IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF GILESEAD

MAJESTIC, INC., Plaintiff and Counterclaim-Defendant, v. TALON, INC., Defendant and Counterclaim-Plaintiff.	Civ. No. 1:26-cv-GSR

ORDER GRANTING MAJESTIC'S MOTION FOR SUMMARY JUDGMENT OF TRADE SECRET MISAPPROPRIATION AND DENYING TALON'S CROSS-MOTION

On June 11, 2023, during the ninth race of the Grid Two season, a race car belonging to Majestic, Inc. ran over a utility cover on the streets of Giles. The cover lifted into the car's undercarriage, and the car came apart. Among the debris was a piece of Majestic's flywheel system, a design Majestic had chosen to protect by keeping it secret rather than by patenting it. That piece landed in the pit area of a rival team, Talon, Inc.

Majestic says the crash cost it a car and nothing more. Its design stayed secret, and Talon misappropriated it by scanning the debris overnight and building the design into its own cars. Talon says the crash put Majestic's system on display to the world, and that studying a part that landed at its feet was lawful reverse engineering.

The parties have cross-moved for summary judgment on Majestic's claim under the Defend Trade Secrets Act, 18 U.S.C. § 1836. On the stipulated facts, the motions turn on two questions of law. The first is whether the design remained a trade secret after the crash. It did.

The second is whether Talon's use of the design was misappropriation or instead reverse engineering. It was misappropriation. The court therefore GRANTS Majestic's motion and DENIES Talon's. Talon's counterclaim for patent infringement is addressed in a separate order issued today.

I. BACKGROUND

The parties filed a joint statement of undisputed facts and agreed that the facts it recites are undisputed for all purposes. Dkt. 58 ("Stip."). The facts below come from that statement.[1]

A. The Parties and Grid Two Racing

Majestic is a British automaker, founded in 1910, whose hybrid vehicles have led their market since the early 2000s. Stip. ¶ 1. It has raced in the Grid Two ("G2") series since the 1950s and has been one of the series' top five teams since the 1970s. *Id.* ¶ 2.

Talon is an American automaker founded in 2010. *Id.* ¶ 3. It entered G2 in 2018 and, until recently, usually finished near the bottom of the field. *Id.* ¶ 4. Its racing research budget is about half of Majestic's. *Id.*

G2 cars are hybrids, and G2 circuits, including the street circuit in Giles, have many tight turns. *Id.* ¶ 5. Two G2 practices matter here. Teams routinely photograph rivals' cars from public areas of the track; G2's sporting regulations prohibit photography only inside a rival's garage. *Id.* ¶ 6. And G2's regulations say nothing about who owns debris from a crash. *Id.* ¶ 7.

B. Majestic's Flywheel System

A flywheel system recovers energy that a car would otherwise lose as heat when it brakes. Braking spins up a heavy rotor, which stores the energy as motion. When the car

[1]The parties also submitted transcripts of testimony that Dr. Helena Voss, Majestic's technical director, and Dr. Clara Whitcombe gave in an inquiry conducted by the Grid Two league's investigator. Dkt. 61-2 ("Voss Tr."); Dkt. 61-3 ("Whitcombe Tr."). Majestic initiated that inquiry in December 2025, and it remains pending. No weight is given here to the fact of the inquiry, and the transcripts are cited only where they are consistent with the stipulation.

accelerates, the spinning rotor gives the energy back to the wheels. Stip. ¶ 8. The idea is not new; a company called Sutherland Power used flywheel systems in racing years before the events of this case. *Id.* ¶ 9.

A rotor spinning at tens of thousands of revolutions per minute behaves like a gyroscope: it resists any change in the direction of its axis. *Id.* ¶ 10. That is a problem in a car that turns. If the rotor's axis is horizontal, every turn twists the axis, and the rotor pushes back hard against its bearings. *Id.* The usual solution is to mount the rotor vertically, so that turning the car does not change the axis's direction. But vertical mounting makes the installation taller and raises the car's center of gravity. *Id.* ¶ 11.

Majestic's engineers solved the problem another way. They mounted the rotor horizontally and supported one of its bearings in a carrier that lets the rotor's axis tilt slightly, within a limited range and against a tuned stiffness, when the car turns. *Id.* ¶ 12. The carrier absorbs the gyroscopic load rather than fighting it. *Id.* Majestic calls this approach, together with the carrier's particular stiffness and range of tilt, the "carrier design." The parties agree that the carrier design is the trade secret at issue and that it is what Talon is accused of taking. *Id.* ¶ 13. To the eye, the carrier looks like an ordinary bearing mount. What makes it work, its stiffness and permitted tilt, cannot be seen by looking at it. *Id.* ¶ 14.

Majestic chose not to patent the system. *Id.* ¶ 15. Instead, it required its engineers and technical staff to sign nondisclosure agreements, controlled access to its garages, and shared information about the system internally only as needed. *Id.* ¶ 16. A small team of Majestic engineers developed the carrier. *Id.* ¶ 17. Majestic has used the system only in its race cars, never in its consumer vehicles. *Id.* ¶ 18.

C. The Crash

Majestic's flywheel system debuted at the start of the 2023 season, and Majestic finished in the top three in each of the first eight races. Stip. ¶ 19. Talon wanted to know why. It placed employees around the track to watch Majestic's car and stationed photographers in public areas to photograph it with zoom lenses. *Id.* ¶ 20.

Then came the crash on June 11, 2023. Debris scattered across the track. *Id.* ¶ 21. Majestic's crew covered the car with a large fabric tarp and recovered all of the debris except one piece of the flywheel system, which landed in Talon's pit area. *Id.* ¶¶ 22–23. That piece contained the carrier. *Id.* ¶ 24.

The race was broadcast live. The broadcast showed the crash and about ninety seconds of its aftermath before the tarp went on, aired two slow-motion replays, and remains available in G2's online archive. *Id.* ¶ 25. The parties agree on what the footage shows: the flywheel unit's outer housing, its location in the car, and fragments of the unit on the track. It does not show the unit's internal components, including the carrier. *Id.* ¶ 26. Fans on online racing forums later studied the footage frame by frame and speculated about how Majestic's system worked. None of them described it correctly. *Id.* ¶ 27.

That evening, G2 officials asked Talon to return the piece to Majestic. *Id.* ¶ 28. Talon returned it the next morning. Meanwhile, Talon's engineers photographed it, measured it, and made a three-dimensional scan of it. *Id.* Talon has never published those images, measurements, or scans. *Id.* ¶ 29. Talon's photographers also photographed the wreck from public areas, but none of their photographs shows the carrier. *Id.* ¶ 30. Majestic kept racing the flywheel system for the rest of the season. *Id.* ¶ 31.

D. Talon's Development of Its System

For the rest of 2023, Talon's engineers, led by chief engineer Owen Kettering, tried to replicate Majestic's system from the broadcast, their photographs, and their scans. They failed. Stip. ¶ 32. Throughout that time, they treated the carrier as a conventional bearing mount. *Id.*

After the season, Talon hired Dr. Whitcombe away from Majestic. *Id.* ¶ 33. At Majestic, she had been a performance engineer. She analyzed the data Majestic's cars transmitted during races, and in that role she learned how the flywheel system behaved. But she did not work on its design and did not know how the carrier was built. *Id.* ¶ 34; Whitcombe Tr. 14:1–15:7. Talon told her not to bring any Majestic materials, and she did not. Stip. ¶ 35.

