They're not
23 all coming to mind at the moment.

24 Q. Failure of others, perhaps?

25 A. Yes, failure of others. Correct.



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1 Q. Did you consider secondary
2 considerations as part of your analysis of
3 obviousness in this case?

4 A. No, I did not focus on that.

5 Q. Was there a reason that you didn't
6 focus on that?

7 A. I didn't think it was necessary at
8 this stage.

9 Q. Did anybody tell you not to focus
10 on secondary considerations at that stage when
11 you prepared your declaration?

12 A. Not particularly. I know in my
13 education of the case, it was pointed out that
14 these are areas that are sometimes looked at,
15 but I felt it wasn't particularly relevant at
16 this point.

17 Q. And so did you investigate
18 secondary considerations at all as part of your
19 analysis?

20 A. No, not at this point.

21 Q. Are you familiar with any
22 regulatory requirements for roofing products
23 such as shingles?

24 A. No. As I pointed out, that's not
25 my field. Printing is my field.



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1 Q. As part of your analysis, you
2 looked at the Lassiter reference. Do you
3 recall that?

4 A. Yes.

5 Q. What does the Lassiter reference
6 generally refer to? Do you have that in front
7 of you?

8 A. I do have it. (Reading.)

9 Q. So are you looking at exhibit 1003,
10 Dr. Levenson?

11 A. Correct. Well, Lassiter refers to
12 the application of nail tabs via an impactless
13 printing system.

14 Q. And what's your understanding of
15 nail tabs as that term is used in the Lassiter
16 reference?

17 A. The southernmost strate, substrate,
18 at which point nails are applied.

19 Q. Any other requirements for a nail
20 tab in the context of Lassiter?

21 MR. PEJIC: Objection, relevance.

22 A. Let me look at the claims.

23 (Reading.) Looking at Claim 1 of
24 Lassiter, the requirement is a thermoplastic or
25 thermo-setting material, spaced intervals, and



1 depositing tabs on to the surface of the
2 substrate.

3 Q. Do you see in column 5, line about
4 47 or so where it says, "The tabs as they are
5 bonded to the material" -- I'm sorry.

6 A. Let me just get there.

7 Q. Yeah.

8 A. Column 5?

9 Q. Column 5, line 47.

10 A. Okay.

11 Q. It says, "The tabs as they are
12 bonded to the material are tough, but remain
13 flexible or pliable and not brittle." Do you
14 see that?

15 A. I see that.

16 Q. Is that a requirement of a nail tab
17 as nail tab is used in the context of the '757
18 patent?

19 MR. PEJIC: Objection to form.

20 A. This particular sentence that you
21 refer to is really -- lacks the detail to
22 really make the judgment you are asking me to,
23 because it says, "The tabs as they are bonded
24 to the material," that's clear, "are tough."
25 Well, what does it mean by "tough"?



1 "Remain flexible." What does it
2 mean by, "Remain flexible or pliable"? Not
3 brittle is understandable, okay.

4 So do the nail tabs in the context
5 of the '757 patent, do they have to be tough,
6 do they have to be flexible, do they have to be
7 pliable? This, the language is really very
8 general to make that assertion.

9 Q. Now, do you know what was used
10 before Lassiter's nail tabs, as far as
11 providing the reinforcement to saturated felt
12 or coated felt materials?

13 MR. PEJIC: Objection. Relevancy,
14 foundation, form.

15 A. Again, I don't -- and forgive me
16 for being repetitious on this, but my
17 experience does not include how shingles or
18 roofing material is structured, what
19 reinforcement material is used.

20 Again, I have to point out that my
21 entire focus and context in describing and
22 discussing the patent related to prior art has
23 to do with printing.

24 Q. So you are not sure of, I guess,
25 the problems that Lassiter was facing as far as



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1 making a reinforced product for a roofing or
2 building cover material?

3 MR. PEJIC: Objection, form and
4 relevancy.

5 A. Lassiter provided an alternative
6 printing method for depositing the tabs on to a
7 substrate.

8 Q. Does Lassiter point out that there
9 is any problems with the printing method that
10 he uses, specifically, the spraying method?

