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

NEIL HANNEMANN

April 7, 2015

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1	UNITED STATES PATENT AND TRADEMARK OFFICE			1 APPEARANCES
2 3	BEFORE THE PATENT TRIAL AND APPEAL BOARD			2 3
4 5 7 8 9 10	FORD MOTOR COMPANY, : Petitioner, : v. : IPR Case No: PAICE LLC & ABELL FOUNDATION, : IPR2014-00571 INC., : Patent Owner. :	1		 ON BEHALF OF PETITIONER: FRANK A. ANGILERI, ESQUIRE JOHN P. RONDINI, ESQUIRE BROOKS KUSHMAN, PC 1000 Town Center 22nd Floor Southfield, MI 48075
11 12		1		1 (248) 226-2913
13 14		1		3 - and - 4
15 16 17 18 19 20 21	Oral Deposition of NEIL HANNEMANN Washington, DC Tuesday, April 7, 2015 9:58 a.m.			 THOMAS W. YEH, ESQUIRE LATHAM & WATKINS, LLP 555 Eleventh Street, NW Suite 1000 Washington, DC 20004 (202) 637-1039
22 23	Job No.: 79874	2		2 3
24	Pages: 1 - 145	2	Į,	4
25	Reported By: Rebecca Stonestreet, RPR, CRR		2	
1	Page 2	2		Page 4
1 2	Oral Deposition of NEIL HANNEMANN, held at the offices of:			1 APPEARANCES CONTINUED 2
3 4				3 ON BEHALF OF THE PATENT OWNER: 4 BRIAN J. LIVEDALEN, ESQUIRE
5 6 7 8 9	FISH & RICHARDSON, PC 1425 K Street, NW 11th Floor Washington, DC 20005 (202) 783-5070			5LINDA LIU KORDZIEL, ESQUIRE6FISH & RICHARDSON71425 K Street, NW811th Floor9Washington, DC 20005
10 11 12 13				0 (202) 783-5070 1 2 3 ALSO PRESENT:
14 15 16 17 18 19 20 21 22	Pursuant to notice, before Rebecca Stonestreet, Registered Professional Reporter, Certified Realtime Reporter, and Notary Public in and for the District of Columbia, who officiated in administering the oath to the witness.			 Frances Keenan, Paice LLC Frances
23 24 25				2 3 4 5

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1	CONTENTS		1	hybrid vehicles weren't really a course of study in
2			2	that would have been 1981.
3	EXAMINATION OF NEIL HANNEMANN	PAG	Е 3	Q Did you focus at all on hybrid vehicles in
4	By Mr. Angileri	6	4	your undergraduate work at GMI?
5	By Mr. Livedalen	141	5	A No. I would say I focused more on power train
6			6	and emissions.
7			7	Q What experience do you have in the
8	EXHIBITS		8	hybrid/electric vehicle area?
9	(Retained by Counsel.)		9	A Well, I can refer to my declaration.
10			10	Actually, I think there was a supplemental declaration
11	HANNEMANN EXHIBIT	PAGE	11	that has most of my qualifications.
12	1 Declaration of Neil Hannemann	8	12	But it was more the the hybrid vehicle work
13	2 Curriculum Vitae	9	13	was probably within the last 10 years, and specifically
14	3 U.S. Patent No. 7,104,347	52	14	hybrids, probably the first time I did anything was at
15	4 U.S. Patent No. 5,343,970	52	15	McLaren, where I worked on some architecture for hybrid
16			16	vehicles based on a McLaren product.
17			17	And then in 2008 I was working at a company
18			18	called Aptera, where we looked at hybrid concepts, and
19			19	the patent that I worked on could be applied to a hybrid
20			20	vehicle.
21			21	Q Have you ever designed a hybrid vehicle?
22			22	A Well, I mean, "designed" is a pretty broad
23			23	term. The work I did at McLaren was design work in the
24				designing the architecture of the hybrid vehicle. So
25			25	yes, I would say I've designed a hybrid vehicle.
		Daga	6	Page 8
		Page	0	raye o
1	PROCEEDINGS		1	MR. ANGILERI: Let's mark as Exhibit 1
2	(NEIL HANNEMANN, having been duly sworn, testified as		2	Mr. Hannemann's declaration.
3	follows:)		3	(HANNEMANN Exhibit 1 was marked for
4	EXAMINATION BY COUNSEL FOR PE	TITIONER	4	identification and retained by counsel.)
5	BY MR. ANGILERI:		5	A Like I said, there's some additional detail of
6	Q Good morning.		6	my background in the supplemental declaration, which I
7	A Good morning.		7	don't have with me.
8	Q Can you state your name for the re	ecord,	8	Q Supplemental declaration, you said?
9	please?		9	MR. LIVEDALEN: Objection.
10	A Neil Hannemann.		10	(OFF THE RECORD.)
11	Q Mr. Hannemann, what's the extent of your		11	Q Let's look at have you ever worked for Ford
12	formal education?		12	Motor Company?
13	A Well, I have a bachelor's degre		13	A For two years I've worked for Ford Motor
14	Motors Institute. That's the only other degree I have.		14 15	Company as a contract employee through a company called
15 16	I've gone to some graduate classes bu	it didn't receive a	16	Saleen.
16 17	degree.		17	Q So you've never been a Ford Motor Company employee?
	Q What graduate classes?	ha University of		A Well, I was a contract employee. It's a
18 19	A Oh, attended some classes at t California at Santa Barbara, and when	-	18 t 19	It's a little bit of a subtlety, but probably 10 or 15 percent
20	job and moved away, I just did not		20	of all Ford engineers are working under contract. The
20 21	complete that course.		21	best way to describe it is like a Kelly Girl thing, where
22	Q Are any of those graduate classes	relevant to	22	your paycheck comes through a different company, but
23	the hybrid vehicles?		23	you're called a contract employee. So that would make me
24	A You know, in 19 I mean, oth	er than they	24	an employee of Ford.
25	were, you know, mechanical engineer	ing classes but	25	Q I guess that's your view. But your paycheck