Shortly after she arrived, Dr. Whitcombe told Talon's engineers that Majestic's performance depended on how the rotor's bearings handled gyroscopic loads in cornering. *Id.* ¶ 36. She did not describe the carrier's design. *Id.*; Whitcombe Tr. 22:6–23:7. Talon's engineers went back to their scans, identified the carrier as the component that mattered, and, over the off-season, built a system for Talon's own car. Stip. ¶ 37. Talon's system incorporates the carrier design, and Talon's engineers derived the design from the scans. *Id.* ¶ 38.

With its new system, Talon raced on par with Majestic in 2024 and 2025. It has since put the system in its high-end consumer sports cars. *Id.* ¶ 39. Talon also sought a patent. It filed its application on August 12, 2024, and U.S. Patent No. GSR12,027,618 (the "'618 patent") issued on November 18, 2025, naming Dr. Whitcombe, Daniel R. Hollis, and Priya N. Raman as inventors. *Id.* ¶ 40. When the patent issued, Majestic learned for the first time that Dr. Whitcombe had worked on Talon's system. *Id.* ¶ 41.

E. Procedural History

Majestic sued on January 1, 2026, asserting a single claim under the DTSA. Dkt. 1. Talon answered and counterclaimed for infringement of the '618 patent. Dkt. 18. This court has jurisdiction under 28 U.S.C. §§ 1331 and 1338 and 18 U.S.C. § 1836(c).

The parties then narrowed the case. Besides the statement of undisputed facts, they stipulated to fixed damages on each side's claim, to be awarded if that side prevails on liability. Dkt. 59. Each side waived injunctive relief, exemplary and enhanced damages, and attorney fees. *Id.* And the parties agreed that once the court rules on liability, judgment will enter on both claims in accordance with the stipulation. *Id.* They then cross-moved for summary judgment on both claims. Dkts. 60, 63. The court heard argument on July 22, 2026. Dkt. 81.

II. LEGAL STANDARD

Trade secret law protects information differently than patent law does. A patent gives its owner the right to exclude others from the invention, even others who discover it independently. A trade secret gives no such right. Its owner is protected only against people who acquire, disclose, or use the secret wrongfully; anyone remains free to discover the same information by independent work or by taking apart a product that is lawfully in hand. *See Kewanee Oil Co. v. Bicron Corp.*, 416 U.S. 470, 475–76 (1974). And the protection lasts only as long as the secret does.

A DTSA plaintiff must establish three things. First, the information must be a trade secret, which requires both (a) that the owner "has taken reasonable measures to keep such information secret," and (b) that the information "derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable through proper means by, another person who can obtain economic value from the disclosure or use of the information." 18 U.S.C. § 1839(3). Second, the trade secret must relate to a product or service

used in interstate or foreign commerce. *Id.* § 1836(b)(1). Third, the defendant must have misappropriated it, which the statute defines in several alternative ways. *Id.* § 1839(5).

Most of these elements are not in dispute, and the rest have been narrowed to specific questions:

- **Reasonable measures.** Talon's answer asserted that Majestic failed to take reasonable measures to protect its system. Dkt. 18 at 12. Talon has since withdrawn that defense and concedes that Majestic's measures were reasonable. Stip. ¶ 42.
- **Independent economic value.** Talon concedes that, before the crash, the carrier design derived independent economic value from not being generally known or readily ascertainable. *Id.* ¶ 43. The dispute is over what the crash did to it.
- **Interstate commerce.** Talon concedes this element. *Id.* ¶ 44.
- **Misappropriation.** Of the statute's alternative definitions, Majestic relies on only one: use of a trade secret by a person who, "before a material change of the position of the person, knew or had reason to know that— (I) the trade secret was a trade secret; and (II) knowledge of the trade secret had been acquired by accident or mistake." 18 U.S.C. § 1839(5)(B)(iii). Majestic does not contend that Talon's photography of its car was an improper means, and it does not contend that Dr. Whitcombe herself disclosed or used a trade secret. Stip. ¶ 45. Talon, for its part, concedes that it used the carrier design without Majestic's consent. *Id.* ¶ 38. Its defense is that it acquired the design through reverse engineering, which the statute excludes from improper means. 18 U.S.C. § 1839(6)(B).
- **Other defenses.** Talon raises no statute-of-limitations defense and no affirmative defense other than those addressed here. Stip. ¶ 46.

The motions therefore present two questions:

1. Whether the carrier design remained a trade secret after the crash—that is, whether the crash made it generally known or readily ascertainable through proper means.
2. Whether Talon's use of the carrier design was misappropriation under § 1839(5)(B)(iii), or whether Talon instead acquired the design through reverse engineering or another lawful means under § 1839(6)(B).

Summary judgment is appropriate when "there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(a). Because the material facts are stipulated, both questions are questions of law.

The Fourteenth Circuit has not addressed either question. Congress modeled the DTSA's definitions on the Uniform Trade Secrets Act, which most states have adopted, *see* H.R. Rep. No. 114-529 (2016), so the court looks to decisions under the Uniform Act, and to other circuits, for guidance.

III. DISCUSSION

A. The Carrier Design Remained a Trade Secret After the Crash.

Talon's first argument is that the crash destroyed the secret. On its view, once the flywheel came apart on a public street, on live television, in front of every rival team, Majestic's design belonged to the world, and it does not matter that Majestic did not mean for that to happen. Talon also argues, in the alternative, that the design was readily ascertainable from what the crash exposed. Each argument is addressed below in turn.

1. An accidental exposure, promptly remedied, does not by itself end trade secret protection.

Courts are divided on whether an accidental disclosure ends trade secret protection. One line of cases holds that it does. For example, in *Defiance Button Machine Co. v. C & C Metal*

Products Corp., the plaintiff inadvertently sold a computer whose memory still held its secret customer list. 759 F.2d 1053 (2d Cir. 1985). The Second Circuit held that upon disclosure, whether intentional or inadvertent, the list ceased to be a trade secret. *Id.* at 1063–64. The other line holds that an accidental disclosure does not automatically end protection, at least where the owner acts promptly and the information does not spread. For example, in *B.C. Ziegler & Co. v. Ehren*, 414 N.W.2d 48 (Wis. App. 1987), a firm's customer list was mistakenly sold as scrap paper to a dealer, who made it available to the defendant.

The second line is more persuasive, for three reasons.

First, the DTSA's text assumes that secrets can survive accidents. The statute makes it misappropriation to use a trade secret knowing that "knowledge of the trade secret had been acquired by accident or mistake." 18 U.S.C. § 1839(5)(B)(iii). If an accidental disclosure automatically destroyed the secret, that provision would protect nothing, because there would be no trade secret left to misappropriate. The provision makes sense only if a secret can fall into the wrong hands by accident and remain a secret.

Second, the statute's definition asks whether information is "generally known" or "readily ascertainable through proper means." 18 U.S.C. § 1839(3)(B). Those are questions about how far information has actually spread and how easily it can actually be learned. A rule that an accident ends protection automatically, without asking whether anyone learned anything, replaces that inquiry with a presumption.

Third, the *Defiance Button* rule would make a trade secret last only as long as its owner's luck. A misdelivered envelope, or a tarp that arrived a few seconds late, would end protection that careful measures had maintained for years. A trade secret does not evaporate the instant it hits the pavement.

This is a close question, and Talon's rule has the virtue of simplicity. But an accidental exposure of a trade secret, promptly remedied by its owner, does not by itself end protection.

