

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

3 K.J. PRETECH CO., LTD.,)
4)
5 Petitioner,) Case IPR2015-01866
6) (U.S. 8,215,816)
7 vs.) Case IPR2015-01867
8) (U.S. 7,537,370)
9 INNOVATIVE DISPLAY) Case IPR2015-01868
10 TECHNOLOGIES L.L.C.,) (U.S. 7,434,974)
11)
12 Patent Owner.)

13 * * * * *

14 ORAL DEPOSITION OF KENNETH WERNER

15 September 21, 2016

16 Volume 1

17 * * * * *

18 ORAL DEPOSITION OF KENNETH WERNER, produced as a
19 witness and duly sworn, was taken in the above-styled
20 and numbered cause on September 21, 2016, from 9:04
21 a.m. until 3:47 p.m., before Suzanne Kelly, CSR No.
22 1260, in and for the State of Texas, reported by
23 stenographic method, at the Law Offices of Bragalone
24 Conroy, P.C., located at Chase Tower, 2200 Ross
25 Avenue, 4500 W, Dallas, Texas, pursuant to Federal
Rules of Civil Procedure and the provisions stated on
the record, if any.

APPEARANCES

FOR THE PETITIONER:

Amanda K. Streff, Esq.

MAYER BROWN, L.L.P.

71 South Wacker Drive

Chicago, Illinois 60606-4637

Phone: 312.701.8645

e-mail: astreff@mayerbrown.com

Saqib Siddiqui, Esq. (For portions)

MAYER BROWN, L.L.P.

1999 K Street, N.W.

Washington, D.C. 20006-1101

Phone: 202.263.3167

e-mail: ssiddiqui@mayerbrown.com

FOR THE PATENT OWNER:

Justin B. Kimble, Esq.

Bragalone Conroy, P.C.

Chase Tower

2200 Ross Avenue

4500 W

Dallas, Texas 75201-7924

Phone: 214.785.6673

e-mail: jkimble@bcpc-law.com

INDEX

Page No.

Appearances..... 2

KENNETH WERNER

Examination by Ms. Streff..... 4

Signature and Changes 158

Reporter's Certificate 160

EXHIBITS

NO. DESCRIPTION PAGE

Exhibit 1001 A copy of a United States patent 14

Exhibit 1006 A copy of a 38-page document entitled, "Certification of Translation" 35

Exhibit 1007 A copy of a 36-page document entitled, "Utility Model Publication" 114, 143, 144

Exhibit 1008 A copy of a United States Patent 106

Exhibit 1009 A copy of a 26-page Japanese language document 115, 156

Exhibit 2006 A copy of a 40-page document entitled, "Declaration of Kenneth Werner" 8, 14

1 P R O C E E D I N G S

2 THE COURT REPORTER: If you would
3 raise your right hand, I'll administer the
4 witness' oath to you.

5 (Oath administered.)

6 KENNETH WERNER,
7 having sworn to testify the truth, the whole
8 truth, and nothing but the truth testifies upon
9 his oath as follows:

10 EXAMINATION

11 BY MS. STREFF:

12 Q. Mr. Werner, can you state your full name
13 and address for the record, please?

14 A. Kenneth Werner, 2 Shadybrook Lane,
15 Norwalk, Connecticut 06854.

16 Q. Mr. Werner, I represent P.J. Pretech in
17 the case and I will be asking you a number of
18 questions today. I know you've been deposed a
19 number of times, but I'll just go over a couple
20 of things before we get started.

21 So first, I'll ask that you give
22 oral responses rather than gestures so the Court
23 Reporter can take down your answers. Do you
24 understand that?

25 A. I do.

1 Q. And if you answer a question that I ask,
2 I'll assume you understood the question as asked.
3 Is that fair?

4 A. That's fair.

5 Q. And if you need to take a break at any
6 point, just let me know. All I ask is that if
7 there's a question pending, you answer that
8 question first, and then we can take a break.
9 Okay?

10 A. Okay.

11 Q. And you have taken an oath that binds
12 you to give truthful testimony today. Do you
13 understand that?

14 A. Yes.

15 Q. And is there any reason you cannot give
16 truthful testimony?

17 A. No.

18 Q. I would like to begin with your
19 preparation for today's deposition.

20 A. Uh-huh.

21 Q. Did you meet with anyone to prepare for
22 your deposition?

23 A. Yes.

24 Q. Who did you meet with?

25 A. Justin yesterday.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.