

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

3 -----x  
4 CICS0 SYSTEMS, INC.,  
5                   Petitioner,  
6                   v.  
7 CAPELLA PHOTONICS, INC.,  
8                   Patent Owner.

9 -----x  
10                   Case IPR2014-01166  
11                   Patent RE42,368

12 -----x  
13                   Case IPR2014-01276  
14                   Patent RE42,678

15 -----x  
16                   April 21, 2015  
17                   8:30 a.m.

18 VIDEOTAPED DEPOSITION of DAN M. MAROM, PH.D.,  
19 taken by Patent Owner, pursuant to Notice,  
20 dated April 6, 2015, at the offices Cooley  
21 LLP, The Grace Building, 1114 Avenue of  
22 the Americas, New York, New York, before  
Amy Klein Campion, a Shorthand Reporter  
and Notary Public within and for the State  
of New York.

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

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17 ALSO PRESENT:

18 ALEXANDER V. SERGIENKO, PH.D.

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20 ROBERT D. BECKER, ESQ.

Manatt, Phelps & Phillips, LLP

21 GEORGE LIBBARES, Videographer

22

1 THE VIDEO OPERATOR: Stand by,  
2 please.

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10 as they can interfere with the  
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13 off the record.

14 My name is George Libbares  
15 representing Veritext Midatlantic.  
16 The date today is April 21st, 2015 and  
17 the time is 8:38 a.m.

18 This deposition is being held at  
19 Cooley LLP, located at 1114 Avenue of  
20 the Americas, New York, New York and  
21 is being taken by counsel for the  
22 Patent Owner.

1           The caption of this case is Cisco  
2 Systems Inc. versus Capella Photonics,  
3 Inc.

4           This case is filed before the  
5 Patent Trial and Appeal Board, Case  
6 Number IPR 2014-01276, Patent RE42,678  
7 and Case Number IPR 2014-001166,  
8 Patent RE42,368.

9           The name of the witness is Dan  
10 Marom.

11           At this time counsel will state  
12 their appearances and our court  
13 reporter, Amy Klein Champion,  
14 representing Veritext Midatlantic will  
15 swear in the witness and we can  
16 proceed.

17           MR. NOWAK: Nick Nowak with  
18 Sterne, Kessler, Goldstein & Fox for  
19 Patent Owner, Capella.

20           MR. EISENBERG: Jason Eisenberg  
21 from Sterne, Kessler, Goldstein & Fox  
22 for Patent Owner, Capella.

1 MR. STERNE: Robert Sterne of  
2 Sterne, Kessler for Patent Owner,  
3 Capella.

4 MR. LEARY: Matthew Leary of  
5 Cooley LLP for Cisco Systems.

6 MR. BROWAND: Nathaniel Browand  
7 of Milbank Tweed Hadley & McCloy on  
8 behalf of Fujitsu Network  
9 Communications, Inc.

10 D A N M A R K M A R M O N, P H. D.,  
11 having been first duly sworn by the  
12 Notary Public (Amy Klein Campion), was  
13 examined and testified as follows:

14 EXAMINATION BY

15 MR. NOWAK:

16 Q. Dr. Marom, good morning.

17 A. Good morning.

18 Q. Have you ever been deposed  
19 before?

20 A. No, first time.

21 Q. So I assume that you've never  
22 provided expert testimony in a patent case

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