2. The crash did not make the carrier design generally known.

The broadcast showed the flywheel unit's housing, its location in the car, and fragments on the track, but not the carrier. Stip. ¶ 26. Majestic's crew covered the car and recovered the rest of the debris. *Id.* ¶¶ 22–23. The one piece Majestic did not recover went to Talon, which returned it the next morning and has never published what it recorded. *Id.* ¶¶ 28–29. And the public discussion the broadcast prompted got the system wrong. *Id.* ¶ 27. Thus, the crash did not make the carrier design generally known.

3. The carrier design was not readily ascertainable through proper means.

Talon's alternative argument is that the carrier design was "readily ascertainable" from the crash. Its proof is its own success: Talon's engineers did work out the design from the debris.

The DTSA asks whether information is readily ascertainable "by another person," 18 U.S.C. § 1839(3)(B), and that phrase naturally refers to people in general, not to the defendant alone. But the phrase "through proper means" does work too. Information is protected unless *proper* means would readily reveal it, and a defendant cannot show what proper means would have revealed by pointing to what its own improper acquisition actually revealed. As explained in Part III.B, Talon learned the carrier design from a part it held after being asked to return it, not through any proper means.

Thus, the carrier design remained a trade secret after the crash.

B. Talon Misappropriated the Carrier Design.

The second question is whether Talon's use of the carrier design was misappropriation. Majestic's theory is that Talon acquired its knowledge of the design by accident and knew it.

Talon's answer is that it acquired the design by reverse engineering, which is lawful. The two positions meet at a single point: whether Talon's overnight examination of the piece that landed in its pit was reverse engineering within the meaning of § 1839(6)(B). It was not.

1. Talon knew that it had acquired Majestic's trade secret by accident.

Section 1839(5)(B)(iii) has three requirements beyond use: knowledge of the trade secret acquired by accident or mistake; knowledge, or reason to know, that the information was a trade secret and was acquired that way; and that knowledge before a material change in the user's position.

Each is met. Talon came to hold the piece containing the carrier by accident: it landed in Talon's pit because Majestic's car crashed. Stip. ¶¶ 21, 23–24. Talon knew where the piece came from. It had been studying Majestic's car all season, *id.* ¶ 20, and G2's officials asked it that same evening to return the piece to Majestic, *id.* ¶ 28. Talon also had every reason to know that the design was a trade secret. The system was the reason Talon had posted observers and photographers around the track, *id.* ¶ 20, and Talon had watched Majestic's crew rush to cover the wreck, *id.* ¶ 22. Talon knew all of this that night, before it had changed its position in any way—before it scanned the part, before it built anything, and long before it applied for a patent.

2. Talon's examination of the debris was not reverse engineering.

Talon's main response is that its engineers simply reverse engineered an object that had come into their possession, and that the DTSA protects reverse engineering. 18 U.S.C. § 1839(6)(B). The argument has intuitive appeal. Talon's engineers studied a part, worked backward from it, and figured out how it was made. That is what reverse engineering means. *See Kewanee*, 416 U.S. at 476 (describing reverse engineering as "starting with the known product and working backward to divine the process which aided in its development or manufacture"). But § 1839(6)(B) excludes reverse engineering from improper means as part of a list that ends

with "any other lawful means of acquisition." The list describes lawful ways of getting information, and reverse engineering belongs on it because the person doing it starts from a product it is entitled to examine.

3. Dr. Whitcombe's role does not change the result.

Talon's last argument is that it did not grasp the carrier's significance until Dr. Whitcombe arrived, and that what she contributed was her general engineering knowledge, which she was free to use. An employee may, of course, use the general knowledge, skill, and experience she gained in a former job. *See AMP Inc. v. Fleischhacker*, 823 F.2d 1199, 1202 (7th Cir. 1987).

But Talon's argument proves less than it claims. Majestic does not contend that Dr. Whitcombe's statement was itself a misappropriation. Stip. ¶ 45. Its claim is that Talon used a design it had acquired by accident. And it is undisputed that Dr. Whitcombe did not describe the carrier's design, and that Talon's engineers derived the design from the scans. *Id.* ¶¶ 36, 38. Dr. Whitcombe told them where in their own records to look; the design they found there came from the debris. A defendant that uses a trade secret acquired by accident is not excused because an employee's general knowledge helped it understand what it had.

Talon therefore misappropriated the carrier design within the meaning of § 1839(5)(B)(iii).

IV. CONCLUSION

Majestic's motion for summary judgment of misappropriation (Dkt. 60) is GRANTED, and Talon's cross-motion for summary judgment of no misappropriation (Dkt. 63) is DENIED.

Judgment on Majestic's claim will enter in accordance with the parties' stipulation, Dkt. 59, in a separate final judgment that will also dispose of Talon's counterclaim.

IT IS SO ORDERED.

Dated: August 14, 2026

/s/ Miriam C. Pitt
THE HONORABLE MIRIAM C. PITT
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF GILESEAD

MAJESTIC, INC., Plaintiff and Counterclaim-Defendant, v. TALON, INC., Defendant and Counterclaim-Plaintiff.	Civ. No. 1:26-cv-GSR

ORDER GRANTING TALON'S MOTION FOR SUMMARY JUDGMENT OF NO INVALIDITY AND DENYING MAJESTIC'S CROSS-MOTION

Majestic raced its flywheel system in public for most of the 2023 season, and in June of that year the system came apart on a public street, on live television. Fourteen months later, Talon applied for a patent on a flywheel system with the same design. Talon now asserts that patent against Majestic's own race cars.

Majestic does not dispute that its cars practice every limitation of the asserted claims. Its only defense is that the patent is invalid because the invention was public before Talon filed. The question is whether Majestic's 2023 racing, or the crash, made the claimed invention prior art under 35 U.S.C. § 102(a)(1). Neither did. The court therefore GRANTS Talon's motion for summary judgment of no invalidity and DENIES Majestic's cross-motion.

Majestic's trade secret claim against Talon is addressed in a separate order issued today. Dkt. 88 ("Trade Secret Order"). The parties take opposite positions on the two claims, but neither argues that its opponent's position on one claim binds it on the other. Each claim is decided on its own terms.

I. BACKGROUND

The facts set out in Part I of the Trade Secret Order are incorporated here. As there, the facts come from the parties' joint statement of undisputed facts, which the parties agreed is binding for all purposes. Dkt. 58 ("Stip."). This order adds only what the patent claim requires.

A. The '618 Patent

Talon filed the application that became U.S. Patent No. GSR12,027,618 (the "'618 patent") on August 12, 2024, about fourteen months after the crash. Stip. ¶ 40. The patent issued on November 18, 2025. *Id.* Because its application was filed after March 16, 2013, the patent is governed by the America Invents Act's version of § 102. *Id.* ¶ 47.

The '618 patent describes the problem that Majestic's engineers had solved. A flywheel rotor spinning at high speed behaves like a gyroscope, and when a car with a horizontally mounted rotor turns, the rotor pushes back hard against its bearings. '618 patent at 1:21–26; 1:34–40. The patent explains that the conventional answer is to mount the rotor vertically, which makes the installation taller and raises the car's center of gravity. *Id.* at 1:27–34. Its solution is a bearing carrier that lets the rotor's axis tilt slightly, against a tuned stiffness and within a limited range, so that the carrier absorbs the gyroscopic load. *Id.* at 2:2–13; 3:17–38; *see id.* figs. 1–2.

Talon asserts claims 1 through 3. Claim 1, the only independent claim, recites a kinetic energy recovery system for a vehicle with five elements:

- a housing, mounted to the vehicle's chassis, that defines a sealed chamber kept below atmospheric pressure;
- a flywheel rotor inside the chamber that rotates about an axis;
- a transmission that transfers the vehicle's energy to the rotor during braking and back to the drivetrain during acceleration;
- two bearings supporting the rotor; and

- "a bearing carrier coupling at least one of the first and second bearings to the housing, the bearing carrier comprising a compliant element that permits angular deflection of the rotor axis relative to the housing within a predetermined range in response to gyroscopic loads generated when the vehicle changes direction while the flywheel rotor is rotating."