11 A. I would have to go back and read
12 the description to refresh my recollection.

13 Q. Okay.

14 A. If there is anything related to
15 problems.

16 (Reading.) In reading the
17 background of the invention and the summary of
18 the invention, unless I'm missing something, I
19 don't see reference to what would be specific
20 problems in the process.

21 Q. The spraying method that Lassiter
22 uses was adequate for the intended purpose?

23 A. The spraying method is an
24 alternative method for depositing an image on a
25 substrate.



1 Q. Now, Dr. Lassiter -- Levenson. Let
2 me start again. Dr. Levenson, what's your
3 hourly rate that you are being paid for this
4 particular matter?

5 A. My rate is \$450, plus expenses.

6 Q. And you have been paid for -- I
7 think you said you spent 30 to 50 hours so far.

8 A. I would have to go back. I'm
9 guessing at that.

10 Q. Coming back to your declaration, I
11 wanted to ask you about paragraph 16. I see
12 there where you have -- well, let me start
13 over. Did you write this declaration?

14 A. Yes.

15 Q. What input, if any, did you get
16 from the lawyers for the declaration?

17 A. I wanted to make sure that I didn't
18 miss anything in the way of prior art. I
19 wanted to make sure I didn't misstate anything
20 from a legal standpoint, which is not really my
21 purview. Lawyers have a better sense of
22 language that needs to be used from a legal
23 standpoint. But aside from making sure that I
24 didn't miss anything that's perceived to be
25 relevant to this case, I wrote this



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1 declaration.

2 Q. Okay. And in paragraph 16, you
3 bolded and underlined there that independent
4 Claim 1 requires depositing viscose tab
5 material.

6 MR. PEJIC: Where are you? I'm
7 sorry --

8 MR. PORTER: Oh, am I in the wrong
9 one. Let me get the other one.

10 Q. I guess I'm referring to the third
11 sentence there. Do you see where it says,
12 "Independent Claim 1 describes a method of
13 treating a roofing or building cover material
14 that requires depositing viscous tab material
15 from a lamination roll"? Do you see that?

16 A. Yes.

17 Q. And I guess I'm wondering, where in
18 Claim 1 do you find support that the tab
19 material has to be a viscose tab material?

20 A. (Reading.) In the context of the
21 patent, going from a lamination roll to the
22 material bonding to the surface of the roofing
23 and building material implies that the material
24 is viscose, because it flows. A material has
25 to flow. If it flows, then it has a viscosity.



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1 Q. So you couldn't bond a solid or
2 semi-solid material with pressure from a
3 lamination roll?

4 MR. PEJIC: Objection, form, and
5 relevancy.

6 A. Yes, you can bond from a lamination
7 roll.

8 Q. A tab material that's a solid?

9 A. Yes. Yes. Now, by virtue of the
10 fact that the solid tab material has to flow,
11 has to be deposited, means that it has a
12 viscosity; hence, it's viscous.

13 Q. So the tab material could start out
14 as a solid, hit a hot saturated or coated felt
15 material, and that would deposit the tab
16 material and it would be viscose?

17 MR. PEJIC: Objection to form.

18 A. The tab material is viscous as it
19 is flowing to the substrate. And then
20 certainly should be hot material liquified with
21 a solid material, then that, too, is viscose.

22 Q. So under your interpretation of
23 Claim 1, at what point could the tab material
24 be a solid material, if it could?

25 MR. PEJIC: Objection to form,



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1 relevancy, and foundation.

2 A. At the point where the tab material
3 is bonded and cured, at that point the tab
4 material would be considered solid.

5 Q. And you -- Claim 2 refers to
6 substantially a polymer material. What sort of
7 tab materials do you envision for Claim 1
8 besides polymer materials that are specific for
9 Claim 2?

10 MR. PEJIC: Objection to form. And
11 relevancy.

12 A. All of the materials referred to.
13 The material referred to is polymer material.
14 Whether it be a dried polymer or liquid
15 polymer, they're all polymer materials.

