

Terry Layton, Ph.D.
May 25, 2016

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

ANCESTRY.COM DNA, LLC,)
Petitioner,)
) Patent No.
) 8,221,381
) Inter Partes
vs.)
) Review No.
DNA GENOTEK INC.,)
) 2016-00060
Patent Owner)

The deposition of TERRY
LAYTON, Ph.D. called by the Patent Owner for
examination, pursuant to notice, taken
before LAURA MUKAHIRN, CSR, a notary public
within and for the County of Cook and State
of Illinois, at 300 East Randolph Street,
Chicago, Illinois, on May 25, 2016,
scheduled to commence at 9:00 o'clock a.m.

U.S. LEGAL SUPPORT
(619) 573-4883

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9 Appeared on behalf of the
10 Petitioner;

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16 BY: MR. PENG CHEN
17 MR. BRIAN M. KRAMER
18 Appeared on behalf of the Patent
19 Owner.

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I N D E X

Examinations	Page
Examination By Mr. Chen	4
Cross-Examination By Mr. Sacksteder	164
Redirect Examination By Mr. Chen	168

E X H I B I T S

No.	Page
Layton Exhibit No. 2009	35
Layton Exhibit No. 2010	47
E X H I B I T S (Previously marked)	
Ancestry Exhibit 1003	53
Ancestry Exhibit 1014	54
Ancestry Exhibit 1012	54
Ancestry Exhibit 1013	54
Ancestry Exhibit 1001	62
Ancestry Exhibit 1007	96
Ancestry Exhibit 1010	150
Ancestry Exhibit 1011	151

1 (Witness sworn.)

2 TERRY LAYTON, Ph.D.

3 called as a witness herein, having been

4 first duly sworn, was examined and

5 testified as follows:

6 Examination

7 By Mr. Chen

8 Q. Good morning.

9 A. Good morning.

10 Q. Dr. Layton, I understand that
11 your capacity being an expert in this case
12 depends on, among other things, your
13 educational experiences and working
14 experiences; is that correct?

15 A. Yes.

16 Q. Including your working
17 experiences on some of the fluid collection
18 devices you worked on before?

19 A. Yes.

20 Q. Now, on these devices you
21 worked before, do they involve multiple
22 parts?

23 A. Yes.

24 Q. And to be used -- or to be made
25 and used, the parts are sometimes connected

1 or engaged and disengaged by the users?

2 A. Yes.

3 Q. Now, did you design these
4 devices?

5 MR. SACKSTEDER: Object to the
6 form.

7 THE WITNESS: I didn't
8 understand the question.

9 BY MR. CHEN:

10 Q. Well, for those collection
11 devices you worked on them, are you the
12 designer for these devices?

13 A. I'd have to look at the patents
14 and see which ones. You know, 40 years.
15 Some of the collection -- I believe a
16 couple of the collection devices, like the
17 tissue pressure measuring device. Yes,
18 some of them are.

19 Q. So you did design some of the
20 devices?

21 A. Yes.

22 Q. And those --

23 A. Patents on them.

24 Q. Yeah. And those devices
25 include multiple parts?

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