UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ciena Corporation,

Coriant Operations, Inc. (formerly Tellabs Operations, Inc.),

Coriant (USA) Inc., and

Fujitsu Network Communications, Inc.

Petitioner

v.

Capella Photonics, Inc.
Patent Owner

Patent No. RE42,678
Filing Date: June 15, 2010
Reissue Date: September 6, 2011

Title: RECONFIGURABLE OPTICAL ADD-DROP MULTIPLEXERS WITH SERVO CONTROL AND DYNAMIC SPECTRAL POWER MANAGEMENT CAPABILITIES

DECLARATION OF DAN MAROM

Inter Partes Review

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I, Dan Marom, declare as follows:

I. INTRODUCTION AND QUALIFICATIONS

1. I have been engaged by Ciena Corporation, Coriant Operations, Inc., Coriant (USA) Inc., and Fujitsu Network Communications, Inc. (collectively, "Petitioner") to opine on certain matters regarding U.S. Patent No. RE42,678, hereinafter referred to as the '678 patent. Specifically, this declaration addresses the obviousness of the '678 patent in light of the prior art.

A. Education

2. I am an Associate Professor in the Applied Physics Department at Hebrew University, Israel, heading the Photonic Devices Group. I received the B.Sc. Degree in Mechanical Engineering and the M.Sc. Degree in Electrical Engineering, both from Tel-Aviv University, Israel, in 1989 and 1995, respectively, and was awarded a Ph.D. in Electrical Engineering from the University of California, San Diego (UCSD), in 2000.

B. Career Synopsis

3. My 20 year research career in optical communications started during my Master's degree, where I investigated free-space, polarization rotation based bypass-exchange (2×2) space switches, which later on led to the founding of a start-up company (without my involvement). In my doctoral dissertation I

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