



Deposition of:
Eric H. Maslen , Ph.D.

March 25, 2021

In the Matter of:
**Unicorn Global Inc Et Al Vs. Golabs
Inc**

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

- - - - - :
UNICORN GLOBAL, INC., et al., :
:
Plaintiffs, : CASE NO.
:
vs. : 3:19-CV-0754-N
:
GOLABS, INC., d/b/a GOTRAX, :
LLC, et al., :
:
Defendants. :
:
- - - - - :

VIDEO DEPOSITION OF ERIC MASLEN, PHD

DATE: March 25, 2021
TIME: 1:05 p.m.
LOCATION: Via Zoom Videoconference
Earlysville, Virginia

REPORTED BY: Constance H. Rhodes
Reporter, Notary

Veritext Legal Solutions
1250 Eye Street, Northwest
Washington, DC 20005

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A P P E A R A N C E S

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2

3 On behalf of Plaintiff:
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13 On behalf of Defendant:
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17 Sixth Floor
18 New York, New York 10022
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21

22 ALSO PRESENT:
23 Victoria Varner, Videographer
24 * * * * *

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C O N T E N T S

2	EXAMINATION BY:	PAGE
3	Counsel for Defendant	5
4	Counsel for Plaintiff	98
5		
6	MASLEN DEPOSITION EXHIBITS:*	
7	1 U.S. Patent 9,376,155 B2	16
8	2 U.S. Patent 10,597,107 B2	17
9	3 U.S. Patent 10,850,788 B2	18
10	4 Declaration of Dr. Eric H. Maslen in	
11	Support of Plaintiffs' Claim	
12	Constructions	20
13	5 Declaration of Dr. William E. Singhose	
14	in Support of Defendant/Counterclaimant	
15	Golabs's Opening Claim Construction Brief	21
16	6 Declaration of Dr. Eric H. Maslen in	
17	Rebuttal of Golabs's Motion for Partial	
18	Summary Judgment	29
19	7 Chinese Patent CN203268232U	49
20	8 Chinese Patent CN103529850B	46
21	9 Chinese Patent CN202669532U	48
22	(* Exhibits attached to transcript.)	

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P R O C E E D I N G S

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3 THE VIDEOGRAPHER: Good afternoon. We're
4 going on the record at 1:05 p.m. on March 25th,
5 2021. This is the remote video-recorded deposition
6 of Dr. Eric H. Maslen, taken in the matter of
7 Unicorn Global, Incorporated, et al. v. Golabs,
8 Incorporated, filed in the United States District
9 Court for the Northern District of Texas, Dallas
10 Division, Case Number 3:19-CV-0754-N.

11 My name is Victoria Varner from firm the
12 Veritext Legal Solutions. The court reporter is
13 Connie Rhodes from the firm Veritext Legal
14 Solutions.

15 Will counsel please state your
16 appearances and affiliations for the record.

17 MR. PEZZANO: Tony Pezzano on behalf of
18 Defendant Golabs.

19 MR. WANG: Timothy Wang on behalf of the
20 plaintiffs, Unicorn Global and Hangshou Chic.

21 MR. MOORE: Steve Moore, also here on
22 behalf of plaintiffs.

23 THE VIDEOGRAPHER: Thank you. And will

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1 the court reporter please swear in the witness.

2 WHEREUPON,

3 ERIC H. MASLEN, PHD

4 called as a witness, and having been first duly
5 sworn, was examined and testified as follows:

6 EXAMINATION BY COUNSEL FOR DEFENDANT

7 BY MR. PEZZANO:

8 Q Good afternoon. Would you please state
9 your full name and address for the record.

10 A My name is Eric Harvey Maslen, and
11 address is 748 Reas -- R-E-A-S -- Ford Road
12 Earlysville, Virginia 22936.

13 Q Have you ever been deposed by video
14 before?

15 A No, I haven't.

16 Q All right. I'm going to -- before we
17 begin, I'll just walk you through some of the
18 procedures here. Have you -- and before that, let
19 me just ask you one other question. Have you ever
20 been -- have you ever testified at trial or at a
21 legal hearing before?

22 A Yes.

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1 Q How many trials and/or legal hearings
 2 have you testified at before?
 3 A I've got a list. Do you want me to -- I
 4 don't know.
 5 Q Do you have a rough estimate?
 6 A Maybe four or five trials.
 7 Q What were the outcomes of those trials?
 8 Can you summarize it?
 9 A Let's see. The first case, the outcome
 10 was they found for the plaintiff. Second case
 11 that I was an expert in settled out of court. The
 12 third settled out of court. I was in an
 13 arbitration. I don't know the outcome of that
 14 arbitration. Another one, no court hearing.
 15 Settled out of court. Gosh. There was a court
 16 hearing, I was there, there was a deposition, and
 17 I don't know the outcome.
 18 Swimways, let's see. That was deposition
 19 but no courtroom hearing. I believe they found for
 20 defendant, but I don't actually know the outcome.
 21 L&R, this was a preliminary injunction. I gave a
 22 deposition. Let's see. ASF was only deposition.