Id. at claim 1. The final element of claim 1 is referenced herein as the "carrier limitation." Claim 2 adds that the rotor axis is substantially horizontal. *Id.* at claim 2. Claim 3 adds that the predetermined range is up to 0.5 degrees and that the compliant element's angular stiffness is between 300 and 1,500 newton-meters per degree. *Id.* at claim 3.

The parties agree that no term of the asserted claims requires construction. Stip. ¶ 48.

B. The Parties' Stipulations

The parties have stipulated to the facts that would ordinarily be contested in a patent case, leaving a single question of invalidity.

First, the car that Majestic raced in 2023 met every limitation of claims 1 through 3, including the carrier limitation, the horizontal rotor axis, and the stiffness and deflection ranges of claim 3. Stip. ¶ 49. The cars Majestic has raced since then use the same system. *Id.* ¶ 50. Majestic agrees that if the asserted claims are not invalid, its cars infringe them. *Id.* ¶ 51.

Second, Majestic's only invalidity defense is § 102(a)(1). Stip. ¶ 52. Majestic does not contend that the claims are obvious under § 103, that Talon derived the invention from Majestic, or that the patent names the wrong inventors. Stip. ¶ 52. Talon, for its part, does not contend that any exception under § 102(b)(1) applies. *Id.* ¶ 53. None of the '618 patent's named inventors worked on developing Majestic's system. *Id.* ¶ 56.

Third, the parties agree that Majestic's system, as raced in 2023, was complete and working, and so was ready for patenting, before the crash. *Id.* ¶ 54. Majestic does not contend

that its system was on sale, or that the broadcast footage or anything else was a printed publication describing the claimed invention. *Id.* ¶ 55. And no one contends that Majestic's racing was experimental. *Id.*

Fourth, two facts about Majestic's racing bear directly on public use. Majestic's race cars remained in its possession and under its control at all times, except for the one piece of debris that landed in Talon's pit. *Id.* ¶ 57; Voss Tr. 6:6–9. And nothing visible to spectators at the track, during races or after the crash, revealed the carrier. Stip. ¶ 58.

Finally, under the parties' remedies stipulation, if the asserted claims are not invalid, Talon will recover a fixed sum for infringement, and judgment will enter accordingly. Dkt. 59.

II. LEGAL STANDARD

An issued patent is presumed valid, 35 U.S.C. § 282(a), and a party challenging validity must prove invalidity by clear and convincing evidence. *Microsoft Corp. v. i4i Ltd. P'ship*, 564 U.S. 91, 95 (2011).

Section 102(a)(1) bars a patent if "the claimed invention was patented, described in a printed publication, or in public use, on sale, or otherwise available to the public before the effective filing date of the claimed invention." A claim is invalid under this provision only if a single prior use or disclosure embodied every limitation of the claim; that is anticipation. Invalidity under § 102(a)(1) is distinct from obviousness under § 103, which asks whether the differences between the prior art and the claim would have been obvious. The two defenses require different proof.

The stipulations settle everything about this defense except the meaning of two of § 102(a)(1)'s categories. Majestic's 2023 car embodied every limitation of the asserted claims, so anticipation is not in dispute. Stip. ¶ 49. Majestic's racing and the crash preceded Talon's effective filing date by more than a year, and Talon invokes no exception, so timing is not in

dispute. *Id.* ¶¶ 40, 53. And Majestic relies on neither the "on sale" nor the "printed publication" category. *Id.* ¶ 55. What remains is whether the claimed invention was, before August 12, 2024:

1. "in public use," by virtue of Majestic's racing of its 2023 car; or
2. "otherwise available to the public," because of the crash.

Whether an invention was in public use is a question of law based on underlying facts. *Am. Seating Co. v. USSC Grp., Inc.*, 514 F.3d 1262, 1267 (Fed. Cir. 2008). The underlying facts are stipulated, so both questions are questions of law suited to summary judgment.

Although the '618 patent is governed by the America Invents Act, the precedent construing "public use" under the prior version of § 102 still applies. The Supreme Court held in *Helsinn Healthcare S.A. v. Teva Pharmaceuticals USA, Inc.*, 586 U.S. 123 (2019), that when Congress reenacted the phrase "on sale" in the America Invents Act, "it adopted the earlier judicial construction of that phrase," and that the addition of the catchall "or otherwise available to the public" was "simply not enough of a change" to alter it. *Id.* at 131–32. The same reasoning applies to "public use," which the Act likewise carried over unchanged. The phrase "otherwise available to the public," by contrast, was new, and the parties have not identified, nor has the court found, any precedent applying it to facts like these.

III. DISCUSSION

A. Majestic's Racing Was Not a Public Use of the Claimed Invention.

1. Because Majestic is not the patentee, the question is whether its use was accessible to the public.

A use of an invention can be a public use in either of two ways: it may be "accessible to the public," or it may have been "commercially exploited." *Invitrogen Corp. v. Biocrest Mfg., L.P.*, 424 F.3d 1374, 1380 (Fed. Cir. 2005). The second route does not apply here.

The commercial-exploitation route traces to *Metallizing Engineering Co. v. Kenyon Bearing & Auto Parts Co.*, 153 F.2d 516, 520 (2d Cir. 1946), which held that an inventor who secretly exploits an invention for profit forfeits the right to patent it later. That rule applies to the inventor and the patentee. It does not apply when someone else secretly uses an invention that a later inventor patents. As the Federal Circuit put it, "[w]here a method is kept secret, and remains secret after a sale of the product of the method, that sale will not, of course, bar another inventor from the grant of a patent on that method. The situation is different where . . . that sale is made by the applicant for patent or his assignee." *D.L. Auld Co. v. Chroma Graphics Corp.*, 714 F.2d 1144, 1147–48 (Fed. Cir. 1983); *see W.L. Gore & Assocs., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1550 (Fed. Cir. 1983) (similar). The Federal Circuit has since confirmed that a third party's secret commercial use is not, for that reason alone, a public use. *BASF Corp. v. SNF Holding Co.*, 955 F.3d 958, 966–67 (Fed. Cir. 2020).

Majestic is not Talon's patentee, and none of the '618 patent's inventors worked on developing Majestic's flywheel system. Stip. ¶¶ 34, 56. Majestic does not argue otherwise. The only question is whether its racing made the invention accessible to the public.

2. Majestic successfully concealed the carrier limitation.

Majestic's racing was not a public use of the claimed invention. Majestic kept its cars in its possession and under its control throughout. Stip. ¶ 57. Everyone with access to the system's internals was bound by a nondisclosure agreement. *Id.* ¶ 16. The carrier sat inside the flywheel housing, and even to someone looking at it directly, it looks like an ordinary bearing mount; its stiffness and permitted tilt cannot be seen. *Id.* ¶ 14. Spectators could watch the car race, but nothing they could see revealed the carrier limitation. *Id.* ¶ 58.

B. The Crash Did Not Make the Claimed Invention "Otherwise Available to the Public."

Majestic's second argument is that, whatever the status of its racing, the crash made the invention "otherwise available to the public." The flywheel came apart on a public street and on live television. The footage remains in G2's online archive. And a piece containing the carrier landed in the hands of a competitor that owed Majestic no duty of confidentiality. Stip. ¶¶ 21, 24–25.