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1	came from Saleen. Right?	1	A Well, Saleen had a working relationship with
2	A Yes.	2	Ford, and Ford, they had a project that Saleen was
3	Q So you never got a paycheck from Ford Motor	3	working on from a subcontract standpoint. And, you know,
4	Company?	4	Ford just requested that I be assigned to them as the
5	A That's correct.	5	chief engineer of that project.
6	Q What time period were you a contract employee	6	Q Who at Ford made that request?
7	with Saleen but located at Ford?	7	A That would have been John Coletti.
8	A That was 2002 through 2004.	8	Q How did you know John Coletti?
9	Q How long were you employed at Saleen?	9	A I really didn't know John. I think John
10	A I was at Saleen for four or five years. And	10	was worked more with other people at Saleen.
11	two years of that was the time at Ford.	11	And I think well, possibly other people
12	Q So did your employment with Saleen start	12	were involved in that decision. I just John Coletti
13	before 2002?	13	is the one I met with who made that request. Other
14	A Yes.	14	people may have been involved in the decision; it would
15	Q When? Would your CV help?	15	have been Chris Theodore and possible Neil Ressler.
16	A Yes.	16	Q So you never met John Coletti, but you know
17	MR. ANGILERI: Let's mark this.	17	he's the one that requested that you work on the project?
18	(HANNEMANN Exhibit 2 was marked for	18	A I met him in the process of this project
19	identification and retained by counsel.)	19	starting up.
20	Q So we marked as Exhibit 2 a strike that.	20	Q How do you know he asked that you work on the
21	What is Exhibit 2?	21	project?
22	A Exhibit 2 is my CV.	22	A Well, he's the first one that asked me to come
23	Q And just for the record, what is Exhibit 1,	23	to Detroit.
24	that thing we marked earlier?	24	Q So he literally spoke to you directly and
25	A Exhibit 1 is my declaration for IPR 571.	25	said, Please come to Detroit?
	A Exhibit 1 is my deciaration for 1PR 5/1.		
	Page 10		Page 12
1	Q Back to Exhibit 2, my question is, when did	1	A Yes.
2	you work for Saleen?	2	Q Gotcha.
3	A I started working for Saleen in October of	3	Where were you before you came to Detroit?
4	2000.	4	A Oh, I was based in Irvine, California.
5	Q And when did you finish working for Saleen?	5	Q That's where Saleen is?
6	A I was assigned by Saleen to Ford in 2002, and	6	A Yes.
7	that went through February of 2004.	7	Q Do you know why Ford wanted somebody from
8	And there's a typo on this CV. So under Ford	8	Saleen to come on-site and work with them at that time?
9	Motor Company it should be January 2002.	9	A I think that had less to do with Saleen and
10	Q This says you were at Ford Motor Company	10	more to do with my background.
11	from now, as corrected by you, January 2002 through	11	Q What about your background gives you that
12	February 2004. Correct?	12	impression?
13	A That's correct.	13	A Just the work I had done on the Dodge Viper at
14	Q And then it says in March 2004 you were at	14	Chrysler was similar type of work that they were looking
15	McLaren Automotive?	15	to do with the Ford GT.
16	A Correct.	16	Q And what work is that?
17	Q So were you still employed by Saleen when you	17	A Well, it was more the project, that it was
18	were at McLaren or were you now a McLaren employee?	18	going to be a low-volume, high-performance, two-seat
19	A I was an employee of McLaren at that time.	19	sports car. So the Viper and Ford GT were similar
20	Q So just to be clear, you were employed by	20	vehicles from that viewpoint.
20 21	Saleen from October 2000 through February 2004. Right?	21	Q In your declaration, which is Exhibit 1 in the
22		22	
	A That's yeah. And as a contract employee, I	23	deposition and Exhibit 2002 in the IPR, paragraph 22 has
23	was assigned to Ford Motor Company for part of that time.		a definition of a person of skill in the art.
24	Q How did it come that Saleen assigned you to	24	Do you see that?
25	work at Ford Motor Company?	25	A Yes.