16 Q. So that the tab material of Claim 1
17 has to be a polymer material; is that your
18 interpretation of Claim 1?

19 A. Polymer material is not noted in
20 Claim 1, but it is noted in Claim 2.

21 Q. So the tab materials of Claim 1
22 don't have to be a polymer material; correct?

23 MR. PEJIC: Objection to form.

24 A. I can't think of what the material
25 would be other than a polymer material.



1 Q. Now, in paragraph 19 of your
2 declaration, you refer to a reference called
3 Halley, H-A-L-L-E-Y; is that correct?

4 A. Correct. Halley, I think.

5 Q. Halley.

6 A. Or Halley.

7 Q. What was Halley teaching, in your
8 opinion?

9 A. Halley is teaching the application
10 of an image directly on to a substrate without
11 the use of a transfer or lamination roll.

12 Q. And you say in that paragraph that,
13 "Examiner noted that it is clear that any means
14 known in the art for depositing the polymer
15 that could achieve the same result could be
16 successfully substituted," right? You say you
17 agree with that statement?

18 A. Now where are you?

19 Q. I'm at the bottom of paragraph 19.

20 A. (Reading.) Yes, I agree.

21 Q. But the examiner ultimately allowed
22 the claims over Lassiter and Halley; correct?

23 A. Correct.

24 Q. So the examiner changed his view
25 from suggesting that any means known in the art



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1 for depositing the polymer that could achieve
2 the same result could be substituted; correct?

3 A. That was initially, but that view
4 was changed once additional prior art was
5 introduced.

6 Q. Now, you say Halley doesn't use a
7 lamination roll; is that correct?

8 A. Correct.

9 Q. In paragraph 25, Dr. Levenson, you
10 refer to "Broadest reasonable interpretation"
11 or BRI. What do you mean by that?

12 A. By broadest interpretation, I'm
13 referring to the various ways that a lamination
14 roll can be used. There is the lamination in
15 the context of the patents, and then there is
16 traditional lamination.

17 Q. And are you saying lamination in
18 the context of the patents is somehow narrower
19 than traditional lamination?

20 A. Lamination in the context of the
21 patent is narrower than traditional lamination,
22 right.

23 Q. So the broadest reasonable
24 interpretation in your view of lamination roll
25 would not simply be a roll that's used during



1 lamination?

2 A. Would not be a?

3 Q. Roll that's used during lamination.

4 A. It would, in the context of the
5 patents, it would include that.

6 Q. Did you review the provisional
7 applications that are mentioned in column 1 of
8 the '757 patent.

9 A. Column 1?

10 Q. Column 1 of the '757 patent, which
11 is exhibit 1001.

12 A. Can you point specifically to the
13 reference?

14 Q. Provisional patent application
15 that's referenced at column 1, line 17.

16 A. (Reading.) Oh, I see. I reviewed
17 only what is referred to in my report.

18 Q. Okay. And we went over that. That
19 was in paragraphs 10 and 11; right?

20 A. Right.

21 Q. Okay.

22 MR. PORTER: Can we take a lunch
23 break?

24 MR. PEJIC: Yes, we can.

25 (Luncheon recess had.)



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AFTERNOON PROCEEDINGS

BY MR. PORTER:

Q. Dr. Levenson, is there anything you want to clarify about your testimony so far?

A. I don't think so.

Q. At any of the breaks have you consulted or conferred with your lawyers about the substance of your testimony?

A. No. I wanted to, but they wouldn't do it. (Laughter.)

Q. Can you describe what you did to prepare for your deposition today?

A. I reviewed all of the materials that were sent to me.

Q. Anything that you reviewed besides what's sitting in front of you today?

A. Actually, not that I recall.

Q. How long did you spend preparing for the deposition today?

A. I don't recall. When I was notified that the deposition was scheduled, I began looking at materials. Quite frankly, I don't even recall when I was notified. I started looking through materials, and then for the last couple of days prior to today, I re-



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1 looked at materials.

2 Q. Did you meet with lawyers from
3 Owens Corning in connection with your
4 deposition preparation?

5 A. Yes.

6 Q. And when did you meet with the
7 lawyers for Owens Corning?

8 A. It would be -- I arrived Sunday
9 night, so it would have been Monday and Tuesday
10 of this week.

11 Q. Did you meet with them all day
12 Monday?

13 A. No.

14 Q. How long did you meet with them on
15 Monday?

16 A. Approximately four hours.

17 Q. And what Owens Corning lawyers did
18 you meet with on Monday? The names of the
19 lawyers that you met with?

20 A. All of the gentlemen in the room
21 today.

22 Q. Was anybody else present besides
23 the three lawyers for Owens Corning?

24 A. No.

25 Q. And on Tuesday did you meet with



1 the lawyers for Owens Corning?

