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2 UNITED STATES PATENT AND TRADEMARK OFFICE

3 -----  
4 BEFORE THE PATENT TRIAL AND APPEAL BOARD

5 -----  
6 COSTCO WHOLESALE CORPORATION,  
7 Petitioner,

8 v.

9  
10 ROBERT BOSCH, LLC  
Patent Owner.

11 -----  
12 CASE IPR2016-00034

CASE IPR2016-00036

CASE IPR2016-00038

13 U.S. PATENT NO. 6,973,698  
14 -----

15 November 30, 2016

16 10:13 a.m.

17 New York, New York

18  
19  
20 VIDEOTAPED DEPOSITION OF DR. GREGORY  
21 W. DAVIS, held at the above-mentioned time and  
22 place, before Randi Friedman, a Registered  
23 Professional Reporter, within and for the State  
24 of New York.  
25

1 Dr. G. Davis

2 APPEARANCES:

3  
4 HUGHES HUBBARD & REED, LLP  
5 Attorneys for Petitioner  
6 One Battery Park Plaza  
7 New York, New York 10004

8 BY: JAMES R. KLAIBER, ESQ.  
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10 SHEARMAN & STERLING, LLP  
11 Attorneys for Patent Owner

12 599 Lexington Avenue  
13 New York, New York 10022

14 BY: JOSEPH PURCELL, ESQ.  
15 PATRICK R. COLSHER, ESQ.

16 \* \* \*

17  
18  
19  
20 Also Present:

21 Bob Rudis - Videographer  
22  
23  
24  
25

1 Dr. G. Davis

2 STIPULATIONS

3 IT IS HEREBY STIPULATED, by and between  
4 the attorneys for the respective parties hereto,  
5 that:

6 All rights provided by the C.P.L.R.,  
7 and Part 221 of the Uniform Rules for the Conduct  
8 of Depositions, including the right to object to  
9 any question, except as to the form, or to move  
10 to strike any testimony at this examination is  
11 reserved; and in addition, the failure to object  
12 to any question or to move to strike any  
13 testimony at this examination shall not be a bar  
14 or a waiver to make such motion at, and is  
15 reserved to, the time of this action.

16 This deposition may be sworn to by the  
17 witness being examined before a Notary Public  
18 other than the Notary Public before whom this  
19 examination was begun, but the failure to do so  
20 or to return the original of this deposition to  
21 counsel, shall not be deemed a waiver or the  
22 rights provided by Rule 3116, C.P.L.R., and shall  
23 be controlled thereby.

24 The filing of the original of this  
25 deposition is waived.

1 Dr. G. Davis

2 MR. RUDIS: We are now on the  
3 record. Please note that microphones are  
4 sensitive and may pick up whispering and  
5 private conversations. Please turn off all  
6 cellphones or place them away from the  
7 microphones, as they can interfere with the  
8 deposition audio. Recording will continue  
9 until all parties agree to go off the  
10 record.

11 My name is Robert Rudis,  
12 representing Veritext Legal Solutions. The  
13 date today is November 19th, 2016, and the  
14 time is approximately 10:13 a.m.

15 MR. KLAIBER: Today's the 30th.

16 MR. RUDIS: Thank you, the 30th.  
17 Today is the 30th. This deposition is being  
18 held at Hughes Hubbard located at One  
19 Battery Park Plaza, New York, New York, and  
20 is being taken by counsel for the patent  
21 owner. The caption of this case is Costco  
22 Wholesale Corporation, petitioner, versus  
23 Robert Bosch, LLC, patent owner. This case  
24 is being -- is before the Patent Trial and  
25 Appeal Board, Case No. IPR 2016-0034, 0036

1 Dr. G. Davis

2 and 0038. The name of the witness is  
3 Dr. Gregory W. Davis.

4 At this time, the attorneys  
5 present in the room and anybody attending  
6 remotely will please identify themselves and  
7 the parties they represent. Our court  
8 reporter, Randi Friedman, also representing  
9 Veritext, will swear in the witness and we  
10 can proceed.

11 MR. PURCELL: This is Joseph  
12 Purcell of Sherman & Sterling, LLP,  
13 representing the patent owner, Robert Bosch,  
14 LLC.

15 MR. COLSHER: Patrick Colsher,  
16 also of Sherman & Sterling, representing  
17 Robert Bosch.

18 MR. KLAIBER: James R. Klaiber,  
19 Hughes Hubbard & Reed, representing Costco,  
20 the petitioner in all three proceedings.  
21 And with me is Mr. Michael Polka, also of  
22 Hughes Hubbard & Reed.

23 \* \* \*

24 DR. GREGORY W. DAVIS, the witness  
25 herein, after first having been duly sworn,

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