

1
2 UNITED STATES PATENT AND TRADEMARK OFFICE.
3 FOR THE PATENT TRIAL AND APPEAL BOARD

4 -----x

5 HYUNDAI MOTOR AMERICA,

6 Petitioner,

IPR2021-01303

7 -vs-

IPR2021-01305

8 STRATOSAUDIO, INC.

9 Patent Owner.

10 -----x

11 August 17, 2022

12 1:44 p.m.

13
14
15
16
17 Remote Zoom Deposition of Dr. Kevin C.
18 Almeroth, Ph.D, taken by Petitioner, pursuant to
19 Notice, in the IPR 2021-01303 and IPR 2021-01305
20 actions, with the Witness located in Santa
21 Barbara, California, before William Visconti, a
22 Shorthand Reporter and Notary Public within and
23 for the State of New York.

24 StratosAudio Exhibit 2021
25 Hyundai v StratosAudio
IPR2021-01303

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: 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 MR. SCHEIBELER:

Q. Hello doctor, how are you?

A. Pretty good. How are you?

Q. Good. This is John Scheibeler
from White & Case on behalf of patent owner
Stratos.

MR. SCHEIBELER: For the record we
are taking this deposition in IPR 1221-1303
and IPM 2021-1305.

Q. Dr. Almeroth, do you understand
all of my questions in the deposition unless I
state otherwise are asking for your view from
the standpoint as a skilled artisan in the
relevant timeframe, right?

A. Yes, I will try to make that
assumption.

Q. Thank you. If you could turn to
the '307 patent. This is Exhibit 1001.

(Exhibit 1001 previously marked for
identification.)

A. Okay.

1 KEVIN C. ALMEROOTH, PH.D

2 Q. Also just so you know, I have in
3 Exhibit Share, I have your reply declaration, I
4 also uploaded your original declaration in case
5 you feel the need to refer to it. Right now I
6 would like you to refer to the '307 patent,
7 Exhibit 1001.

8 A. Okay, got it.

9 Q. If you could turn to claim 16.

10 A. Okay.

11 Q. Is claim 16 broader or narrow than
12 claim 1?

13 MS. HOGAN: Objection, form.

14 A. You mean claim 11.

15 Q. Excuse me, thank you. Is claim 16
16 broader or narrower than claim 11?

17 A. It should be -- well, the answer
18 is, it should be narrower than claim 11, but
19 whether or not Dr. Hart has done that through
20 his claim construction is a different question.

21 Q. What does the term further
22 comprise indicate in claim 16?

23 A. That there is an additional
24 requirement as set forth after the further
25 comprises.

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.