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<p>1 UNITED STATES PATENT AND TRADEMARK OFFICE 2 BEFORE THE PATENT TRIAL AND APPEAL BOARD 3 4 5 GARMIN INTERNATIONAL, INC.;</p> <p>6 and GARMIN USA, INC., Case No. IPR2018-00564 7 IPR2018-00565 8 Petitioners, 9 10 vs. U.S. Patent No. 6,059,576 11 12 LOGANTREE, LP, 13 14 Patent Owner. 15 16 17 18 DEPOSITION OF VIJAY K. MADISETTI, Ph.D. 19 20 February 7, 2019 21 9:47 a.m. 22 23 Building 13 24 2900 Chamblee Tucker Road 25 Atlanta, Georgia 30341</p>	<p>1 INDEX TO EXHIBITS 2 EXHIBIT DESCRIPTION PAGE 3 Exhibit 1009 Patent 5,976,083 7 4 to Richardson, et al. 5 6 7 (Original Exhibits A, B, 2001, 1001, 1004, 1006, 8 1007, 1008, and 1009 were attached to the original 9 transcript.) 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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<p>1 INDEX OF EXAMINATIONS 2 WITNESS: VIJAY K. MADISETTI, Ph.D. 3 EXAMINATION Page 4 By Ms. Redmond 7 5 6 INDEX TO EXHIBITS 7 EXHIBIT DESCRIPTION PAGE 8 Exhibit A Patent Owner's Response 7 9 (564 case) 10 Exhibit 2001 Declaration of Vijay K. 7 11 Madiseti, Ph.D. (564 case) 12 Exhibit B Patent Owner's Response 7 13 (565 case) 14 Exhibit 2001 Declaration of Vijay K. 7 15 Madiseti, Ph.D. (565 case) 16 Exhibit 1001 Patent 6,059,576 to Brann 7 17 Exhibit 1004 Patent 5,978,972 to 7 18 Stewart, et al. 19 Exhibit 1006 Patent 5,546,609 7 20 to Rush, III 21 Exhibit 1007 Patent 5,197,489 7 22 to Conlan 23 Exhibit 1008 Patent 5,474,083 7 24 to Church, et al. 25</p>	<p>1 UNITED STATES PATENT AND TRADEMARK OFFICE 2 BEFORE THE PATENT TRIAL AND APPEAL BOARD 3 4 GARMIN INTERNATIONAL, INC.;</p> <p>5 and GARMIN USA, INC., Case No. IPR2018-00564 6 IPR2018-00565 7 Petitioners, 8 9 vs. U.S. Patent No. 6,059,576 10 11 LOGANTREE, LP, 12 13 Patent Owner. 14 15 16 DEPOSITION OF VIJAY K. MADISETTI, Ph.D., 17 produced, sworn, and examined on Thursday, 18 February 7, 2019, between the hours of 9:47 a.m. 19 and 11:34 a.m. of that day, located a 2900 Chamblee 20 Tucker Road, Building 13, Atlanta, Georgia 30041, 21 before Thomas R. Brezina, CRR, RMR, CCR, in a 22 certain case now pending in the United States Patent 23 and Trademark Office Before the Patent Trial and 24 Appeal Board, Garmin International, Inc.; and Garmin 25 USA, Inc. versus LoganTree, LP.</p>

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1 (Exhibits Numbers 2001, 1001, 1004,
2 1006, 1007, 1008, 1009, 2001, A, and B were
3 marked for identification.)
4 Deposition of Vijay K. Madiseti, Ph.D.
5 February 7, 2019
6 VIJAY K. MADISETTI, Ph.D.,
7 having been produced and first duly sworn as a
8 witness, testified as follows:
9 EXAMINATION
10 BY MS. REDMOND:
11 **Q Dr. Madiseti, I'd like to start by**
12 **having you state your name and address for the**
13 **record.**
14 A Yes. Good morning. My name is Vijay
15 K. Madiseti. My address is 56 Creekside Park Drive
16 in Johns Creek, Georgia 30022.
17 **Q Great. And, Dr. Madiseti, you have**
18 **been deposed before; correct?**
19 A Yes.
20 **Q So you're generally familiar with the**
21 **rules of the deposition; is that correct?**
22 A Yes.
23 **Q Just a reminder, I will ask some good**
24 **questions, and I may ask some poor questions today.**
25 **Will you please ask me to clarify if my question is**

