

1 UNITED STATES PATENT AND TRADEMARK OFFICE

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3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4 -----

5 COSTCO WHOLESALE CORPORATION,

6 Petitioner,

7 v.

8 ROBERT BOSCH, LLC

9 Patent Owner.

10 -----

11 CASE IPR2016-00034

12 CASE IPR2016-00036

13 CASE IPR2016-00038

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

15 -----

16 November 30, 2016

17 10:13 a.m.

18 New York, New York

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
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13 New York, New York 10022

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

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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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