2 A. Yes.

3 Q. And approximately how long did you
4 meet on Tuesday?

5 A. Starting at approximately 9:30
6 a.m., and I think we finished up something
7 around 4 p.m.

8 Q. So approximately, what, six and a
9 half hours or so?

10 A. Approximately.

11 Q. And are these ten and a half hours
12 that you spent meeting with lawyers for Owens
13 Corning in preparation for your deposition, is
14 that part of the 30 to 50 hours that you spent
15 on this case?

16 A. No.

17 Q. That's in addition to those 30 to
18 50 hours you mentioned earlier?

19 A. Correct.

20 Q. Were there any particular
21 references that you focused on while you were
22 meeting with the lawyers?

23 A. Yes. References in my report.

24 Q. Did you focus on anything besides
25 the references in your report or your report



1 when you met with the lawyers?

2 A. No.

3 Q. Did you make any notes during the
4 meetings with lawyers?

5 A. I made a few aided recall notes,
6 yes.

7 Q. When you say aid of recall --

8 A. Aided recall. So just things that
9 I kind of wanted to remind me to look at when I
10 went back to the hotel.

11 Q. Did you bring those with you today?

12 A. No.

13 Q. Do you recall what those aid of
14 recall notes --

15 A. Aided recall notes.

16 Q. Aided recall notes. Do you
17 remember what those referred to?

18 A. Basically, they referred to the
19 documents, the patent prior art, just to
20 recall, you know, what the key points were
21 about the case.

22 Q. And what were certain key points
23 that you wanted to remember about the case?

24 A. I didn't want to lose sight that
25 this case is about printing, and I didn't want



1 to lose sight that I was retained as a printing
2 expert, and I didn't want to get involved in
3 discussions regarding areas that are not
4 relevant to printing.

5 Q. Like roofing and building cover
6 materials.

7 A. Exactly. That's not part of my
8 business.

9 Q. Earlier we talked about lamination
10 rolls, and you were equating, I think,
11 lamination rolls with transfer rolls; is that
12 correct?

13 A. Correct.

14 Q. Are you aware of any authority or
15 reference that equates transfer rolls with
16 lamination rolls?

17 A. The answer is no.

18 Q. Did you look?

19 A. Yes. My first acquaintance with
20 terminology that refers to offset or transfer
21 rolls with lamination rolls was in looking at
22 the patent.

23 Q. So GATF wouldn't consider a
24 lamination roll as equivalent to a transfer
25 roll?



1 A. Or an offset roll.

2 Q. Or an offset roll.

3 A. Correct.

4 Q. I know you have said this a number
5 of times, that you are not an expert in
6 roofing, but do you know why the reasons are an
7 asphalt covering material might come loose or
8 unfasten from a roof?

9 MR. PEJIC: Objection to the form.

10 A. I would generally say that weather
11 conditions can cause that, atmospheric
12 conditions. There are different weather
13 patterns in different geographic locations.

14 Q. Do you know of ways to solve that
15 particular problem with roofing or building
16 cover materials?

17 MR. PEJIC: Objection, relevancy.

18 A. That's not part of my area of
19 expertise.

20 Q. Now, I think you said earlier that
21 a nail tab, it's required to be visible; right?

22 MR. PEJIC: Objection.

23 Q. A nail tab in the context of the
24 '757 patent claims is required to be visible?

25 A. I don't think I said that.



1 Q. Okay. What are the requirements,
2 then, of a nail tab in the context of the '757
3 patent?

4 MR. PEJIC: Objection to form.

5 A. My first response was not in
6 relation to the patent, when I said I don't
7 think I said that. I just, period, don't think
8 I said that, regardless of what I'm referring
9 to, okay.

10 Q. Okay.

11 A. Now, in the context of the patent,
12 it would be an area that identifies where nails
13 are going to be inserted.

14 Q. And that's the only requirement
15 that a nail tab has to have in the context of
16 the '757 patent, that it identifies where the
17 nails are to be inserted?