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1 unclear?
2 A I will.
3 **Q Great. And if you have answered my**
4 **question, it's safe to assume that you have**
5 **understood my question. Is that fair as well?**
6 A Yes, it is.
7 **Q Great. And is there any medical reason**
8 **that would prevent you from giving truthful**
9 **testimony here today?**
10 A No.
11 **Q Great. About how many times have you**
12 **served as an expert witness?**
13 A Quite a few times. Probably around 25
14 to 30, maybe more.
15 **Q Maybe more. About how many times have**
16 **you been deposed, do you think? About the same**
17 **amount?**
18 A Yes. Maybe a little more. Maybe 50 to
19 75 or a little more.
20 **Q Great. I'd like to begin today by**
21 **talking about the Stewart reference, and it's, for**
22 **the record, in tab six of your deposition binder,**
23 **and for the record, that is Garmin Exhibit 1004. So**
24 **let me know when you have turned to the Stewart**
25 **reference.**

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1 A Yes. I'm at the Stewart reference,
 2 Exhibit Number --
 3 Q Great.
 4 A -- 6 (sic).
 5 Q If you had -- perfect. And if you will
 6 turn to exhibit -- or, sorry, figure one of Exhibit
 7 1004, I would appreciate it.
 8 (A cellular telephone rang.)
 9 THE WITNESS: One second. Was it
 10 figure one?
 11 BY MS. REDMOND:
 12 Q Figure one, please, of Exhibit 1004,
 13 which is the Stewart reference.
 14 A Yes. I'm at figure one.
 15 Q Trying to talk through this figure with
 16 you this morning. I see we have a -- do you see
 17 Number 11 in the upper left-hand corner?
 18 A Yes. There is a Number 11 on the upper
 19 left corner.
 20 Q And what is Number 11? If it's helpful
 21 to refresh your recollection, you can go to column
 22 six, line 13.
 23 A Yes. I'm at column six. I was going
 24 through those sections. There are --
 25 Q Yes.

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1 A -- three accelerometers. There are
 2 three accelerometers numbered ten through 12.
 3 Q Great. So turning back to figure one
 4 for me, please, you'd agree with me that 11 is an
 5 accelerometer?
 6 A Yes.
 7 Q And then that accelerometer, what is it
 8 doing there? What is the purpose of the
 9 accelerometer here?
 10 A I understand the -- the specification
 11 of column six describing the various embodiments
 12 with these accelerometers, ten through 12.
 13 Q Sure. But generally what
 14 functionality -- what functions is the accelerometer
 15 performing in figure one?
 16 A I think they're listed in column six
 17 with respect to identifying translational, angular,
 18 and normal accelerations in column --
 19 Q Is it -- oh, sorry. Finish.
 20 A Yes. In column six, lines ten through
 21 12.
 22 Q And is this description consistent with
 23 what you understand to be an accelerometer?
 24 A Are you referring to a portion of my
 25 report or declaration? Just to be clear.

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1 Q No. I'm just asking -- I'm just asking
 2 for your general understanding of accelerometers.
 3 A Outside the context of this IPR, I
 4 mean, and outside the context of the '576, I would
 5 say that this would generally be a good description
 6 of an accelerometer.
 7 Q And then from the accelerometer there,
 8 11, I see the diagram is an arrow pointing to an AD
 9 converter on figure one. Do you see that?
 10 A I can see a block 46 in figure one.
 11 That is titled A-to-D converter.
 12 Q Right. And what is a purpose here of
 13 the AD converter?
 14 A As described in columns eight -- column
 15 eight of the specification of the 972 patent, which
 16 is the Stewart patent, the A-to-D converter would --
 17 would receive as a part of its input channels, the
 18 outputs of the accelerometer and provide, for
 19 example, a 12-bit representation as described --
 20 Q Right.
 21 A -- in columns eight, 40 through 50.
 22 Q Right. So is the accelerometer sending
 23 analog signals to the AD converter, 46?
 24 A The accelerometer is receiving analog
 25 signals from the -- the A-to-D converter is

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1 receiving analog signals from the accelerometer,
 2 yes.
 3 Q Thank you. Thank you for that. And --
 4 A It can also --
 5 Q -- as part of that process -- oh, go
 6 ahead.
 7 A Column eight also describes, you could
 8 receive digital inputs as well.
 9 Q But here at least in figure one we have
 10 an AD converter, so those would likely be analog
 11 signals coming across; correct?
 12 A As for column eight, lines 50 to 58, I
 13 believe the embodiment also cover the case where
 14 digital inputs may be received.
 15 Q Sure. I guess my question was specific
 16 with respect to figure one. Here, figure one, why
 17 would you have an A-to-D converter if it was already
 18 in digital?
 19 A Again, you could have different types
 20 of formats and different types of conversions that
 21 the A-to-D converters could do.
 22 Q And I don't see any storage that occurs
 23 between the accelerometer and the AD converter. Do
 24 you? On figure one.
 25 A Figure one is a -- is a high-level

