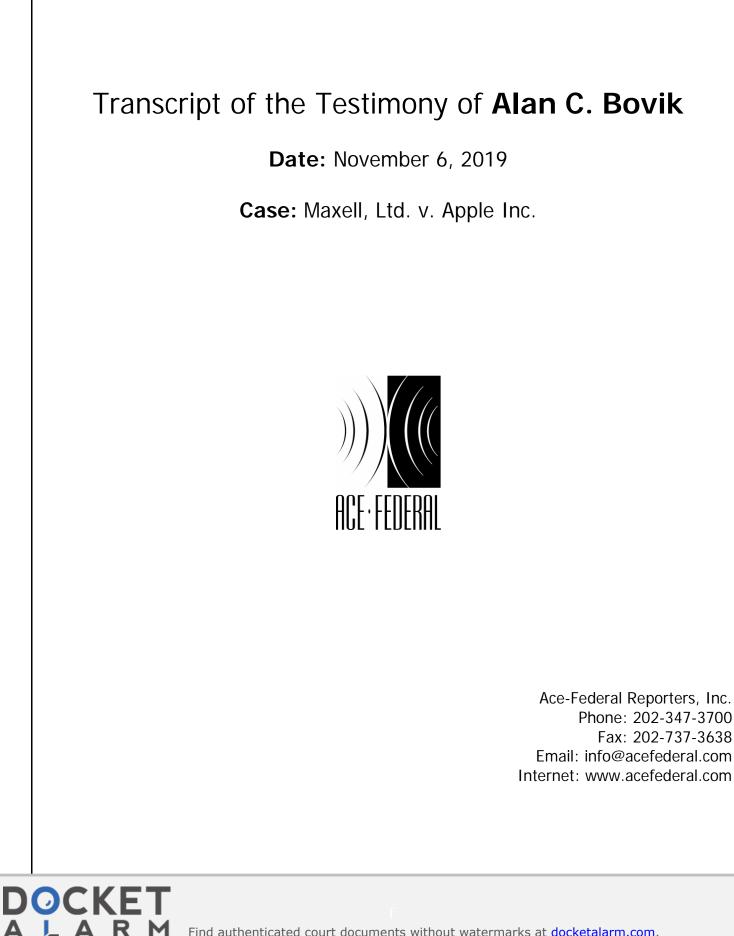
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EXHIBIT K

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Maxell, Ltd. v. Apple Inc.

November 6, 2019

	Page 1
1	IN THE UNITED STATES DISTRICT COURT
2	FOR THE EASTERN DISTRICT OF TEXAS
3	TEXARKANA DIVISION
4	MAXELL, LTD.,)
)
5	Plaintiff,)
)
6	vs.) Civil Action No.
)
7	APPLE INC.,) 5:19-cv-00036-RWS
)
8	Defendant.)
9	
10	
11	ORAL VIDEOTAPED DEPOSITION
12	ALAN C. BOVIK, Ph.D.
13	November 6, 2019
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23	Reported by
24	Rebecca Callow, RMR, CRR, RPR
25	Job No. 43583
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Alan C. Bovik

RM

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Page 65 1 ordinary meaning. Is that your understanding? 2 Α. Yes. 3 And Apple is proposing a different 0. 4 construction. Correct? Apple is not proposing plain and 5 Α. ordinary meaning. They are proposing something 6 7 that reflects the inventor's intention, in my 8 opinion. 9 And there would be a differing claim Q. 10 scope between these two proposals. Correct? 11 MR. ZHOU: Objection to form. 12 Α. As I understand it, I mean, plain 13 and ordinary meaning, especially for a term 14 like "culling" which, you know, is crying to be 15 construed in this patent, it would be 16 extraordinarily broad in -- yeah. So, I mean, 17 if that's what you mean. 18 BY MR. BAKEWELL: 19 So is that a yes? Q. 20 It means that, without construction, Α. 21 the term can't properly be understood within 22 the claim language, you know, as -- and its 23 relevance to this technology. 24 It's your opinion that the Court Ο. 25 shouldn't simply say plain and ordinary

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Page 66 1 meaning. Correct? 2 Α. I think that the Court couldn't say 3 because, you know -- because I don't think 4 that, you know, within my field, that the term 5 we're talking about here has a plain and 6 ordinary meaning to a person of ordinary skill 7 in the art. It certainly isn't a term of my 8 art. 9 Does the term get used in your art? Q. 10 Α. You know, I've contemplated that and I've searched my mind, and I have no 11 12 recollection of ever encountering "culling" 13 used in the way it's used in this specification 14 and claim, over four decades of working in the 15 field. 16 The same thing with "mixing," by 17 the way. 18 "Culling" outside of this field of 0. 19 art has a dictionary definition, say, in 20 Webster's dictionary. Right? It's not a 21 made-up word? 22 Yeah. Culling. You know, I mean, Α. 23 but it means something different in every use, 24 I would say. I think "culling" is one of those 25 words that can mean a lot of things.

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