18 MR. PEJIC: Objection to form.

19 A. That's the goal of the nail tab.

20 Q. And the opinions that you have
21 expressed in your declaration with respect to
22 Lassiter, in combination with Hefele, Eaton,
23 Bayer, rely on that particular definition of a
24 nail tab; is that correct?

25 A. A reference to the documents that,



1 the exhibits that you just referred to has to
2 do with the interchangeability of the different
3 processes in producing the same final result.

4 Q. Which is some polymer that's
5 applied via lamination to an area so it
6 identifies where the tabs are to be, or where
7 the nails are to be inserted?

8 A. Correct.

9 Q. I wanted to come back to your
10 declaration, if you still have that in front of
11 you. At page 45 -- I'm sorry. Paragraph 85.
12 I wanted to ask you a little bit about
13 paragraph 85.

14 A. Okay.

15 Q. And you have Eaton figure 25
16 immediately before that. Do you see that?

17 A. Yes.

18 Q. The question that I had was, if one
19 were to try and put the material that's 1214A
20 and 1214B on the opposite side of the
21 substrates 1210 and 1210B and put them through
22 those rolls, would that work?

23 MR. PEJIC: Objection, relevancy.

24 A. Would that work to do what?

25 Q. To form a composite, or would that



1 have -- would that have some problems
2 associated with it?

3 MR. PEJIC: Objection, form and
4 relevancy.

5 A. What you see taking place in figure
6 1240 points to a traditional lamination process
7 in printing that occurs subsequent to printing.

8 Q. And what do you mean it's a
9 traditional lamination that's subsequent to
10 printing?

11 A. Well, the diagram depicts two
12 substrates, two surfaces -- two substrates
13 coming together and being bonded together via a
14 lamination process.

15 Q. And so that material that's at
16 1214A and 1214B, is that an adhesive material
17 of some sort?

18 A. I'm going to go to the patent, just
19 to be sure I get it right.

20 Q. Please make sure.

21 A. All right. (Reading.) Okay.
22 1214A and 1214B are identified as polymeric
23 regions. That would be further interpreted as
24 being nail tabs.

25 Q. And when you say they're a nail



1 tab, earlier you said that a nail tab has to be
2 visible. Are these going to be visible once
3 the laminated composite 1200 is formed.

4 A. First let me say, when I said they
5 need to be visible, that was not necessarily in
6 the context of this patent of Eaton, it was in
7 a general sense that somehow one has to know
8 where to place the nails, okay. Visibility
9 could be in the form of maybe a lump or a
10 little hump, a little raised area. One needs
11 to know exactly where the printed nail heads
12 are. So in that sense, there has to be some
13 visibility.

14 Q. So would the composite that's
15 formed at 1200 have any sort of tab that's
16 visible?

17 A. It's not clear on the description.
18 It's a clear drawing, but it's not clear in the
19 description.

20 What is clear is that the two
21 substrates coming together are laminated
22 together in a very traditional way.

23 Q. Coming back to figure 25, if you
24 put that polymeric region on the opposite side
25 of 1210A or 1210B, would you be able to make a



1 successful composite doing that?

2 MR. PEJIC: Objection, relevance.

3 A. Yes.

4 Q. The polymer wouldn't get stuck to
5 the rolls as you are putting it through, it's
6 on the exterior of the 1210A and 1210B?

7 MR. PEJIC: Objection, relevance.

8 A. There may be some deposits on those
9 rolls, this is not saying on that that it will
10 all be transferred to the rolls.

11 Q. Do you know how much deposits there
12 would be?

13 MR. PEJIC: Objection, relevance.

14 A. That's not possible to determine
15 from the diagram.

16 Q. Is it possible to determine whether
17 that would even work from the diagram?

18 MR. PEJIC: Objection, relevance.

19 Q. And the description of Eaton?

20 A. It's a lamination process. There
21 is no reason why two materials that have no
22 printed deposit on it cannot be laminated
23 together.

