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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LKQ Corporation and Keystone Automotive Industries, Inc.
Petitioners

v.

GM Global Technology Operations LLC
Patent Owner

U. S. Design Patent No. D797,625

Filed: August 24, 2016

Issued: September 19, 2017

Title: Vehicle Front Fender

DEPOSITION OF

JASON C. HILL

Monday, October 19, 2020

REPORTED BY: JOHN WISSENBACH, RDR, CRR, CRC, CSR 6862

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INDEX OF EXAMINATIONS

Page

WITNESS:

JASON C. HILL

Cross-Examination by Mr. Herriges

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EXHIBITS REFERENCED

Hill Exhibit 1003

Hill Exhibit 1004

Hill Exhibit 1006

Hill Exhibit 2002

Hill Exhibit 2003

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1 BE IT REMEMBERED that, pursuant to the laws
2 governing the taking and use of depositions, on Monday,
3 October 19, 2020, commencing at 7:07 a.m., before me,
4 JOHN WISSENBACH, CSR 6862, of San Francisco, California,
5 appeared through videoconference JASON C. HILL, at Costa
6 Mesa, California, called as a witness by the Patent
7 Owner, who, being by me first duly sworn, was thereupon
8 examined as a witness in said action.

9

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1 CROSS-EXAMINATION BY MR. HERRIGES

2 Q. Okay. Mr. Hill, are you ready to proceed?

3 A. Yes.

4 Q. Okay. Could you just state your full name and
5 address for the record, please.

6 A. Sure. It's Jason Hill. I reside at 227
7 Virginia Place, Costa Mesa, California 92627.

8 Q. Okay. Now, have you been deposed before,
9 Mr. Hill?

10 A. I have.

11 Q. Okay. And was that in one of the Mahindra
12 cases? Am I saying that right?

13 A. Correct.

14 Q. Okay. And I see from your CV that there was
15 what looked like a district court action against FCA.
16 Is that right?

17 A. The action was in -- it was with the
18 International Trade Commission, the ITC.

19 Q. I see. So -- and you participated in a
20 deposition in the ITC case; is that right?

21 A. Correct.

22 Q. And were you working on behalf of FCA or
23 Mahindra?

24 A. On behalf of Mahindra.

25 Q. Okay. Am I saying that right?

1 A. I think so, yes.

2 Q. Can you just describe generally what that --
3 what that case was about, starting with whether it was a
4 design case or a utility patent case.

5 A. It was not a utility patent case. It had to do
6 with trade dress.

7 Q. Okay. And generally, again at a high level,
8 can you describe what your involvement was in that case.

9 A. Yes. I was asked to give an opinion on certain
10 design features that were identified and also form an
11 opinion as to whether these features came from and if
12 they were functional or purely aesthetic.

13 Q. Okay. And what was the design in question
14 there, or the technology in question, if you will?

15 A. It -- hmm. I believe it's public knowledge.
16 It's a question from FCA's side regarding trade dress
17 against a Mahindra product that they felt was too
18 similar to asserted -- asserted marks, or asserted --
19 asserted trade dress.

20 Q. Do you recall what that product was?

21 A. It's known as the Mahindra Roxor.

22 Q. Could you spell that for the court reporter,
23 please.

24 A. Certainly. R-O-X-O-R.

25 Q. And what kind of product is the Roxor?

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