1. The crash was not a "use."

Majestic does not contend that the crash was itself a public use, and for good reason. A public use requires that the invention be used, and displaying a device without putting it to use is not a public use. *See Motionless Keyboard Co. v. Microsoft Corp.*, 486 F.3d 1376, 1385 (Fed. Cir. 2007). Debris lying on a track is not a flywheel system recovering energy. Majestic's argument therefore depends entirely on the phrase "otherwise available to the public."

2. The phrase "otherwise available to the public" requires that the claimed invention itself have been available.

Majestic reads "otherwise available to the public" as a catch-all that reaches any exposure of an invention to people who owe its owner no duty of secrecy. Talon reads it more narrowly, as requiring that the public actually have been able to learn the claimed invention.

The phrase is new, and the case law offers little guidance. The Supreme Court has described it only in general terms, as a catchall that "captures material that does not fit neatly into the statute's enumerated categories but is nevertheless meant to be covered." *Helsinn*, 586 U.S. at 132. Majestic reads that description to confirm the phrase's breadth. But whatever the catchall reaches, the text specifies what must be available. It is "the claimed invention." 35 U.S.C. § 102(a)(1). An exposure that leaves the public unable to learn a claimed element does

not make the claimed invention available, any more than a publication that omits an element describes it.

3. No member of the public could learn the carrier limitation from the crash.

On the undisputed facts, the crash did not make the claimed invention available. The broadcast and its archived replays show the flywheel unit's housing, its location in the car, and fragments on the track, but not the carrier. Stip. ¶ 26. Nothing visible to spectators revealed it either. *Id.* ¶ 58. And when members of the public studied the footage closely, none of them correctly described the system. *Id.* ¶ 27.

Thus, this accidental exposure of an invention's components does not make the claimed invention "otherwise available to the public."

IV. CONCLUSION

Talon's motion for summary judgment that the asserted claims of the '618 patent are not invalid under 35 U.S.C. § 102(a)(1) (Dkt. 63) is GRANTED, and Majestic's cross-motion for summary judgment of invalidity (Dkt. 60) is DENIED. Because Majestic has stipulated that its race cars practice every limitation of the asserted claims, Stip. ¶¶ 49–51, judgment of infringement will enter on Talon's counterclaim in accordance with the parties' stipulation, Dkt. 59, in a separate final judgment that will also dispose of Majestic's claim.

IT IS SO ORDERED.

Dated: August 14, 2026

/s/ Miriam C. Pitt
THE HONORABLE MIRIAM C. PITT
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF GILESEAD

MAJESTIC, INC., Plaintiff and Counterclaim-Defendant, v. TALON, INC., Defendant and Counterclaim-Plaintiff.	Civ. No. 1:26-cv-GSR

JUDGMENT

Following the Court's August 14, 2026 Summary Judgment Orders, JUDGMENT is hereby entered under Federal Rule of Civil Procedure 58 as follows:

1. Judgment is entered in favor of Plaintiff-Counterclaim-Defendant Majestic, Inc. and against Defendant-Counterclaim-Plaintiff Talon, Inc. with respect to Majestic's claim of trade secret misappropriation.
2. Judgment is entered in favor of Defendant-Counterclaim-Plaintiff Talon, Inc. and against Plaintiff-Counterclaim-Defendant Majestic, Inc. with respect to Talon's claims of direct infringement of claims 1–3 of U.S. Patent No. GSR12,027,618.

SO ORDERED this 21st day of August, 2026.

/s/ Miriam C. Pitt
THE HONORABLE MIRIAM C. PITT
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF GILESEAD

MAJESTIC, INC., Plaintiff and Counterclaim-Defendant, v. TALON, INC., Defendant and Counterclaim-Plaintiff.	Civ. No. 1:26-cv-GSR

MAJESTIC'S NOTICE OF APPEAL

Notice is hereby given that Plaintiff-Counterclaim-Defendant Majestic, Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from this Court's judgment entered on August 21, 2026 and from all adverse rulings, orders, decisions, and opinions leading to and merged in the final judgment, including the Court's August 14, 2026 order granting summary judgment of no invalidity.

Case number being appealed: 1:26-cv-GSR

Case title being appealed: Majestic, Inc. v. Talon, Inc.

Date of final judgment being appealed: August 21, 2026

Appellant: Majestic, Inc.

Dated: August 24, 2026

GRAVER & TANK LLP

/s/ Eleanor V. Ashcombe
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF GILESEAD

MAJESTIC, INC., Plaintiff and Counterclaim-Defendant, v. TALON, INC., Defendant and Counterclaim-Plaintiff.	Civ. No. 1:26-cv-GSR

TALON'S NOTICE OF CROSS-APPEAL

Notice is hereby given that Defendant-Counterclaim-Plaintiff Talon, Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from this Court's judgment entered on August 21, 2026 and from all adverse rulings, orders, decisions, and opinions leading to and merged in the final judgment, including the Court's August 14, 2026 order granting summary judgment of trade secret misappropriation.

Case number being appealed: 1:26-cv-GSR

Case title being appealed: Majestic, Inc. v. Talon, Inc.

Date of final judgment being appealed: August 21, 2026

Cross-Appellant: Talon, Inc.

Dated: August 25, 2026

PFAFF & WELLS LLP

/s/ Julian R. Fairweather
Julian R. Fairweather
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(555) 555-0187

(12) **United States Patent**
Whitcombe et al.

(10) Patent No.: **US GSR12,027,618 B1**
(45) Date of Patent: **Nov. 18, 2025**

(54) **KINETIC ENERGY RECOVERY SYSTEM WITH COMPLIANT BEARING CARRIER**

(71) **Applicant:** Talon, Inc., Markman Falls, Gilesead (US)

(72) **Inventors:** Clara Whitcombe, Pfaff Crossing, Gilesead (US); Daniel R. Hollis, Markman Falls, Gilesead (US); Priya N. Raman, Graham Springs, Gilesead (US)

(73) **Assignee:** Talon, Inc., Markman Falls, Gilesead (US)

(21) **Appl. No.:** 18/GSR,812

(22) **Filed:** Aug. 12, 2024

(56) **References Cited**

U.S. PATENT DOCUMENTS
US2009GSR0417A1

FOREIGN PATENT DOCUMENTS
GB2010GSR09A1

(57) **ABSTRACT**

A kinetic energy recovery system for a vehicle includes a flywheel rotor that rotates about a rotor axis within a sealed, low-pressure housing and is coupled to the vehicle's drivetrain by a transmission, so that the rotor stores energy during braking and returns it during acceleration. The rotor is supported by bearings, at least one of which is coupled to the housing through a compliant bearing carrier. The carrier permits the rotor axis to deflect angularly within a predetermined range in response to gyroscopic loads generated when the vehicle changes direction, reducing peak bearing loads and permitting the rotor to be mounted with its axis horizontal.

