

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC.,

Petitioner,

v.

MAXELL, LTD.,

Patent Owner

Case IPR2020-00202

U.S. Patent No. 10,212,586

VIDEOTAPED DEPOSITION VIA WEBEX

Wednesday, October 14, 2020

CROSS-EXAMINATION OF VICTOR SHOUP, Ph.D.

1 Videotaped Webex Cross-Examination of
2 VICTOR SHOUP, Ph.D., a witness herein, called for
3 examination by counsel for Patent Owner in the
4 above-entitled matter, pursuant to notice, the
5 witness being duly sworn by SUSAN L. CIMINELLI, CRR,
6 RPR, a Notary Public in and for the District of
7 Columbia, taken via Webex commencing at 11:02 a.m.
8 Eastern Standard Time.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

On behalf of the Patent Owner:

ROBERT G. PLUTA, ESQ.
Mayer Brown, LLP
71 South Wacker Drive
Chicago, Illinois 60606
(312) 701-8641
rpluta@mayerbrown.com

On behalf of the Petitioner:

JENNIFER C. BAILEY, ESQ.
ROBIN SNADER, ESQ.
ERISE IP, P.A.
7015 College Boulevard
Suite 700
Overland Park, Kansas 66211
(913) 777-5600
Jennifer.Bailey@eriseip.com

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

2 THE VIDEOGRAPHER: Good morning. We are
3 now on the record. This is the deposition of
4 Dr. Victor Shoup, taken in the matter of Apple,
5 Inc., Petitioner, versus Maxell, Limited, Patent
6 Owner, Case Number IPR2020-00202, before the Patent
7 Trial and Appeal Board. This deposition is being
8 taken via Cisco WebEx video service. The time on
9 the video monitor is 11:02 a.m., Eastern Standard
10 Time. The date today is October 14th, 2020.

11 The court reporter is Sue Ciminelli. The
12 video specialist is Vincent Falcetano, both from
13 Ace-Federal Reporters. Will counsel please identify
14 themselves for the record?

15 MR. PLUTA: Robert Pluta, on behalf of
16 Maxell.

17 MS. BAILEY: Jennifer Bailey and Robin
18 Snader of ERISE IP, on behalf of Petitioner Apple,
19 Inc.

20 THE VIDEOGRAPHER: Will our court reporter
21 please swear in the doctor?

22 Whereupon,

23 VICTOR SHOUP, Ph.D.,
24 was called as a witness, and having been duly sworn,
25 was examined and testified as follows:

1 THE VIDEOGRAPHER: You may continue,
2 Mr. Pluta.

3 CROSS-EXAMINATION

4 BY MR. PLUTA:

5 Q Good morning, sir. Can you please state
6 your name for the record?

7 A My name is Victor John Shoup.

8 Q Dr. Shoup, you've been deposed several
9 times before, correct?

10 A I have been deposed twice on one matter.

11 Q And was that an IPR matter?

12 A Yes.

13 Q Okay. Given the remote nature of this
14 deposition, it's going to be important for us to not
15 talk over each other, so the court reporter can take
16 down the questions and your answers. Can you agree
17 to try not to do that, and I'll do the same?

18 A I can agree to that.

19 Q Great. And if you recall, one of the
20 particular things about an IPR deposition is that if
21 we take break, you're not allowed to talk with
22 counsel about your testimony during the breaks. Do
23 you understand that?

24 A I do understand that.

25 Q And you agree not to do that?

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.