24 Q. I wanted to come back to paragraph
25 42 of your declaration. Paragraph 42, you are



1 talking about Allman, and you say, "I generally
2 concur with Allman's disclosure of
3 interchangeability." And my question was, the
4 fact that you use general concurrence, does
5 that mean there is some in Allman about which
6 you disagree for some reason?

7 A. No.

8 Q. Then I had a couple of questions on
9 the HefeLe reference. Do you have the HefeLe
10 reference with you, Dr. Levenson?

11 A. (Reading.) Yes.

12 Q. And specifically, at column two,
13 about line 15, they're talking about the,
14 "Further rollers should be pressed into the
15 planar structure into the heated roller with a
16 pressure of about 50 P/CM."

17 What does P/CM mean?

18 A. Pounds per square meter.

19 Q. Pounds per square meter?

20 A. Is it pounds -- pounds per
21 centimeter. Sorry.

22 Q. And is that per linear centimeter,
23 width-wise centimeters or something else?

24 A. I don't believe it says. I don't
25 believe it says, but logic would imply vertical



1 pound per centimeters.

2 Q. Is that what you would characterize
3 as a slight pressure --

4 MR. PEJIC: Objection.

5 Q. -- or would that be characterized
6 in some other way?

7 MR. PEJIC: Objection. Form and
8 relevance.

9 A. I have no basis for comparison.

10 Q. Well, you see the sentence right
11 before that talks about a thousand feet per
12 centimeter for the Gravure roller. Do you see
13 that --

14 A. Pounds per centimeter.

15 Q. Pounds per centimeter. So is that
16 a conventional Gravure pressure?

17 A. This is not a measurement that I
18 typically would make, so I would defer
19 answering that by speculation.

20 Q. You just don't know how much
21 pressure is applied?

22 A. That's not something that we
23 typically measure.

24 Q. So you just don't know what sort of
25 pressures Hefele is talking about there?



1 A. Well, Hefele is talking about 50
2 pounds per centimeter, but in practice, I
3 couldn't tell you typically what that is, what
4 that would --

5 Q. You don't know whether that's
6 light, conventional or heavy pressure?

7 A. I prefer not to speculate in my
8 answer.

9 Q. Well, what's a conventional Gravure
10 pressure?

11 A. That's not something that we
12 typically measure. It would vary from
13 substrate to substrate. But I don't have
14 the -- I don't have any standards that I can
15 share with you.

16 Q. Would GATF have any standards as to
17 conventional Gravure pressures?

18 A. I don't know.

19 MR. PORTER: Let's take a break.

20 (Recess had.)

21 MR. PORTER: We pass the witness.

22 No further questions. Thank you for your time.

23 THE WITNESS: Thank you.

24 MR. PEJIC: Okay. I would like to
25 take a five minute break then.



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1 (Recess had.)

2 MR. PEJIC: We would like to
3 redirect.

4 REDIRECT EXAMINATION OF HARVEY LEVENSON, Ph.D.

5 BY MR. PEJIC:

6 Q. Professor Levenson, in your
7 declaration at page three, you indicated that
8 you reviewed the '757 patent, exhibit 1001; is
9 that correct?

10 A. Correct.

11 Q. And you read the entire patent?

12 A. Yes.

13 Q. Did you understand the entire
14 disclosure of that patent?

15 A. Yes.

16 MR. PEJIC: No further questions.

17 MR. PORTER: No questions here.

18 We're done.

19 (Deposition concluded at 2:04 p.m.)

20 ~ ~ ~ ~ ~

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1 DEPOSITION ERRATA SHEET

2
3
4 Our Assignment No. J0224924

5 Case Caption: Owens Corning

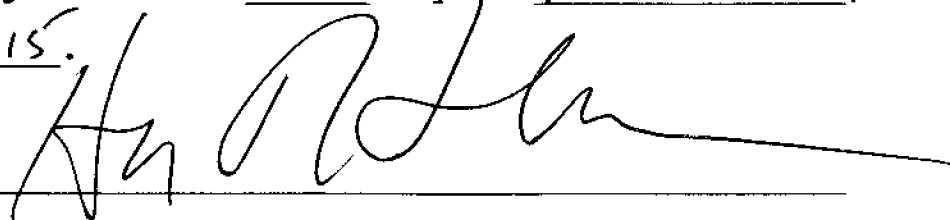
6 vs. Fast Felt Corporation
7

8 DECLARATION UNDER PENALTY OF PERJURY

9 I declare under penalty of perjury that I have
10 read the entire transcript of my deposition
11 taken in the captioned matter or the same has
12 been read to me,

13 and the same is true and accurate, save and
14 except for changes and/or corrections, if any,
15 as indicated by me on the DEPOSITION ERRATA
16 SHEET hereof, with the understanding that I
17 offer these changes as if still under oath.

