

UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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ASML NETHERLANDS B.V., EXCELITAS TECHNOLOGIES CORP., AND  
QIOPTIQ PHOTONICS GMBH & CO. KG,  
Petitioners

v.

ENERGETIQ TECHNOLOGY, INC.,  
Patent Owner

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Case IPR2015-01362  
U.S. Patent No. 8,969,841

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**NOTICE OF DEPOSITION OF PETITIONERS' DECLARANT**

Pursuant to 37 C.F.R. § 42.53 and agreement of the parties, Patent Owner Energetiq Technology, Inc. (“Energetiq”) hereby provides notice that it will conduct a cross-examination deposition of Petitioners’ Declarant Dr. J. Gary Eden simultaneously in connection with each of eight IPR proceedings, namely, IPR2015-01362, IPR2015-01277, IPR2015-01279, IPR2015-01300, IPR2015-01303, IPR2015-01368, IPR2015-01375, and IPR2015-01377. As noted in their respective institution decisions, IPR2015-01300 and IPR2015-01303 have been consolidated. By agreement of the Parties, testimony from this deposition may be used in each of the eight IPR proceedings listed above.

This cross-examination portion of this deposition will take place beginning at 9 AM on the morning of January 27, 2016 and continuing, as needed, on January 28, February 3, and February 4, 2016 at the offices of WilmerHale, 60 State Street, Boston, Massachusetts 02109.

The cross-examination testimony will be recorded stenographically and by videotape, and will take place before a court reporter, notary public, or other person authorized by law to administer oaths and take testimony under 35 U.S.C. § 23.

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U.S. Patent No. 8,969,841

A copy of this notice is being submitted to the Patent Trial and Appeal Board electronically in connection with each of the eight matters identified above.

Respectfully submitted,  
**PROSKAUER ROSE LLP**

/ Joseph A. Capraro Jr. Reg. No. 36,471 /  
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Attorney for Patent Owner

Date: December 21, 2015  
PROSKAUER ROSE LLP  
One International Place  
Boston, MA 02110

Case IPR2015-01362  
U.S. Patent No. 8,969,841

### **CERTIFICATE OF SERVICE**

The undersigned certifies that on December 21, 2015 the above NOTICE OF DEPOSITION OF PETITIONERS' DECLARANT was served pursuant to 37 C.F.R. § 42.6 electronically on Petitioner (by consent of the parties) to the following email addresses:

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/ Fabio E. Tarud /  
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Date: December 21, 2015  
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