# EXHIBIT 3

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

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|---|---|
| ANDERSEN CORPORATION,<br>Plaintiff,<br>vs.<br>FIBER COMPOSITES, LLC.,<br>Defendant. | CIV NO. 00-CV-2548<br>(JEL/JGL) |

Deposition of MOHINI SAIN, in accordance with the Minnesota Rules of Civil Procedure, pursuant to Notice, before me, Susan Olubick, Chartered Shorthand Reporter and Commissioner of Oaths, taken at the Marriott Hotel, Eaton Centre, 525 Bay Street, Richmond Room, Toronto, Ontario, Canada, on the 21st day of August, 2002 at 8:50 a.m.

COPY

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

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Q. No.
A. Okay.
Q. Actually, if I could look at your copy of 86 for a minute.
A. Yes, it is.
Q. I'm sorry. 86.
A. Oh, this is 85, this is 86. Okay.
Q. Okay. Paragraph 2 says the patents are invalid under section 102. Paragraph 3 refers to section 103.
A. Uh-hum.
Q. I'll tell you, and Mr. Zeliger will confirm if you need, that 102 and 103 cover anticipation and obviousness.
MR. ZELIGER: I agree.
BY MS. DeMEULES:
Q. Okay?
MR. ZELIGER: Agreed.
BY MS. DeMEULES:
Q. Okay. Section 112 doesn't cover anticipation or obviousness. Agreed?
MR. ZELIGER: Agreed.
BY MS. DeMEULES:
Q. Okay. With that understanding, would you agree that you are not offering any opinions under

section 1 -- about the validity or alleged invalidity of the patents under section 112?

A. Again now, let me clear it. It's... Okay.

MR. ZELIGER: I may be able to be of some assistance here.

MS. DeMEULES: Sure.

MR. ZELIGER: Professor Sain, we did not ask you to consider the validity under section 112.

THE WITNESS: Okay. So that's the answer, then. Thank you.

BY MS. DeMEULES:

Q. Okay. Let's look at some articles. I'm going to hand you what's been marked as Exhibit 98.

A. Yeah.

Q. Can you identify that for me, Exhibit 98?

A. Exhibit 98.

Q. The one I just gave you, the one I just gave you.

A. Oh, okay.

Q. Oops, wait.

A. This one is Exhibit 98.

Q. Yes.

A. Okay. Good. This is the number.

Q. Yes. What's the name of the article in Exhibit 98?