

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

U.S. PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

-----X	:	
EMERSON ELECTRIC CO.,	:	
	:	
Petitioner,	:	Inter Partes Review
	:	
vs.	:	Case No.
	:	IPR2017-00216
SIPCO, LLC,	:	
	:	U.S. Patent No.
Patent Owner.	:	8,031,732
-----X	:	

Washington, D.C.

Wednesday, August 9, 2017

Examination of:

STEPHEN B. HEPPE, D.Sc.,

the witness, was called for examination by counsel for the Patent Owner, pursuant to notice, commencing at 9:22 a.m., at the law offices of Ropes & Gray LLP, 2099 Pennsylvania Avenue, NW, Washington, D.C. 20006, before Dawn A. Jaques, CSR, CLR, and Notary Public in and for the District of Columbia.

Olender Reporting Litigation Solutions
1100 Connecticut Avenue, NW, Suite 810
Washington, D.C. 20036
(202) 898-1108

1 APPEARANCES:

2 On behalf of the Petitioner:

3 STEVEN PEPE, ESQ.

4 Ropes & Gray LLP

5 1211 Avenue of the Americas

6 New York, New York 10036-8704

7 PHONE: 212-596-9046

8 FAX: 212-728-2660

9 EMAIL: steven.pepe@ropesgray.com

10

11

12 On behalf of the Patent Owner:

13 Gregory J. Gonsalves, Ph.D., J.D., ESQ.

14 Gonsalves Law Firm

15 2216 Beacon Lane

16 Falls Church, Virginia 22043

17 PHONE: 571-419-7252

18 EMAIL: Gonsalves@gonsalveslawfirm.com

19

20

21

22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

I-N-D-E-X

WITNESS: PAGE:

STEPHEN B. HEPPE, D.Sc.

Examination by Mr. Gonsalves 4

E-X-H-I-B-I-T-S

EXHIBIT NUMBER: PAGE:

Exhibit 2007 Wikipedia page on "Channel
(communications) 85

** NOTE: Original Exhibit 2007 was
retained by Mr. Gonsalves. **

PREVIOUSLY MARKED EXHIBITS REFERRED TO

EXHIBIT NUMBER: PAGE:

1001 20

1002 39

1004 5

1005 6

1011 47

1012 77

1014 59

1 P R O C E E D I N G S

2 Whereupon,

3 STEPHEN B. HEPPE, D.Sc.,

4 was called as a witness, after having been

5 first duly sworn by the Notary Public, was

6 examined and testified as follows:

7 EXAMINATION BY COUNSEL FOR THE PATENT OWNER

8 BY MR. GONSALVES:

9 Q Dr. Heppe, can you state your name and
10 address for the record, please?

11 A Sure. It's Stephen Heppe, H-E-P-P-E,
12 and my address is 1011 Hutson Road -- Hutson is
13 H-U-T-S-O-N Road -- in Hood River, Oregon. Zip is
14 97031.

15 Q Do you understand that you are under
16 oath to testify truthfully?

17 A Yes, I do.

18 Q I'm going to ask you some questions
19 today, and if you do not understand a question,
20 will you let me know?

21 A I will.

22 Q Is there anything that would prevent

1 you from testifying accurately today?

2 A No.

3 Q Are you taking any medications for any
4 ailments that would interfere with your ability to
5 testify accurately?

6 A No.

7 Q What do you understand your role to be
8 in this matter?

9 A I was retained as an expert to
10 consider certain claims in the '732 patent in
11 relation to some prior art references, and offer
12 opinions on anticipation and obviousness.

13 Q I'm handing you what's been marked as
14 1004, which is your declaration.

15 A Okay. Thank you.

16 MR. PEPE: Thank you, sir.

17 BY MR. GONSALVES:

18 Q I assume that you've reviewed your
19 declaration before coming to this deposition
20 today?

21 A I have.

22 Q As you sit here today, is there

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.