

1 UNITED STATES PATENT AND TRADEMARK OFFICE
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

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4 FUJITSU NETWORK COMMUNICATIONS, INC.

5 Petitioner

6 v.

7 CAPELLA PHOTONICS, INC.

8 Patent Owner

9 - - -

10 Inter Partes Review Case No. IPR2015-00726

11 Patent No. RE42,368

12 AND

13 Inter Partes Review Case No. IPR2015-00727

14 Patent No. RE42,678

15 - - -

16 MILBANK, TWEED, HADLEY & MCCLOY LLP

17 28 LIBERTY STREET

NEW YORK, NEW YORK 10005

18 DECEMBER 11, 2015

8:48 A.M.

19 VIDEOTAPED DEPOSITION OF

20 JOSEPH E. FORD, PH.D.

21 REPORTED BY:

22 DEBRA SAPIO LYONS, RDR, CRR, CCR, CPE

23 JOB NO. PA 2199236
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December 11, 2015

Videotaped deposition of Joseph E. Ford, Ph.D., held at the offices of Milbank, Tweed, Hadley & McCloy LLP, 28 Liberty Street, New York, New York 10005, before Debra Sapio Lyons, a Registered Diplomat Reporter, a Certified Realtime Reporter, a Certified LiveNote Reporter, an Approved Reporter of the United States District Court for the Eastern District of Pennsylvania, a Certified Court Reporter of the State of New Jersey, a Notary Public of the States of New Jersey, New York and the Commonwealth of Pennsylvania.

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ALSO PRESENT:

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VERITEXT

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JOSEPH E. FORD, Ph.D.

THE VIDEO TECHNICIAN: We on the record. Please note that the microphones are sensitive and may pick up whispering and private conversations.

My name is Deverell Write representing Veritext Legal Solutions. Today's date is December 11, 2015. The time on the video monitor is approximately 8:48 a.m.

This deposition is being held at offices of Milbank, Tweed located at 28 Liberty Street, New York, New York; and is being taken for counsel for the patent owner.

The caption of this case, Fujitsu Network Communication, Incorporated, versus Capella Photonics, Incorporated. This case is filed in the U.S. Patent and Trademark Office, Case Number IPR2015-00726 RE42,368 and IPR2015-00727 RE42,678.

The name of the Witness is Dr. Joseph Ford.

At this time, will counsel please

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JOSEPH E. FORD, Ph.D.

enter appearances.

MR. TUMINARO: Jonathan Tuminaro from the law firm of Sterne, Kessler, Goldstein & Fox on behalf of the patent owner, Capella Photonics, Inc.

MR. DUTTON: Tyler Dutton from the law firm Sterne, Kessler, Goldstein & Fox on behalf of the patent owner, Capella Photonics, Inc.

MR. BROWAND: And Nathaniel Browand from Milbank, Tweed, Hadley & McCloy on behalf of Fujitsu Network Communications, Inc.

THE VIDEO TECHNICIAN: Will the reporter please swear in the Witness.

- - -

JOSEPH E. FORD, Ph.D., having been first duly sworn, was examined and testified as follows:

- - -

E X A M I N A T I O N

- - -

BY MR. TUMINARO:

Q. Good morning, sir. Please state

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