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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

PARKERVISION, INC. * October 27, 2021
*
VS. * CIVIL ACTION NOS.
*
HISENSE CO., LTD, ET AL * W-20-CV-870
TCL INDUSTRIES HOLDINGS CO., LTD, ET AL W-20-CV-945

BEFORE SPECIAL MASTER JOSHUA J. YI
MARKMAN HEARING (via Zoom)

APPEARANCES:

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Proceedings recorded by mechanical stenography, transcript
produced by computer-aided transcription.

1 (October 27, 2021, 9:39 a.m.)

2 DEPUTY CLERK: Markman hearing in Civil Actions
3 W-20-CV-870, styled ParkerVision, Incorporated versus Hisense
4 Company, Limited and other, and Case No. W-20-CV-945, styled
5 ParkerVision, Incorporated versus TCL Industries Holdings
6 Company, Limited and others.

7 SPECIAL MASTER: Counsel, could you introduce yourself,
8 please?

9 MR. CHARKOW: Sure. Good morning. This is Jason Charkow
10 for the plaintiff ParkerVision. With me today I have Stephanie
11 Mandir who'll be arguing with me today as well as Ron
12 Daignault, Chandran Iyer all from Daignault Iyer firm. Also
13 Ray Mort of the Mort firm as well as a client representative
14 Jeffrey Parker, the CEO of ParkerVision.

15 SPECIAL MASTER: Welcome.

16 MR. CHARKOW: Thank you.

17 MR. BORGMAN: Good morning, Dr. Yi. This is Steve Borgman
18 with Kilpatrick Townsend & Stockton. We represent the Hisense
19 defendants and the TCL defendants. With me today we have Steve
20 Moore, Matias Ferrario, Kris Reed, Kevin Bell and Ted Mayle,
21 and we also have some client representatives. I'll let Kris
22 Reed introduce those for you.

23 MR. REED: Yes. Representing the defendants on the 945
24 case we have Sherry Zhi who serves as in-house IP legal counsel
25 as well as Maggie Zheng who serves as head of IP business

1 management.

2 SPECIAL MASTER: Welcome. If you guys are overseas, thank
3 you for I guess staying up very, very late today.

4 So the first term that -- well, I guess maybe the first
5 thing we should do is to --

6 (Clarification by the reporter.)

7 SPECIAL MASTER: Okay. Let's first talk about the level
8 of ordinary skill in the art. Are the parties still
9 disagreeing as to what that is?

10 MR. CHARKOW: I believe so, Dr. Yi.

11 SPECIAL MASTER: Okay. Plaintiff, do you want to go ahead
12 first?

13 MR. CHARKOW: Sure. So I'm going to share my screen, and
14 if you could just tell me, Dr. Yi, when you can see my screen,
15 that would be great.

16 SPECIAL MASTER: I can see it now. Thank you.

17 MR. CHARKOW: Great. All right.

18 So hopefully you can also see the level of ordinary skill
19 in the art slide that we have up.

20 SPECIAL MASTER: Yes.

21 MR. CHARKOW: And so the construction -- the proposals by
22 the parties are fairly similar, but there is one what we
23 consider to be major difference, and so I tried to highlight
24 that for you in this slide. So on the left we have our
25 construction, and you see -- and, again, they're fairly

1 similar, so I really just highlighted the main difference. And
2 our construction or our view is that one of ordinary skill in
3 the art -- so while you can certainly have people that are
4 intelligent and knowledgeable in the field of electrical
5 engineering, you know, this is more of a -- you know, one of
6 ordinary skill in the art is a legal standard, right? So just
7 because the person has -- a smart person can read and
8 understand the patent doesn't necessarily mean that person is
9 one of ordinary skill in the art.

10 So with regards to that, we looked at what -- you know,
11 our expert looked at what he believed to be one of ordinary
12 skill in the art would be or who he believed that would be, and
13 we propose two years, which I believe defendants propose as
14 well, of -- so sorry. A bachelor's degree in electrical
15 engineering or computer engineering I think were similar. We
16 proposed two years of experience. They proposed two years of
17 experience.

18 Where we deviate is the part of the -- where we're
19 highlighted here. So you can see on our proposal we say
20 "design and development of radio frequency circuits and/or
21 systems."

22 So we believe that not only do you have to have an
23 education to be one of ordinary skill in the art of at least a
24 bachelor's degree, but -- or at least experience -- work
25 experience, but that experience has to be in a very particular

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