

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

NEIL HANNEMANN

April 7, 2015

*Prepared for you by*



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

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1 PROCEEDINGS  
2 (NEIL HANNEMANN, having been duly sworn, testified as  
3 follows:)  
4 EXAMINATION BY COUNSEL FOR PETITIONER  
5 BY MR. ANGILERI:  
6 Q Good morning.  
7 A Good morning.  
8 Q Can you state your name for the record,  
9 please?  
10 A Neil Hannemann.  
11 Q Mr. Hannemann, what's the extent of your  
12 formal education?  
13 A Well, I have a bachelor's degree from General  
14 Motors Institute. That's the only other degree I have.  
15 I've gone to some graduate classes but didn't receive a  
16 degree.  
17 Q What graduate classes?  
18 A Oh, attended some classes at the University of  
19 California at Santa Barbara, and when I took a different  
20 job and moved away, I just did not -- chose not to  
21 complete that course.  
22 Q Are any of those graduate classes relevant to  
23 the hybrid vehicles?  
24 A You know, in 19 -- I mean, other than they  
25 were, you know, mechanical engineering classes, but

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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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1 MR. ANGILERI: Let's mark as Exhibit 1  
2 Mr. Hannemann's declaration.  
3 (HANNEMANN Exhibit 1 was marked for  
4 identification and retained by counsel.)  
5 A Like I said, there's some additional detail of  
6 my background in the supplemental declaration, which I  
7 don't have with me.  
8 Q Supplemental declaration, you said?  
9 MR. LIVEDALEN: Objection.  
10 (OFF THE RECORD.)  
11 Q Let's look at -- have you ever worked for Ford  
12 Motor Company?  
13 A For two years I've worked for Ford Motor  
14 Company as a contract employee through a company called  
15 Saleen.  
16 Q So you've never been a Ford Motor Company  
17 employee?  
18 A Well, I was a contract employee. It's a  
19 little bit of a subtlety, but probably 10 or 15 percent  
20 of all Ford engineers are working under contract. The  
21 best way to describe it is like a Kelly Girl thing, where  
22 your paycheck comes through a different company, but  
23 you're called a contract employee. So that would make me  
24 an employee of Ford.  
25 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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