

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

INTUITIVE SURGICAL, INC.,)
)
Petitioner,)
)
v.)Case Nos.
)IPR2018-00933 - U.S. Patent No. 9,084,601
ETHICON, LLC,)IPR2018-00934 - U.S. Patent No. 8,998,058
)IPR2018-00935 - U.S. Patent No. 8,991,677
Patent Owner.)
_____)

VOLUME II
DEPOSITION OF
WILLIAM CIMINO, M.D.
BOULDER, COLORADO
AUGUST 1, 2019

Reported by:
CARRIE A. ARNOLD
No. 19-81409

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A P P E A R A N C E S

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Also Present: None

PURSUANT TO NOTICE AND AGREEMENT, the deposition of WILLIAM CIMINO, M.D., VOLUME II, was taken on behalf of the Patent Owner at 1800 Broadway, Suite 300, Boulder, Colorado, on August 1, 2019, at 9:55 a.m., before Carrie A. Arnold, Registered Professional Reporter, Certified Realtime Reporter, and Notary Public within Colorado.

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I N D E X

	PAGE
EXAMINATION OF WILLIAM CIMINO, M.D.:	
August 1, 2019	
By Mr. O'Connor:	137
By Mr. Magee:	228
	INITIAL REFERENCE
DEPOSITION EXHIBITS	
(None)	
	INITIAL REFERENCE
PREVIOUSLY MARKED DEPOSITION EXHIBITS:	
Exhibit 1005 U.S. Patent Application Publication No. US 2005/0131390	178
Exhibit 1011 U.S. Patent No. 9,084,601	150
Exhibit 1031 U.S. Patent Number 5,954,259	201
Exhibit 1032 U.S. Patent Number 5,653,374	210
Exhibit 2014 Supplemental Declaration of Dr. William Cimino	137
Exhibit 2015 American Heritage College Dictionary, Third Edition, excerpt	142
INFORMATION REQUESTED: (None)	
QUESTIONS INSTRUCTED NOT TO ANSWER: (None)	

1 WHEREUPON, the following proceedings were
2 taken pursuant to the Federal Rules of Civil Procedure.

3 WILLIAM CIMINO, M.D.,
4 having been first duly sworn to state the whole truth,
5 testified as follows:

6 EXAMINATION

7 BY MR. O'CONNOR:

8 Q. Welcome back.

9 A. Thank you.

10 Q. We kind of went through the rules, you know,
11 last time, so I won't repeat all of them. The only
12 question I'll repeat from that is just to make sure
13 that there's no reason why you can't give truthful and
14 accurate testimony today.

15 A. There's no reason.

16 Q. Hand you a copy of a document that's been
17 marked Ethicon Exhibit 2014, titled Supplemental
18 Declaration of Dr. William Cimino. Do you recognize
19 that document?

20 A. Yes.

21 Q. Okay. If you could turn to paragraph 11 --
22 excuse me -- paragraph 9, it says, "Petitioner and
23 Dr. Fischer argue that removing the term 'arrangement'
24 expands the claim scope of the 601 Patent because the
25 term 'arrangement' requires that the claimed actuator

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