18 Signed on the 6 day of November,
19 2015.

20
21 

22 Harvey R. Levenson, Ph.D.
23
24
25



92

**DEPOSITION ERRATA SHEET
PREPARE BY HARVEY LEVENSON**

General Changes Throughout

Change "Gravure" to "gravure." No cap G.

Change "on to" to "onto."

Change "non impact" to "non-impact"

Change "CalPoly" to "Cal Poly"

Also Note

P. 75 has no text on it. It printed as a blank page. However, P. 76 logically follows P. 74. Hence, it appears that no information is missing.

Specific Changes

Page No. 17

Line No. 3

Change "be" to "are" (...materials are nailed to...)

Reason for change: Stenographer misheard

Page No. 20

Line No. 15

Change: Add "as" to the end of line (...referred to as...)

Reason for change: Stenographer misheard

Page No. 21

Line No. 20

Change "nail" to "nailing" (...nailing needs to...)

Reason for change: Stenographer misheard

Page No. 23

Line No. 17

Change "head" to "tab" (...production of the nail tab on...)

Reason for change:

Page No. 30

Line No. 5

Change last word from "a" to "the" (...rake a look at maybe the)

Reason for change: Stenographer misheard

Page No. 38

Line No. 2

Change "graphic communications" to "graphic communications"

Reason for change: It is a singular reference, no "s" at the end of graphic communication

Page No. 40

Line No. 24

Change "...related to the printing material" to "...related to printing the material"

Reason for change: Stenographer misheard

Page No. 44

Line No. 24

Change "...computer plate laboratories" to "computer-to-plate laboratotries"

Reason for change: Stenographer misheard

Page No. 45

Line Nos. 5, 10, and 12

Change "Detwiler" to "Daetwyler"

Reason for change: Proper spelling of company name

Line No. 18

Change "...occupies the whole building" to "...occupies a whole building"

Reason for change: Stenographer misheard

Page No. 46

Line No. 23

Change "We have an electronic bath..." to "We have an electronics lab..."

Reason for change: Stenographer misheard

Page No. 48

Line No. 3

Change "Toomey" to "Twomey"

Reason for change: Proper spelling of name

Line Nos. 13 and 25

Change "planographics" to "planographic"

Reason for change: No "s" at end of word

Page No. 50

Line Nos. 4 and 5

Change "Are you referring to a different faceted press?" to "Are you referring to different facets of a press?"

Reason for change: Reason for change: Stenographer misheard

Line No. 10

Change "The ultraviolet..." to "Ultraviolet..."

Reason for change: Stenographer misheard

Page No. 51

Line Nos. 17 and 18

Change "Yes, particularly in the lithography" to "Yes, particularly in lithography."

Reason for change: Stenographer misheard

Page No. 52

Line No. 9

Change "...hydrometer" to "...hygrometer"

Reason for change: Stenographer misheard

Page No. 59

Line No. 3

Change "...continuity of the extension..." to "...continuity or the extension..."

Reason for change: Stenographer misheard

Page No. 64

Line No. 17

Change "The southernmost strate, substrate..." to "The points on the substrate..."

Reason for change: There was obviously a technical error in the transcription because "The southernmost strate, substrate..." has no meaning whatsoever.

Page No. 70

Line No. 20

Change "...should be hot material liquefied..." to "...should a hot material be liquefied..."

Reason for change: Stenographer misheard

Page No. 78

Line Nos. 6 and 7

Change "...we finished up something around..." to "...we finished up somewhere around..."

Reason for change: Stenographer misheard

Page No. 85

Line No. 11

Change "...nail heads..." to "...nail tabs..."

Reason for change: Stenographer misheard