3 Claims, 1 Drawing Sheet

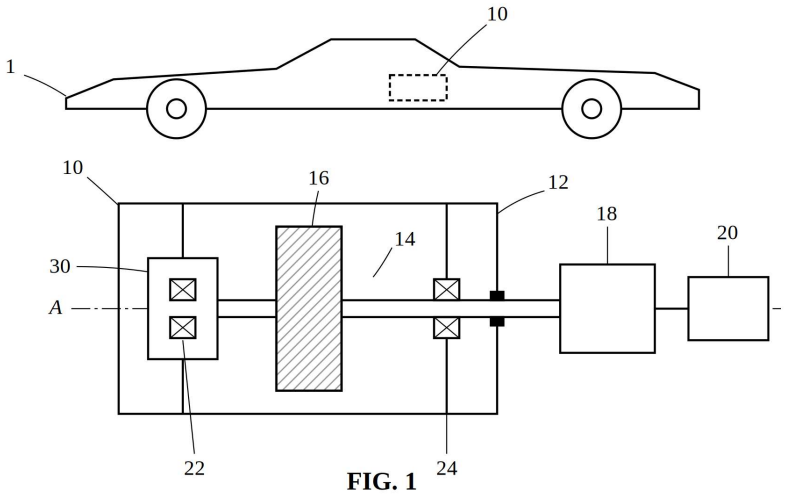


FIG. 1

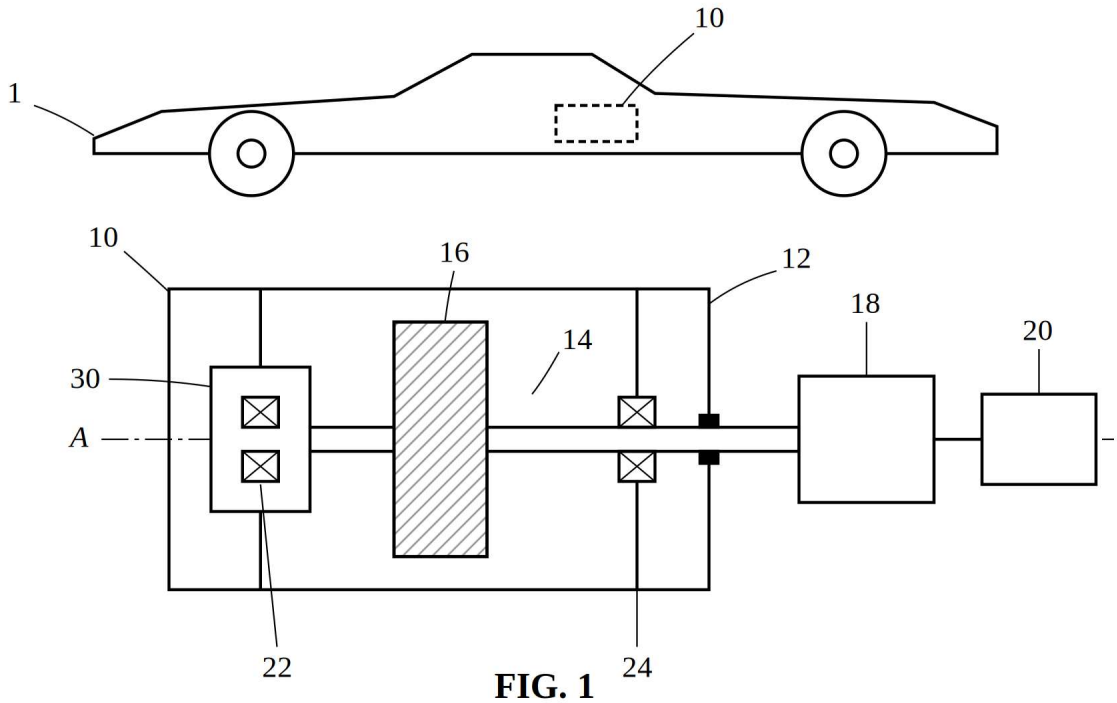


FIG. 1

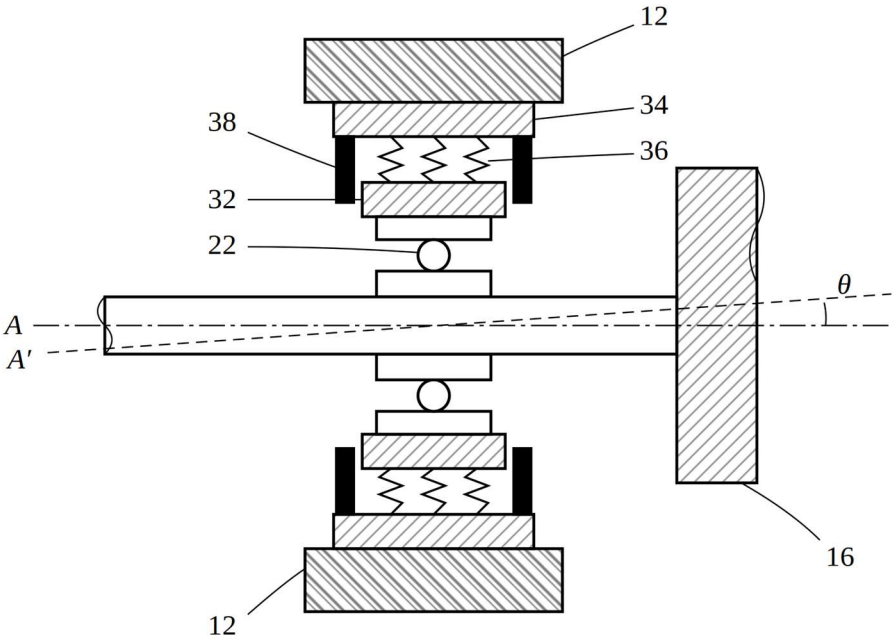


FIG. 2

KINETIC ENERGY RECOVERY SYSTEM WITH COMPLIANT BEARING CARRIER

FIELD

The present disclosure relates to kinetic energy recovery systems for vehicles, and more particularly to the mounting of bearings that support a high-speed flywheel rotor.

DESCRIPTION OF RELATED ART

There is known, as related art, a kinetic energy recovery system that stores a vehicle's braking energy in a flywheel rotor and returns that energy to the vehicle's drivetrain during acceleration, as proposed in GB2010GSR09A1, for example. In such a system, the rotor spins at high speed (e.g., 60,000 RPM) inside a housing maintained at sub-atmospheric pressure to reduce aerodynamic losses, and a transmission couples the rotor to the drivetrain.

A rotor spinning at high speed behaves as a gyroscope. When the direction of the rotor axis changes, the rotor generates a gyroscopic moment proportional to the rotor's angular momentum and to the rate at which the axis changes direction. That moment is reacted by the rotor's bearings.

In related-art vehicle installations, the rotor axis is typically oriented vertically, because the vehicle's turning motion then does not change the direction of the rotor axis, and the bearings are rigidly mounted to the housing. Vertical mounting, however, constrains packaging, increases the height of the installation, and raises the vehicle's center of gravity. If the rotor is instead mounted with its axis horizontal, each change in the vehicle's direction produces a gyroscopic moment, and rigidly mounted bearings must absorb large, repeated loads. In applications involving frequent, rapid changes of direction, such as motorsport, these loads accelerate bearing wear and can cause bearing failure.

Other approaches are also known. Stationary flywheel installations have used bearing supports having low radial stiffness, so that the rotor can pass through its critical speeds, as proposed in US2009GSR0417A1, for example. Such supports address radial vibration of a rotor whose axis does not change direction, and do not address gyroscopic moments. It has also been proposed to mount an entire flywheel unit on a gimbal to isolate it from the motion of a vehicle or structure. Gimbal mounts, however, permit large angular movement, require substantial clearance around the unit, and add weight and complexity that are undesirable in a vehicle.

SUMMARY

The inventors herein have recognized the above disadvantages and have developed a kinetic energy recovery system in which at least one bearing supporting the flywheel rotor is coupled to the housing through a compliant bearing carrier. The carrier permits the rotor axis to deflect angularly relative to the housing, within a predetermined range, in response to gyroscopic loads. By yielding slightly rather than resisting rigidly, the carrier reduces peak bearing loads, while stops limit the deflection so that the rotor keeps adequate clearance within the housing.

