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

_____	)	
INTUITIVE SURGICAL, INC.,	)	
	)	
Petitioner,	)	IPR No.
	)	
vs.	)	2018-00936
	)	
ETHICON, LLC.,	)	
	)	
Patent Owner.	)	
_____	)	

DEPOSITION OF FRANK FRONCZAK, Ph.D.  
Washington, D.C.  
June 6, 2019

REPORTED BY: Tina Alfaro, RPR, CRR, RMR



1                   Deposition of FRANK FRONCZAK, Ph.D., held  
2           at the offices of:

3  
4                   Weil Gotshal & Manges, LLP  
5                   2001 M Street, NW, Suite 600  
6                   Washington, D.C. 20036

7  
8                   Taken pursuant to notice before Tina M.  
9           Alfaro, a Notary Public within and for the District  
10          of Columbia.

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1 APPEARANCES:

2 ON BEHALF OF THE PETITIONER:

3 FISH & RICHARDSON

4 BY: STEVEN KATZ, ESQ.

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9 WEIL GOTSHAL & MANGES

10 BY: CHRISTOPHER PEPE, ESQ.

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I N D E X

EXAMINATION

WITNESS	PAGE
FRANK FRONCZAK, Ph.D.	
By Mr. Katz	5

\*\*\*\*\*

PREVIOUSLY MARKED EXHIBITS

PETITIONER EXHIBITS	DESCRIPTION	PAGE
Exhibit 1001	'658 Patent	41
Exhibit 1003	Knodel declaration	88
Exhibit 1004	Wales reference	180
Exhibit 1006	Tierney patent application publication	72

  

PATENT OWNER EXHIBITS	DESCRIPTION	PAGE
Exhibit 2005	Fronczak declaration	6
Exhibit 2008	Article	127
Exhibit 2013	'320 Patent	121

\*\*\*\*\*

1 (Witness sworn.)

2 WHEREUPON:

3 FRANK FRONCZAK, Ph.D.,

4 called as a witness herein, having been first duly  
5 sworn, was examined and testified as follows:

6 EXAMINATION

7 BY MR. KATZ:

8 Q. Welcome, Dr. Fronczak. Could you spell  
9 your name for the record.

10 A. Sure. F-R-O-N-C-Z-A-K.

11 Q. And do you understand that you're here to  
12 testify regarding IPR 2018-00936?

13 A. I -- the numbers don't ring a bell, but I  
14 presume that you've got it correct.

15 Q. Okay. Well, do you understand that you're  
16 here to testify about an IPR concerning the  
17 '658 Patent?

18 A. Yes, I do.

19 Q. Okay. Great. And you believe you're an  
20 expert in the relevant field of the '658 Patent?

21 A. I believe I am, yes.

22 Q. And what do you generally view that field

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