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1 And Free-Flow, actually not even a deposition.
 2 So those are all the previous -- I guess
 3 I've really only had two courtroom experiences. I'm
 4 sorry I overstated that.
 5 Q And by courtroom appearances are you
 6 referring to trial testimony?
 7 A Trial testimony, yes.
 8 Q And the first case you mentioned that
 9 you testified in trial you indicated the outcome
 10 was on behalf of the plaintiff. Who were the
 11 parties in that case?
 12 A It was Pregis versus Doll and Free Flow
 13 Packaging. Doll being the patent office.
 14 Q And who were you representing in that
 15 case?
 16 A The plaintiff.
 17 Q And what was the other case that you
 18 testified in trial that had an outcome?
 19 A So it was a preliminary hearing. I
 20 don't -- maybe that's not a trial. It was in
 21 court. That was the Robert Bosch LLC v. Alberee
 22 Products and Costco.

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1 Q What was the outcome of that case?
 2 A I don't know what the final outcome of
 3 the case was.
 4 Q Were these all patent infringement
 5 cases?
 6 A Yes.
 7 Q So I'm going to summarize some of the
 8 procedures here today to facilitate this
 9 videoconference deposition. Can we agree that if
 10 someone drops off the video conference, we will
 11 pause the deposition and wait to resume until the
 12 person rejoins?
 13 MR. WANG: Yes. Sure.
 14 BY MR. PEZZANO:
 15 Q And Dr. Maslen, are your video and audio
 16 feeds working right now?
 17 A Seem fine.
 18 Q Is there any significant delay or are
 19 you having any quality issues with the audio?
 20 A I'm on a DSL line so it's a little bit
 21 slow, but it's not a noticeable delay.
 22 Q Would you agree to let me know if you

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1 are having an Internet connect activity issue, and
 2 we will delay to try to accommodate you?
 3 A Sure. Of course.
 4 Q Can you agree -- can you please confirm
 5 there is no one else in the room with you?
 6 A No one in the room. There's a dog that
 7 might wander in but that's it.
 8 Q Are there any other electronics in the
 9 room with you?
 10 A My telephone is sitting in here. That's
 11 it.
 12 Q And I say this to all the witnesses.
 13 Oftentimes, attorneys say turn off all the
 14 electronics. I don't. You can keep your phone
 15 on. You might want to just turn down the volume,
 16 just in case of an emergency, you know. I don't
 17 mind if you leave it on. Just keep to the side
 18 with maybe the ringer turned down a little bit, if
 19 that's okay.
 20 A I muted the ringer.
 21 Q Where are you located here today.
 22 A I'm in my house at 748 Reas Ford in

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1 Earlysville.
2 Q We'll take periodic breaks about every
3 hour or so for about 10 minutes or 15 minutes. Is
4 that okay with you?
5 A Sure. Sounds good.
6 Q If you need to take a break at any point
7 in time, just let me know and we'll accommodate
8 you. Okay?
9 A Thank you.
10 Q Do you understand you are testifying
11 under oath here today?
12 A I do.
13 Q Do you understand that the oath is
14 binding as if you -- as if the oath had been given
15 in a court of law?
16 A Yes.
17 Q Is there any reason you cannot testify
18 truthfully and accurately here today?
19 A No.
20 Q Are you on any medication that would
21 impact your ability to testify truthfully here
22 today?

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1 A No.
2 Q And have you ever been convicted of a
3 felony?
4 A No.
5 Q Have you ever been convicted of a crime
6 that relates to your ability to give truthful
7 testimony here today?
8 A No.
9 Q Can you summarize your formal education?
10 A I got a bachelor of science from Cornell
11 University in 1980, and I got a doctorate in
12 mechanical and aerospace engineering from
13 University of Virginia in 1990.
14 Q Can you chronologize your employment
15 history since you graduated with your doctorate
16 degree at the University of Virginia.
17 A Yeah. I went to work as a mechanical
18 engineer for Koppers Company, and I was there from
19 roughly '80 through '85 with a break in the middle
20 where I was in the U.S. Peace Corps.
21 And then I went to graduate school. I was
22 employed while in graduate school by the University

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1 of Virginia. And then once I got my doctorate, I
2 joined the faculty at University of Virginia. I was
3 on that faculty from 1990 until 2010, and in 2010 --
4 at which point I was a full professor. And in 2010
5 I took a position as department head at James
6 Madison University, and I stayed there until 2016,
7 August. And then I retired from there, and I've
8 since then been working as a consultant.
9 Q Are you self-employed as a consultant?
10 A Yes. I am self-employed as a
11 consultant.
12 Q I don't know if you recall but the last
13 time you testified -- actually, I took your
14 deposition -- was on September 12, 2019, in a
15 related case involving the '155 and '802 patents.
16 Do you recall that?
17 A Yes.
18 Q And since that time have you been
19 involved in -- maybe if you can from that point in
20 time summarize the litigations you've been
21 involved in since September of 2019? You can use
22 your resume to assist.

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1 A Yeah. Right. No. Most of the work
2 I've been doing was all related to these
3 hoverboard activities. I have some other ongoing
4 activities. Should I report them? I don't know
5 if I've been disclosed as a witness in those, so
6 I'm not sure I should be -- should be saying much
7 about them. But only one other case, and it's not
8 related to hoverboards.
9 Q Your counsel could put the transcript
10 under confidentiality if you are afraid of
11 revealing confidential information. I'm not going
12 to ask you any details about the other matter that
13 you've identified, just the names of the parties.
14 A Okay. It's Geigtech East Bay, LLC
15 versus Lutron Electronics Company, Incorporated.
16 Q And who are you representing in that
17 matter?
18 A I represent Lutron.
19 Q Is that a patent infringement matter?
20 A Yes.
21 Q You mentioned that you've been involved
22 in various hoverboard matters. Have you been

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