

Hydrite Chemical Co. v. Solenis Technologies, L.P.

IPR2015-01586

Transcript of the Testimony of:

Jennifer Bailey

June 2, 2016

****CONFIDENTIAL****



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HYDRITE EXHIBIT 1024
Hydrite v. Solenis

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TRANSCRIPT IS DEEMED CONFIDENTIAL UNDER THE
PROTECTIVE ORDER

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

HYDRITE CHEMICAL CO.,

Petitioner,

v.

SOLENIS TECHNOLOGIES, L.P.,

Patent Owner.

Case IPR2015-01586
Patent 8,841,469

Case IPR2015-01592
Patent 8,962,059

Thursday, June 2, 2016

Confidential oral sworn deposition of
JENNIFER BAILEY, taken at the law offices of
Baker & Hostetler LLP, 2929 Arch Street, Cira
Centre, 12th Floor, Philadelphia, Pennsylvania,
19104-2891, before Patricia R. Frank, CCR, RPR,
and Notary Public in and for the Commonwealth of
Pennsylvania, commencing at 9:01 a.m., on the
above date.

HYDRITE EXHIBIT 1024
Hydrite v. Solenis

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JENNIFER BAILEY		
By Mr. Fahy		4
Marked for I.D.	SOLENIS EXHIBITS	Page
Exh. 2004 IPR2015-01586, Patent No. 8,841,469, Declaration of Jennifer Bailey		5
Exh. 2004 IPR2015-01592, Patent No. 8,962,059, Declaration of Jennifer Bailey		6
Exh. 2008 IPR2015-01586, Document entitled, "Biorefining," 2 pgs.		45
Exh. 2010 IPR2105-01586, Document entitled, "Dimension Corn Oil Extraction Aids," 2 pgs.		50
Exh. 2011 IPR2015-01586, Document entitled, "Dimension Corn Oil Extraction Aid Increases Corn Oil Yield and Improves Corn Oil Quality," 2 pgs.		55
Exh. 2015 IPR2015-01586, Document entitled, "Dimension Corn Oil Extraction Aids," 2 pgs.		56
Exh. 2016 IPR2015-01586, Ashland News Release entitled, "New extraction aid from Ashland Inc. increases corn oil yield from ethanol production," 2 pgs.		58
Exh. 2018 IPR2015-01586 Ashland Case History entitled, "New Additive Increases Corn Oil Yield and Provides Cleaner Oil in Disk-stack System," 2 pgs.		61
Exh. 2017 IPR2105-01586 Ashland document entitled "Trial Plan for SIRE," 3 pgs.		63
Exh. 2020 IPR2015-01586, Ashland Case History entitled, "Corn Oil Extraction Aid Program Generates 35% ROI," 1 pg.		64
(Original exhibits were attached to original transcript; copies to transcript copies.)		

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1 JENNIFER BAILEY,
2 having been duly sworn, was examined and
3 testified as follows:
4 BY MR. FAHY:
5 Q. Good morning, Ms. Bailey.
6 A. Good morning.
7 Q. Have you ever been deposed before?
8 A. No.
9 Q. I'll go over a few ground rules then --
10 A. Okay.
11 Q. -- that I hope will help us today. The
12 first is let's do our best not to talk over each
13 other --
14 A. Um-hum.
15 Q. -- because obviously everything we say is
16 being taken down by the court reporter here, and
17 it's impossible for her to take down both of us
18 speaking at the same time. Also, please respond to
19 questions verbally --
20 A. Okay.
21 Q. -- as, again, the court reporter does not
22 pick up nods of the head and shakes of the head. If
23 you don't understand a question, please just ask me
24 to rephrase it. I'm happy to do so.
25 A. Okay.

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1 Q. If you do not ask me to rephrase a
2 question and you answer the question, I'm going to
3 assume that you understood it. Is that fair?
4 A. That's fair.
5 MR. LUCCI: Subject to my objections.
6 MR. FAHY: Of course subject to Mr.
7 Lucci's objections.
8 BY MR. FAHY:
9 Q. You're not on any medication or have any
10 disability that would prevent you from testifying
11 fully and honestly today. No?
12 A. No.
13 (Patent No. 8,841,469, Declaration of
14 Jennifer Bailey, marked Exh. 2004 IPR2015-01586 for
15 identification.)
16 BY MR. FAHY:
17 Q. So let's get to it. I'm going to hand
18 you what is marked as Exhibit 2004 in IPR2015-01586.
19 A. Okay.
20 Q. And do you recognize Exhibit 2004?
21 A. Yes.
22 Q. And that's your declaration that you've
23 submitted in IPR Number 2015-01586?
24 A. Yes.
25 Q. And is that your signature on page 11?

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1 A. Yes.
2 Q. And do you see on the front page of
3 Exhibit 2004 it references the Case Number
4 IPR2015-01586, and also the patent number 8,841,469?
5 A. Yes.
6 Q. I'm going to refer to that patent, to its
7 last three digits, as the '469 patent. Is that
8 okay?
9 A. Okay.
10 Q. And I'll refer to this declaration in all
11 likelihood as your '469 patent declaration.
12 A. Okay.
13 Q. And the reason I'm going to do that is
14 because you have a second declaration in these
15 matters, right?
16 A. Um-hum.
17 (Patent No. 8,962,059, Declaration of
18 Jennifer Bailey, marked Exh. 2004 IPR2015-01592 for
19 identification.)
20 BY MR. FAHY:
21 Q. So I'm handing the witness what is marked
22 Exhibit 2004 in IPR2015-01592. And, Ms. Bailey, do
23 you recognize Exhibit 2004 in IPR2015-01592?
24 A. Yes.
25 Q. And that's a declaration you submitted in

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1 IPR number 2015-01592, right?
2 A. Yes.
3 Q. And that's your signature on the last
4 page of your declaration?
5 A. Yes.
6 Q. And, similarly, if you look at the front
7 page of Exhibit 2004, you see a reference to case
8 IPR2015-01592, and patent number 8,962,059.
9 Do you see that?
10 A. Yes.
11 Q. So I'm going to refer to this patent as
12 the last three digits as well as the '059 patent if
13 that's okay.
14 A. That's okay.
15 Q. And I'll refer to the declaration in IPR
16 01592 as your '059 patent declaration.
17 A. Okay.
18 Q. I did notice --
19 MR. LUCCI: Just quick as a matter of
20 housekeeping, in view of the inclusion of these two
21 declarations, I ask that the transcript be marked as
22 confidential pursuant to the protective order in
23 these proceedings.
24 MR. FAHY: Thank you.
25 BY MR. FAHY:

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