

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
U.S. PATENT NUMBER 8,095,879

SAMSUNG ELECTRONICS CO., §
LTD., SAMSUNG ELECTRONICS §
AMERICA, INC., AND APPLE, §
INC., §
§
§
Petitioners, §
§
vs. § CASE NO. IPR 2021-00144
§
NEONODE SMARTPHONE LLC, §
§
§
Patent Owner. §

EXPERT ORAL DEPOSITION

DR. CRAIG S. ROSENBERG

May 20, 2022

EXPERT ORAL DEPOSITION OF DR. CRAIG S.

ROSENBERG, produced as a witness at the instance of the Petitioner and duly sworn, was taken in the above-styled and numbered cause on the 20th day of May, 2022, from 11:06 a.m. to 4:30 p.m., before Michelle Hartman, Certified Shorthand Reporter in and for the State of Texas and Registered Professional Reporter, reported by computerized stenotype machine via Zoom videoconference, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

1 APPEARANCES

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12 ALSO PRESENT:

13 Mr. Philip Graves, NeoNode in-house counsel
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INDEX

PAGE

DR. CRAIG S. ROSENBERG

Examination by Ms. Miller	4
Signature Page	143
Signature Page	144
Court Reporter's Certificate	145

EXHIBITS

EXHIBIT	DESCRIPTION	PAGE
Exhibit 1005	Patent Number 5,249,296 9/28/93 by Tanaka	109
Exhibit 1050	U.S. Patent 8,095,879 B2 1/10/12 by Goertz	16
Exhibit 2007	Second Declaration of Craig Rosenberg, Ph.D.	8
Exhibit 2022	Declaration of Ulf Martensson	120
Exhibit 2023	Declaration of Joseph Shain	121

1 THE COURT REPORTER: I am on the
2 record. On the record, can Counsel please state
3 appearances.

4 MS. MILLER: Tiffany Miller from DLA
5 Piper on behalf of Petitioners.

6 MR. HENDIFAR: Parham Hendifar
7 Lowenstein & Weatherwax for patent owner NeoNode.

8 MR. GRAVES: Philip Graves with Hagens
9 Berman Sobol Shapiro LLP for patent owner NeoNode.

10 DR. CRAIG S. ROSENBERG,
11 having been first duly sworn, testified as follows:

12 EXAMINATION

13 Q. (BY MS. MILLER) Good morning,
14 Dr. Rosenberg.

15 A. Good morning.

16 Q. You provided a declaration in support
17 of the patent owner in IPR 2021-144 for the Patent
18 Number 8,095,879; is that correct?

19 A. Yes. Can -- you said 2021-00144; is
20 that correct?

21 Q. Yes.

22 A. Yes, that is correct.

23 Q. Thank you. Have you been deposed
24 before?

25 A. I have.

1 Q. Approximately how many times?

2 A. I believe 42 times previously.

3 Q. When was the last time you were
4 deposed?

5 A. Roughly a month ago.

6 Q. And were all those depositions in the
7 capacity as an expert witness?

8 A. They all were.

9 Q. Is there any reason why you cannot give
10 your complete and full testimony today?

11 A. No.

12 Q. Can you tell me about your computer
13 setup that you're working with today.

14 A. Yes. I am working with a Windows 11
15 computer. I have Zoom open. I have a PDF reader
16 with a clean copy of my second declaration, the file
17 history, Hirayama Ren, and the '879 Patent on a PDF
18 reader.

19 Q. Do you have any e-mail or chat
20 functionality open on that computer?

21 A. I do not.

22 Q. Do you have any other electronic
23 devices with you in the room?

24 A. I have a Smartphone, a cellphone here,
25 but it is on airplane mode and I will not be

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