The disclosure may provide several advantages. The rotor may be mounted with its axis horizontal, lowering the installation and the vehicle's center of gravity. Bearing life may be preserved under repeated changes of direction. And because the compliance is confined to the bearing carrier, the housing may be mounted directly to the vehicle chassis without a gimbal.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a schematic diagram of a kinetic energy recovery system installed in a vehicle.

FIG. 2 is a cross-sectional view of a bearing carrier of the system of FIG. 1.

DETAILED DESCRIPTION

Refer now to the drawings, in which depicted elements are not necessarily shown to scale and in which like elements are designated by the same reference numeral throughout the several views. Well-known elements, such as seals, lubrication systems, and control circuitry, are shown schematically or omitted so as not to obscure the disclosure. As used herein, the term "substantially" is a term of approximation; for example, a rotor axis is "substantially horizontal" if it is within 10 degrees of horizontal.

FIG. 1 illustrates a kinetic energy recovery system 10 installed in a vehicle 1. The system 10 includes a housing 12 mounted to the chassis of the vehicle 1. The housing 12 defines a sealed chamber 14 maintained at sub-atmospheric pressure. A flywheel rotor 16 is disposed within the chamber 14 and rotates about a rotor axis A. In the illustrated

embodiment, the rotor axis A is substantially horizontal when the vehicle 1 is on level ground. The rotor 16 preferably has a carbon-fiber composite rim on a metal hub, allowing operation at tip speeds that a solid steel rotor could not withstand.

A transmission 18 couples the rotor 16 to the drivetrain 20 of the vehicle 1. The transmission 18 may be a continuously variable transmission, a fixed-ratio gear train with a clutch, or another suitable transmission. A controller (not shown) receives signals from sensors, such as brake-pedal and accelerator-pedal position sensors and wheel-speed sensors, and operates the transmission 18 in response. During braking, the transmission 18 transfers kinetic energy of the vehicle 1 to the rotor 16, accelerating it. During acceleration, the transmission 18 transfers kinetic energy of the rotor 16 back to the drivetrain 20.

The rotor 16 is rotatably supported by a first bearing 22 and a second bearing 24. The bearings 22, 24 are preferably preloaded angular-contact bearings, and may be hybrid ceramic bearings for higher speed capability and longer life.

As shown in FIG. 2, at least one of the bearings 22, 24 is coupled to the housing 12 through a bearing carrier 30. The bearing carrier 30 includes an inner ring 32 that holds the outer race of the bearing, an outer ring 34 fixed to the housing 12, and a compliant element 36 disposed between the inner ring 32 and the outer ring 34. The compliant element 36 may be an elastomeric member, an arrangement of metal springs, a flexure, or another element having a controlled angular stiffness. Metal springs or flexures are preferred for their stable stiffness, low outgassing, and resistance to heat. Stops 38 limit the angular deflection of the inner ring 32 relative to the outer ring 34 to a predetermined range.

When the vehicle 1 changes direction while the rotor 16 is spinning, the gyroscopic moment acting on the rotor 16 causes the inner ring 32 to deflect angularly relative to the outer ring 34, and the rotor axis A tilts slightly relative to the housing 12, as shown by deflected axis A′ and angle θ in FIG. 2 (exaggerated for clarity). The compliant element 36 absorbs the moment progressively rather than transmitting it rigidly to the bearings, reducing peak bearing loads. When the vehicle 1 resumes a straight path, the compliant element 36 returns the rotor axis to its undeflected position.

By way of example, a rotor 16 having a mass of about 5 kg concentrated near a radius of about 0.1 m, spinning at 60,000 RPM, in a vehicle changing direction at up to about one radian per second, generates a gyroscopic moment on the order of 200 newton-meters. For such a rotor, the compliant element 36 preferably has an angular stiffness of between 300 and 1,500 newton-meters per degree, and the predetermined range of angular deflection is preferably up to 0.5 degrees. The stiffness and deflection range may be selected based on the mass, geometry, and speed of the rotor 16 and the expected rate of change of direction of the vehicle 1. Although the illustrated embodiment couples one bearing to the housing 12 through the bearing carrier 30, both bearings 22, 24 may be so coupled.

The embodiments disclosed are illustrative rather than limiting. A wide range of modifications, changes, and substitutions are contemplated in the foregoing disclosure, and in some instances some features may be employed without a corresponding use of other features. Accordingly, the appended claims should be construed broadly and in a manner consistent with the scope of the disclosure.

What is claimed is:

1. A kinetic energy recovery system for a vehicle, comprising:

a housing configured to be mounted to a chassis of the vehicle, the housing defining a sealed chamber maintained at sub-atmospheric pressure;

a flywheel rotor disposed within the chamber and rotatable about a rotor axis;

a transmission configured to couple the flywheel rotor to a drivetrain of the vehicle such that kinetic energy of the vehicle is transferred to the flywheel rotor during braking and kinetic energy of the flywheel rotor is transferred to the drivetrain during acceleration;

first and second bearings rotatably supporting the flywheel rotor; and

a bearing carrier coupling at least one of the first and second bearings to the housing, the bearing carrier comprising a compliant element that permits angular deflection of the rotor axis relative to the housing within a predetermined range in response to gyroscopic loads generated when the

vehicle changes direction while the flywheel rotor is rotating.

2. The system of claim 1, wherein the rotor axis is oriented substantially horizontally when the vehicle is on level ground.

3. The system of claim 1, wherein the predetermined range is up to 0.5 degrees and the compliant element has an angular stiffness of between 300 and 1,500 newton-meters per degree.

GRID TWO RACING SERIES — SPORTING INTEGRITY INQUIRY NO. 2025-14

Testimony of Dr. Helena Voss — February 10, 2026
Examination by Graham Tolliver, G2 Integrity Investigator

[Excerpts. Submitted in Majestic, Inc. v. Talon, Inc., Civ. No. 1:26-cv-GSR (W.D. Gilesead), as Dkt. 61-2.]

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Dr. Helena Voss, having been duly sworn, testified as follows:

                              EXAMINATION

                         *** LINES OMITTED ***

BY MR. TOLLIVER:
Q:  Dr. Voss, what is your position at Majestic?
A:  I'm the technical director of Majestic's Grid Two team.
Q:  How long have you held that position?
A:  Since 2019. I've been with Majestic since 2008.
Q:  Were you involved in developing the flywheel system Majestic
    introduced in 2023?
A:  I oversaw it. A small group of engineers designed it, and I
    signed off on it.
Q:  Who was in that group?
A:  Six engineers in our energy-systems group.
Q:  Was Dr. Clara Whitcombe one of them?
A:  No. Clara was a performance engineer. She worked on the race
    side, analyzing the car's data. She was never in the energy-
    systems group.
Q:  Did Majestic consider patenting the system?
A:  We did, and we decided not to. A patent publishes everything.
    In this sport, a published design is a design your rivals have
    by the next season.

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Q:  How did Majestic protect it instead?
A:  Everyone on our technical staff signs a nondisclosure
    agreement, Clara included. Access to our garage is controlled.
    And inside the team, people get the information they need for
    their job and nothing more.
Q:  During the 2023 season, where were the cars?
A:  In our garage, on our transporters, or on track with our
    driver. Apart from the piece that ended up with Talon, the
    cars never left our hands.
Q:  Could spectators see the flywheel system?
A:  They could see the car. The flywheel unit sits low, behind the
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driver, inside the bodywork. With the covers off you'd see a housing. You wouldn't see what's inside it.

