

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

3

4 R.J. REYNOLDS VAPOR COMPANY, )  
5 Petitioner, )  
6 vs. ) Case IPR2016-01268  
7 FONTEM HOLDINGS 1 B.V., ) Patent 8,365,742  
8 Patent Owner. )

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12 Videotaped deposition of DR. ROBERT H.  
13 STURGES, JR., taken before NADINE J. WATTS, CSR, RPR,  
14 and Notary Public, pursuant to the Rules of the United  
15 States Patent and Trademark Office pertaining to the  
16 taking of depositions, at Suite 3600, 455 North  
17 Cityfront Plaza Drive, in the City of Chicago, Cook  
18 County, Illinois, at 9:01 o'clock a.m. on the 8th day of  
19 March, A.D., 2017.

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1                   There were present at the taking of this  
2 deposition the following counsel:

3  
4                   BRINKS GILSON & LIONE by  
5                   MR. ROBERT S. MALLIN and  
6                   MR. YUEZHONG FENG, Ph.D.  
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30                                   on behalf of the Patent Owner.

31                   ALSO PRESENT: Mr. Walter Cwik, videographer

1 VIDEOTAPED DEPOSITION OF DR. ROBERT H. STURGES, JR.  
2 TAKEN MARCH 8, 2017

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4	EXAMINATION BY	PAGE
5	Mr. Joseph Hamilton	5, 191
6	Mr. Robert S. Mallin	184

7 PREVIOUSLY MARKED EXHIBITS

8 PAGE

9	DEPOSITION EXHIBIT 1001 U.S. Patent No. 8,365,742	27
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11	DEPOSITION EXHIBIT 1003 Patent Specification for Utility Model, ZL Patent No. 200420031182.0	39
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13	DEPOSITION EXHIBIT 1004 C.L. Whittemore, Jr. Patent 2,057,353 Vaporizing Unit for Therapeutic Apparatus, filed September 27, 1935	141
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15	DEPOSITION EXHIBIT 1012 Patent Owner's Preliminary Response to Petition for Inter Partes Review of U.S. Patent No. 8,365,742	154
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17	DEPOSITION EXHIBIT 1015 Declaration of Dr. Robert H. Sturges Regarding U.S. Patent No. 8,365,742	10
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19	DEPOSITION EXHIBIT 1020 Supplemental Declaration of Dr. Robert H. Sturges	11
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1	THE VIDEOGRAPHER: Here begins the videotaped	08:34:51
2	deposition of Robert Sturges in the matter of R.J.	09:09:18
3	Reynolds Vapor Company versus Fontem Holdings 1 B.V., in	09:09:21
4	the United States Patent and Trademark Office, Before	09:09:27
5	the Patent Trial and Appeal Board, Case No.	09:09:32
6	IPR2016-01268.	09:09:35
7	This deposition is being held at 455 North	09:09:42
8	Cityfront Plaza, Chicago, Illinois on March 8th, 2017 at	09:09:44
9	approximately 9:01.	09:09:50
10	My name is Walter Cwik, and I am a legal video	09:09:54
11	specialist in association with DTI. The court reporter	09:09:57
12	today is Nadine Watts in association with DTI.	09:10:00
13	Will counsel please introduce themselves for	09:10:05
14	the record.	09:10:08
15	MR. HAMILTON: This is Joseph Hamilton from Perkins	09:10:09
16	Coie representing the Patent Owner, Fontem. With me is	09:10:11
17	Nathan Kassebaum, also from Perkins Coie.	09:10:15
18	MR. MALLIN: Robert Mallin with Brinks Gilson &	09:10:20
19	Lione on behalf of R.J. Reynolds Vapor and the witness.	09:10:22
20	And with me is Yuezhong Feng, also with Brinks Gilson &	09:10:26
21	Lione.	09:10:29
22	THE VIDEOGRAPHER: Will the court reporter please	09:10:31
23	swear in the witness.	09:10:32
24		09:10:33
25	(Witness sworn.)	09:10:39

1	DR. ROBERT H. STURGES, JR.,	09:10:39
2	called as a witness herein, having been first duly	09:10:39
3	sworn, was examined upon oral interrogatories and	09:10:39
4	testified as follows:	09:10:39
5	EXAMINATION	09:10:39
6	by Mr. Hamilton:	09:10:39
7	MR. HAMILTON: Q Good morning, Dr. Sturges.	09:10:40
8	A Good morning.	09:10:49
9	Q Thank you for appearing today. Do you	09:10:49
10	understand you're under oath?	09:10:53
11	A I understand that, yes.	09:10:56
12	Q Have you ever been deposed before?	09:10:57
13	A I have.	09:10:58
14	Q About how many times?	09:10:59
15	A About once a year over the last 25 years.	09:11:01
16	Q So would you say you've been deposed about 25	09:11:05
17	times?	09:11:08
18	A Yes. It might be more than that.	09:11:08
19	Q So I'm going to go through some of the	09:11:12
20	procedures that you're going to see here today. And I	09:11:14
21	understand you probably are familiar with many of them,	09:11:19
22	but I just want to remind you what's going to happen	09:11:21
23	today.	09:11:23
24	So I'm going to be asking you questions. If	09:11:24
25	there's anything you don't understand, please ask for	09:11:34

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