

No. 389431

Re: Deposition of **Tim A. Osswald, Ph.D.**

Date: 8/5/2021

Case: Yita L.L.C. -v- MacNeil IP L.L.C. (PTAB)

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Page	Line	Correction/Change and Reason	
33	5	“Sherman” instead of “Shearman”	Misspelling
34	7	“Sherman” instead of “Shearman”	Misspelling
36	3	“3D” instead of “suite”	Transcription Error (TE)
37	1	“processing” instead of “process”	TE
37	4	“transport” instead of “transfer”	TE
37	7	“3-D” instead of “three”	TE
43	9	“No, I have not written an entire book, but I have written about thermoforming in my books.”  instead of  “No, I have not.”	Clarification
46	17	“or injection molding” instead of “of injectionable”	TE
48	7	“EVOH” instead of “EDOH”	TE
48	11	Add to answer: “I should make clear that the multiple layers in these plastics had similar melting points and viscosities, just like the multi-layer plastic discussed in the MacNeil Patents.”	Clarification
49	18	Add to answer: “I should make clear that the multiple layers in those laminates had similar melting points and viscosities, just like the multi-layer plastic discussed in the MacNeil Patents.”	Clarification
56	10	“thermoformed” instead of “thermoform”	TE
68	12-14	Replace text between “much spinning and “axial stretching” with “much thinning, especially if you thermoform a trough, but if you thermoform	TE (multiple)

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		a cube, especially if you are doing biaxial stretching”	
73	14	“It is a thermoset” instead of “It was a thermoset”	TE
74	4	Replace answer with, “No in the context of these patents. In the abstract, I am aware that cross-linked polyethylene foams, which are thermosets, have been used with a thermoforming process.”	Clarification—I interpreted the question in the context of these patents.
74	11	“foam” instead of “form”	TE
74	13	“thermal conductivity” instead of “thermoconductivity”	TE
74	8-14	Add to end of answer, “Again, my answer is in the context of these patents. In the abstract, I am aware that cross-linked polyethylene foams, which are thermosets, have been used with a thermoforming process.”	Clarification—I interpreted the question in the context of these patents.
74	21	“glass transition” instead of “glass condition”	TE
75	1	“glass transition” instead of “glass condition”	TE
75	3	“glass transition” instead of “glass condition”	TE
76	6	“glass transition” instead of “glass condition”	TE
78	4	“shear” instead of “sheered” (twice)	TE
78	15	“shear” instead of “sheer”	TE
83	22	“thermoset” instead of “thermostat”	TE
89	14	“a” instead of “the”	TE
91	9	“grooves” instead of “groups”	TE

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92	2	“with” instead of “but”	TE
92	22	“umbos” instead of “emboss”	TE
115	4	“there” instead of “therefore”	TE
135	5-6	“120 thousandths” instead of “120,000 <sup>th</sup> ” and “0.125” instead of “1.125”	TE and/or I misspoke
143	2	“compression molding” instead of “pressure molding”	TE
143	13-14	“thermoset” instead of “thermosense” (twice)	TE
143	22	“I don’t think” instead of “I think”	TE
146	3	“thickness” instead of “thicknesses”	TE
195	22	“flush” instead of “sliced”	TE and/or I misspoke
196	1	“line” instead of “lines”	TE
202	7	“high” instead of “tight”	TE
202	15	Replace answer with, “As I indicated earlier in my testimony, pressure forming is a form of thermoforming. You are using air pressure to hold the sheet of plastic against the mold. Sometimes a vacuum pulls the plastic against the mold at the same time the air pressure is pushing the plastic against the mold. This process uses a single mold, not multiple matched molds like compression molding does. Now, there is a form of compression molding that uses a bladder filled with air and thus relies upon air pressure, but that is a different process. An example of that is a project that I did for Trek Bicycles. A hollow bike frame was elliptical shaped in cross section with two halves. It was compression molded with a rubber bladder in the center to help hollow out the middle and press the composite material against the walls of the mold. I do not consider	Clarification—I made a mistake in trying to explain this and the answer also ended up confusing.

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		this to be pressure forming although it does use air pressure.”	

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DECLARATION OF DEPONENT

I, Tim A. Osswald, Ph.D., do hereby acknowledge that I have read and examined the foregoing testimony, and the same is a true, correct and complete transcription of the testimony given by me and any corrections appear on the above Errata sheet which is a part of this declaration. I declare under penalty of perjury that the foregoing is true and correct. Executed on the date indicated below.

August 18, 2021

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(Date)



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(Signature)