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1 block diagram, and it is not, I believe, intended to
 2 be a detailed schematic. It is possible that this
 3 data could be stored. The -- it is not unusual for
 4 data from sensors to be collected, stored,
 5 processed, and forwarded.
 6 So, for example, in column ten -- in
 7 column ten and other locations there are several
 8 different embodiments of different types of A-to-D
 9 conversion as well in addition to those in seven and
 10 eight. So one of ordinary skill in the art would --
 11 would view this as a high-level description that may
 12 include local storage as well.
 13 **Q Sure. I guess my question is, sticking**
 14 **with figure one here, is there any storage between**
 15 **the accelerometer and the A-to-D converter? Is**
 16 **there any storage step?**
 17 A My understanding is that reading the
 18 description in column eight, specifically with
 19 respect to the sample and hold feature delineated in
 20 lines 45 through 50, it is possible that there is
 21 some local storage that could include counters and
 22 other hold circuitry.
 23 **Q Specifically with respect to figure**
 24 **one, let me ask the question again. Is there any**
 25 **storage depicted on figure one between step 11, the**

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1 **accelerometer, and the AD converter, 46?**
 2 A As I said, figure one is a very
 3 high-level description. There is no explicit
 4 identification of specific functionality of each of
 5 these blocks. It is possible that block 46 may have
 6 access, for example, to block 48. It is possible
 7 that block 46 may have access to block 51.
 8 In any case, at the -- to answer your
 9 question, there is no explicit description of a
 10 storage within block 46 as written in English, but
 11 one of ordinary skill in the art in the light of the
 12 specification and knowledge would understand that
 13 A-to-D converters normally would include some form
 14 of storage.
 15 **Q And as far as Stewart's description of**
 16 **A-to-D converter 46, is there any explicit teaching**
 17 **in Stewart that that A-to-D converter, 46, had**
 18 **storage?**
 19 A Yes. In column eight it describes the
 20 use of a hold type of feature, so using hold, using
 21 counters, and other types of disclosures of column
 22 eight, lines 40 through 60, would indicate that
 23 there is explicit disclosure of forms of storage
 24 within the embodiments disclosed in the 972.
 25 **Q And I see that there is a Max 188**

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1 **disclosed in that paragraph, is there not?**
 2 A Yes. There is a disclosure in column
 3 eight, lines 45 through 50.
 4 **Q And did you go and try to determine any**
 5 **information about the Max 188 disclosed in that**
 6 **paragraph?**
 7 A I'm familiar with similar A-to-D
 8 converters, and I've used several over the past two
 9 decades. The type of converters that include these
 10 multiple channels that have various resolution in
 11 terms of bits -- they use different types of sample
 12 and hold circuitry -- do include local storage in
 13 terms of sampling, in terms of conversion to the
 14 right number of bits through successive
 15 approximation of a device. So I'm familiar with the
 16 type of A-to-D converters that are disclosed.
 17 **Q My question is -- sure. I'm**
 18 **specifically asking about the Max 188 disclosed. As**
 19 **of 1997 are you familiar with the functionality of**
 20 **that Max 188 disclosed here?**
 21 A First of all, the Max 188 is an example
 22 here, and it discloses a number of multi-channel
 23 A-to-D converters. In my experience I've not --
 24 I've looked at similar ones, but I've not -- in the
 25 context of this particular case I have not

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1 specifically looked up the data sheet of the Max 188
 2 in this matter. But I'm -- I'm providing you an
 3 answer based on my past experience with similar, if
 4 not the same, type of converter.
 5 **Q Obviously Stewart discloses a -- are**
 6 **you familiar with the HAT system? Is that right?**
 7 A Yes.
 8 **Q And you're familiar with the fact that**
 9 **that HAT system can be used on multiple body parts;**
 10 **is that correct?**
 11 A Could you refer me to the
 12 specification --
 13 **Q Sure.**
 14 A -- that you are referring to?
 15 **Q Sure. Exhibit 1004, column four,**
 16 **starting at line 32, it says, "While developed**
 17 **specifically for the head, monitoring of other body**
 18 **parts or the body in general is envisioned."**
 19 **Do you see that?**
 20 A In the summary of the invention there
 21 is the disclosure that you just read out.
 22 **Q Right. So you would agree with me,**
 23 **then, as one of ordinary skill in the art, Stewart's**
 24 **invention applied to not just the head, but other**
 25 **body parts?**

