Page 1

UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD H&S MANUFACTURING COMPANY, INC., Petitioner, Case IPR2016-00950 vs. Patent 8,166,739 OXBO INTERNATIONAL CORPORATION, Patent Owner. Videotape Deposition of DANIEL J. UNDERSANDER, Ph.D. Thursday, January 19, 2017 9:00 a.m. to 3:28 p.m. Oxbo International Corporation, Patent Owner Exhibit 2005 H&S Manufacturing Company, Inc. v. Oxbo International Corporation IPR2016-00950 Reported by Jennifer M. Steidtmann, RPR, CRR

Find authenticated court documents without watermarks at docketalarm.com.

DOCKF

RM

Page 2

1	APPEARANCES
2	
3	FOR THE PETITIONER:
4	Patterson Thuente Pedersen, P.A.
5	Mr. Eric H. Chadwick 80 South Eighth Street, Suite 4800
6	Minneapolis, Minnesota 55402 chadwick@ptslaw.com
7	612-349-5740
8	FOR THE PATENT OWNER:
9	MERCHANT & GOULD, P.C. Mr. Shane A. Brunner
10	10 East Doty Street, Suite 600 Madison, Wisconsin 53702
11	SBrunner@merchantgould.com 608-280-6753
12	000 200 0755
13	ALSO PRESENT: Steve Peters, Videographer
14	beeve recers, viacographer
15	
16	
17	
18	
19	
20	
21 22	
23	
24	
25	

DOCKET ALARM Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

Page 3

1		INDEX	
2	WITNESS EXA		PAGE
3		UNDERSANDER, Ph.D.	11101
4		ION BY MR. BRUNNER	5
5		ION DI FIR. DICONNEIX	5
6			
7		ΕΧΗΙΒΙΤ S	
8	NUMBER	PAGE IDE	
9		Deposition notice	8
10	Exhibit 2	D. Undersander report	9
11	Exhibit 3	European Patent Application 0 789 990	44
12	Exhibit 4	U.S. Patent 5,031,394	44
13	Exhibit 5	U.S. Patent 6,415,590	45
14	Exhibit 6	U.S. Patent 6,775,969	45
15	Exhibit 7	U.S. Patent 4,932,196	45
16	Exhibit 8	Video	72
17	Exhibit 9	Article, Equipment to Rake and Merge	89
18		Hay and Forage;	
19		Bates H&S 093286 through -291	
20	Exhibit 10	Article, Crop Mergers: Management of	100
21		Soil Contamination and Leaf Loss in	
22		Alfalfa; Bates H&S 092653 through -59	
23	Exhibit 11	Article, Effect of Hay-Rake Type on	114
24		Exogenous Ash Content of Alfalfa Hay	
25			

**DOCKET A L A R M** Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

. . .

DANIEL J. UNDERSANDER, PH.D. January 19, 2017

```
Page 4
```

1	Exhibit 12	Abstract, The Effect of Hay Rake Type	119
2		on Ash Content of First Cutting	
3		Alfalfa Hay	
4	Exhibit 13	Poster, Effect of Hay-Rake Type on	126
5		Exogenous Ash Content of Alfalfa Hay	
6	Exhibit 14	Bechdol 2010 article	155
7	Exhibit 15	Marsh 2012 article	160
8	Exhibit 16	Drying Forage for Hay and Haylage fac	t179
9		sheet, D. Undersander	
10	Exhibit 17	PowerPoint, Don't Make Your Cows Eat	183
11		Dirt	
12	Exhibit 18	31st Kentucky Alfalfa Conference	185
13		Proceedings, 2011	
14		riginal exhibits attached to original	
15		<pre>ipt; copies provided to attorneys orde copies.)</pre>	rıng
16			
17			
18			
19			
20		REQUESTS	
21	REQUEST	PAG	E
22	(No req	uests to produce documents were made.)	
23			
24			
25			
1			

DOCKET ALARM Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

. . .

Page 5

TRANSCRIPT OF PROCEEDINGS 1 VIDEOGRAPHER: My name is Steve Peters, 2 3 videographer. Today I'm here on behalf of DTI. This is the beginning of the video 4 deposition of Daniel J. Undersander, Ph.D. on 5 January 19, 2017. The time, 9 o'clock a.m. 6 7 This is the case concerning H&S 8 Manufacturing Company, Incorporated, petitioner, 9 versus Oxbo International Corporation, Patent Owner. Case No. IPR2016-00950. This is pending before the 10 11 United States Patent and Trademark Office before the 12 Patent Trial and Appeal Board. 13 Will counsel now please state their 14 appearances starting with the petitioner. 15 MR. CHADWICK: Eric Chadwick on behalf of 16 the petitioner, H&S. MR. BRUNNER: Shane Brunner of Merchant & 17 18 Gould on behalf of patent owner Oxbo International. 19 VIDEOGRAPHER: The court reporter, Jenny 20 Steidtmann, will now swear in the witness. DANIEL UNDERSANDER, called as a witness 21 2.2 herein, having been first duly sworn on oath, was 23 examined and testified as follows: 24 EXAMINATION 25 BY MR. BRUNNER:

**R M** Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

## DOCKET A L A R M



# 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.