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1	Q Where did that come from?	working through various	s jobs and programs. You know, at	
2	A Oh, that was, you know, my definition in	least two but three year	s was about the time frame it	
3	consultation with attorneys here at Fish & Richardson.	3 takes to get, you know, a full understanding of how		
4	MR. LIVEDALEN: I would counsel the witness	4 vehicles and systems and components all interrelate with		
5	not to reveal any substance in any communication between	 5 each other. 		
6	the client and himself.		ng in 1998, September of	
7	Q How did you come up with this definition?	1998?		
8	A Well		Chrysler and I wasI was	
9	MR. LIVEDALEN: Same instruction.	-	atform as a vehicle development	
0	A I guess for my part of it, it seems that I had	•	ring that year I transitioned	
1	a number of jobs where I had to build teams from scratch	to being the supervisor		
2	and hired quite a few engineers. At Chrysler, they had			
3		12 Let me correct that. I would have been the		
	programs where I mentored engineers, and I was pretty	13 suspension design supervisor job, transitioning to the		
4	active in that.	14 aerothermal development supervisor job. 15 O Are you looking at something on your CV to		
5	So I had a lot of experience with engineers		something on your CV to	
6	out of school, and then how a career might develop and	help you with that answer?		
.7	transition. And I understood and had really my own idea	A Yes.	in c2	
. 8	of what an engineer should be doing after 5 or 10 years,	Q Where are you lool	-	
.9	and the best way to gain experience.	-	rChrysler corporation	
0	So you know, that experience that I had, I	 experience, which was from '89 until 2000. O Just as a note, this Chrysler corporation has 		
1	used that to determine, you know, what type of experience	•	Chrysler corporation has	
2	that someone in this time frame would have.	a typo as well. Right? It sl		
3	Q What time frame?	A Yes. That's corre		
4	A Well, I guess you're looking at September of		hrysler section of your CV,	
5	1998 as the time frame for this particular IPR.	you list these various jobs.	And you said in 1998 you	
	Page 14		Page 16	
1	Q Did your conversations with Fish & Richardson	were transitioning from wh	at to what?	
2	attorneys influence your analysis of the definition of a	A In 1998, the yea	r it started, I was the	
3	person of skill in the art?	suspension design supe	rvisor. And I think during that	
4	MR. LIVEDALEN: Same instruction.	year I transitioned to be	ecoming the aerothermal	
5	A Really, the conversations, I just you know,	development supervisor		
6	I was told that a definition was needed, so I would say	Q You were suspensi	on design so these aren't	
7	that I wasn't influenced.	in chronological order, ther	, obviously. Correct?	
8	Q Were you aware of the definition of skill in	A Correct. Correct		
9	the art of a strike that.	Can I add just a li	ttle bit more to the	
0	Were you aware of the definition of a person	conversation we had ab	out the person of skill in the art?	
1	of skill in the art that was put forth in the litigation	Q Sure.		
2	against Toyota?	A Because at Chrys	sler we had a two-year program	
3	MR. LIVEDALEN: Objection. Vague.	where we trained engin	eers out of school. So if you came	
4	A No, I wasn't aware of that. I probably was	into that program with	a bachelor's degree, it was a	
5	only aware of the definition in Dr. Davis and Stein's	two-year program, and	the reason I went three years is	
6	declarations. That's all I had really seen at that	because if a company di	dn't have an organized program, it	
7	point.		r for an engineer to gain that	
8	Q At what point?		that was the Chrysler program	
9	A The point where I came up with this	was one thing that influ	enced my decision.	
0	definition.	-	ou worked on any hybrid	
1	Q So you're not aware of any definition that	electric vehicles?		
	Paice offered in litigation?		done not as a full-time	
	-			
2	A NO.	job, but Chrysler had a l	Jografii, it was a race car called	
2 3 4	A No.Q Why did you pick three years of experience?		program, it was a race car called I I was involved in what we call	

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