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1 A Yes. It is contemplated and envisioned
 2 that the invention, though specifically designed for
 3 the head, could in general monitor -- monitor other
 4 body parts.
 5 Q And is the head a body part, in your
 6 opinion?
 7 A Yes.
 8 Q But you'd agree with me, for example, a
 9 golf club would not be a body part; correct?
 10 A A golf club is not a -- I don't believe
 11 it's a -- it's a body part.
 12 Q And one of the goals of Stewart is, it
 13 was designed to not inhibit or impact the ability of
 14 a user to perform a sport; correct?
 15 A Again, could you refer me to the
 16 section that you're referring to?
 17 Q Are you generally familiar with the
 18 contents in the disclosures of Stewart in connection
 19 with your opinions?
 20 A Yes, I am. But since it is a very
 21 precise question, if you have a particular section
 22 that you are trying to get me to comment on, I'll be
 23 glad to do that.
 24 Q So six, line 27.
 25 A Yes. I'm looking at column six, lines

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1 27.
 2 Q Yes. And actually I believe it starts
 3 closer to 25.
 4 A Okay.
 5 Q "In this way the HAT is comfortable
 6 enough for the sports person to wear in relevant
 7 everyday sports activities without hindering,
 8 inhibiting, or otherwise affecting the ability of
 9 the user to perform a sport"; correct?
 10 A Yes. That is what the specification
 11 confirms in column six, lines 25 through 29.
 12 Q And that is consistent with your
 13 understanding of Stewart: That it is trying to let
 14 the sportsman play the sport without any inhibiting
 15 based on the Stewart invention; correct?
 16 A Yes. That is consistent with this
 17 portion of the specification, that it's comfortable
 18 enough without hindering, inhibiting, or otherwise
 19 affecting the ability of the user to perform the
 20 sport.
 21 Q Right. So, for example, if someone
 22 wants to do an illegal sparring move in football,
 23 the Stewart invention is not going to inhibit them
 24 from doing that; correct?
 25 A I don't see that disclosure here.

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1 Q You don't understand that -- I believe
 2 Stewart does talk about illegal sparring moves in
 3 football. Correct?
 4 A Where do you see that?
 5 Q You don't recall that one way or
 6 another from your review of Stewart?
 7 A I mean, as I said, I mean, Stewart has
 8 a lot of disclosures. I mean, could you be more
 9 specific?
 10 Q No. I'm just asking you generally
 11 about your understanding of Stewart. So, for
 12 example, Stewart tries to let the sportsman move how
 13 they're going to move in their respective sport and
 14 the invention itself not inhibit that movement. Do
 15 you agree with that?
 16 A I mean, again, I would say that we
 17 should refer to the description that -- in column
 18 six, 25 through 29, in Stewart's own words. I would
 19 agree that it would allow the sports person to
 20 perform the sport without hindering, inhibiting, or
 21 otherwise affecting. I don't see any disclosure
 22 that it -- I don't see a disclosure of Stewart with
 23 respect to illegal moves, unless you can --
 24 Q Sure.
 25 A -- you can point something to me.

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1 Q I'm just asking for your general
 2 understanding of Stewart in connection with your
 3 opinions here. So with respect to --
 4 A I don't see --
 5 Q -- Stewart --
 6 A Yes. I don't see such --
 7 Q Go ahead.
 8 A I don't see the explicit connection
 9 here.
 10 Q Understood. And with respect to
 11 Stewart, it's trying to not restrain any movement;
 12 correct?
 13 A My understanding is that it does not
 14 hinder, inhibit, or otherwise affect the ability of
 15 the user to perform the sport. That's how I would
 16 characterize in Stewart's own words.
 17 Q So you don't have an opinion about
 18 whether Stewart restrains any movement?
 19 A I mean, you're using certain claim
 20 language from the '576, which is causing, I believe,
 21 the confusion. Stewart in his own words describes
 22 in column six that everyday sports can be -- are not
 23 affected, and there is no hindering, inhibiting, or
 24 otherwise affecting the ability of the user to
 25 perform the sport.

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