Q: What's inside it that matters?

A: The bearing carrier. That's the heart of it.

Q: If an engineer from another team picked up the carrier and looked at it, what would they see?

A: A bearing mount. It looks like a hundred other bearing mounts. What makes it work is how stiff it is and how far it's allowed to move, and you can't see that by looking at it.

Q: Could a good engineer work it out by measuring it?

A: If they knew what they were looking for, eventually, maybe. If they didn't, they'd measure it, write down the numbers, and move on.

*** LINES OMITTED ***

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Q: Let's turn to June 11, 2023. Where were you when the car crashed?

A: On the pit wall. I saw it on the monitors.

Q: What did you do?

A: I sent the crew with the tarp. That's standard for us. If a car stops on track, the tarp goes on.

Q: How long did that take?

A: I've watched the footage more times than I'd like. About ninety seconds from the impact until the tarp was over the car.

Q: Could it have been faster?

A: Not safely. The marshals had to secure the track first, and the driver was still in the car.

Q: What happened to the debris?

A: Our people and the marshals collected it once the session was stopped. We had every piece back that night except one.

Q: The piece that went into Talon's pit.

A: Yes.

Q: How did you learn Talon had it?

A: One of our mechanics saw it land. I went to the stewards and asked them to get it back for us.

Q: What did the stewards do?

A: They spoke to Talon that evening. Talon told them it would return the piece in the morning.

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Q: Did it?

A: Yes, first thing the next day.

Q: Did you know at the time what Talon did with it overnight?
A: No. I assumed they'd put it in a box.
Q: Do the series rules say who owns debris after a crash?
A: Not that I'm aware of. I don't think anyone ever thought they'd need to.
Q: Is it common for teams to photograph each other's cars?
A: Constantly. Every team has people with long lenses, and we do it too. You can shoot from anywhere the public can stand. You can't shoot inside someone's garage.
Q: Did the broadcast show anything that worried you?
A: At the time I was worried about all of it. When we reviewed it afterward, no. You can see the housing, where it sits, and some pieces. You can't see the carrier.
Q: You're aware there was discussion of the footage online?
A: My engineers sent me some of it. People were guessing. Nobody got it right.
*** LINES OMITTED ***

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Q: Dr. Voss, is the problem your carrier solves a new one?
A: The problem isn't new. Anyone who has worked on flywheels in vehicles knows a spinning rotor fights you when you turn. That's why most people mount them vertically.
Q: And the idea of letting a bearing move a little?
A: Compliance in a bearing mount isn't new either. People have used it in stationary machines for years. What we did was make it work against gyroscopic loads, in a race car, at those speeds. Nobody else had done that.
Q: When did you learn that Dr. Whitcombe had worked on Talon's flywheel system?
A: When Talon's patent issued in November. Her name was on it.
Q: You knew she'd joined Talon before that?
A: Everyone in the paddock knew. Talon said she was in a research role. I didn't know she was anywhere near their flywheel.
Q: Did Dr. Whitcombe take anything with her when she left Majestic?
A: Not that we've found. I want to be clear that I'm not accusing her of that.

*** END OF EXCERPTS ***

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GRID TWO RACING SERIES — SPORTING INTEGRITY INQUIRY NO. 2025-14

Testimony of Dr. Clara Whitcombe — February 12, 2026
Examination by Graham Tolliver, G2 Integrity Investigator

[Excerpts. Submitted in Majestic, Inc. v. Talon, Inc., Civ. No. 1:26-cv-GSR (W.D. Gilesead), as Dkt. 61-3.]

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 1  Dr. Clara Whitcombe, having been duly sworn, testified as follows:
 2
 3                              EXAMINATION
 4
 5                         *** LINES OMITTED ***
 6
 7  BY MR. TOLLIVER:
 8  Q:  Dr. Whitcombe, where do you work?
 9  A:  At Talon. I'm a research engineer in its advanced systems
10      group.
11  Q:  When did you join Talon?
12  A:  January 2024.
13  Q:  Where did you work before that?
14  A:  Majestic, for six years, on the Grid Two team.
15  Q:  Why did you leave?
16  A:  Talon offered me research work instead of race weekends. And,
17      honestly, more money.
18  Q:  Before you started at Talon, did anyone there tell you what to
19      bring or not bring?
20  A:  Owen Kettering, Talon's chief engineer, told me in writing not
21      to bring anything from Majestic. No files, no notes, nothing
22      on my phone.
23  Q:  Did you bring anything?
24  A:  No. I turned in my laptop and my badge on my last day, and I
25      didn't keep copies of anything.
26  Q:  During your interviews, did anyone at Talon ask about
27      Majestic's flywheel?
28  A:  They asked what I'd worked on. I told them I was a performance
29      engineer and that I couldn't talk about Majestic's systems.
30      They didn't push.
31                         *** LINES OMITTED ***

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 1  Q:  What did your job as a performance engineer involve?
 2  A:  The cars send data back to the garage the whole time they're
 3      running: speeds, temperatures, loads, energy flows. I analyzed
 4      it. I'd tell the race engineer where we were losing time and
 5      what the car's systems were doing.
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Q: Did that include the flywheel system?
A: Yes. I could see how much energy it stored and gave back, how fast the rotor was spinning, and the temperatures at the bearings.
Q: Did you work on designing the flywheel system?
A: No. That was the energy-systems group. I never saw their drawings. I saw what the system did, not how it was built.
Q: Did you know how the bearing carrier was built?
A: I didn't know how any of the internals were built. I didn't hear the term "bearing carrier" until this dispute started.
Q: What did the data tell you about the bearings?
A: That they ran cooler through the corners than I'd have expected.

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Q: Why was that unexpected?
A: At the speed that rotor turns, if you mount it horizontally and hold it rigid, the bearings take a beating every time the car turns. Ours didn't. I didn't know why. I assumed the design group had done something clever.
Q: Did anyone at Majestic tell you what they had done?
A: No, and I didn't ask. It wasn't my area.
*** LINES OMITTED ***

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Q: What was the state of Talon's flywheel project when you arrived?
A: Stalled. They'd been at it for months. They had a flywheel that worked on a straight, but they couldn't run it hard through corners without overheating the bearings.
Q: Did you say anything to them about that?
A: In one of my first meetings, Owen walked the group through the problem. I said something like, "Majestic's advantage is in how its bearings handle the load in the corners. That's where I'd look."
Q: Did you tell them how Majestic's bearings did that?
A: No. I couldn't have. I didn't know.
Q: Did you describe any Majestic part, drawing, or measurement?
A: No.
Q: What happened next?
A: Owen pulled up a scan of the piece from the Giles crash. I hadn't known they had it. They went through it again, and one of the engineers, Daniel Hollis, said the bearing mount was the part they'd written off as ordinary.

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 1  Q:  Did you look at the scans?
 2  A:  They showed them to me. I couldn't tell them anything from the
 3      scans that they couldn't see for themselves. I'm a data
 4      person, not a mechanical designer.
 5  Q:  Where did the design of Talon's carrier come from, then?
 6  A:  From the scan. Once they knew to look at the mount, they
 7      measured it and worked out the rest.
 8  Q:  Did you consider what you told them to be Majestic's
 9      confidential information?
10  A:  No. Anyone who watched that car's lap times through the
11      corners would have guessed its bearings were doing something
12      unusual. I just said it out loud.
13  Q:  When you said it, did you know Talon had the piece from the
14      crash?
15  A:  No. I learned that in the same meeting.
16
17                      *** END OF EXCERPTS ***
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