

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
FOR THE PATENT TRIAL AND APPEAL BOARD

-----x

HYUNDAI MOTOR AMERICA,

Petitioner,

IPR2021-01267

-vs-

STRATOSAUDIO, INC.

Patent Owner.

-----x

August 17, 2022

12:02 p.m.

Remote Zoom Deposition of Dr. Kevin C. Almeroth, Ph.D, taken by Petitioner, pursuant to Notice, in the IPR 01267 action, with the Witness located in Santa Barbara, California, before William Visconti, a Shorthand Reporter and Notary Public within and for the State of New York.

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

A P P E A R A N C E S:

WHITE & CASE LLP

Attorneys for Petitioner

1221 Avenue of the Americas
New York, NY 10020

BY: HALLIE KIERNAN, ESQ.

hallie.kiernan@whitecase.com

JOHN SCHEIBELER, ESQ.

john.scheibeler@whitecase.com

TIMOTHY KEEGAN, ESQ.,

timothy.keegan@whitecase.com

O'MELVENY & MYERS LLP

Attorneys for Patent Owner

610 Newport Center Drive
Newport Beach, CA 92660

BY: CAITLIN P. HOGAN, ESQ.

chogan@omm.com

BRADLEY M. BERG, ESQ.

bmberg@omm.com

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

IT IS HEREBY STIPULATED AND AGREED
by and between the attorneys for the
respective parties herein that filing and
sealing be and the same are hereby waived.

IT IS FURTHER STIPULATED AND AGREED
that all objections, except as to the form
of the question, shall be reserved to the
time of the trial.

IT IS FURTHER STIPULATED AND AGREED
that the within deposition may be signed
and sworn to before any officer authorized
to administer an oath with the same force and
effect as if signed and sworn to before the
Court.

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

K E V I N C. A L M E R O T H, P H. D.,
having been first duly sworn by the Notary Public,
was examined and testified as follows:

EXAMINATION CONDUCTED BY MS. KIERNAN:

Q. Good morning Dr. Almeroth, can you
state your full name for the record please?

A. Kevin Christopher Almeroth.

Q. Is there any reason that you
cannot give full and complete testimony here
today that you're aware of?

A. No.

Q. Since you were last deposed I
believe in April of this year in the same
matter has there been any change to your
experience or your CV that you're aware of?

A. There is probably -- actually, no,
I think the last case I was deposed in was this
one. I think I served on some additional
program committees, so there might be some
incremental updates to my CV.

Q. I'm going to ask you to open in
Exhibit Share, Exhibit 126 for the '081
proceeding. I believe 126 is the next one. We
could double-check it.

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

KEVIN C. ALMEROOTH, PH.D

(Exhibit 1026 previously marked for identification.)

A. I have that open.

Q. Just to clarify, I misspoke, it should be Exhibit 1026. Do you recognize this exhibit, Dr. Almeroth?

A. I do.

Q. This exhibit is the "Reply Declaration of Dr. Kevin C. Almeroth in Support of Petition for Inter Parties Review for U.S. Patent No. 8,166,081." Is that correct?

A. Correct.

Q. If I refer to the '081 patent throughout this deposition will you understand that to be patent number 8,166,081?

A. Yes.

Q. Can you please go to paragraph 3 of Exhibit 1026 and let me know when you're there?

A. I'm there.

Q. Paragraph 3 provides the list of materials you reviewed and considered in forming the opinions in this reply declaration; is that correct?

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.