

Petition for *Inter Partes* Review of  
U.S. Reissued Patent No. RE42,678

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Ciena Corporation,  
Coriant Operations, Inc.,  
Coriant (USA) Inc., and  
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

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*Inter Partes* Review No. Unassigned

**POWER OF ATTORNEY**

**UNDER 37 C.F.R. § 42.10(b)**

Petitioner, Ciena Corporation, hereby appoints the following practitioners as its attorneys to transact all business in the United States Patent and Trademark Office associated with the above-captioned *inter partes* review:


| Lead Counsel   | Back-Up Counsel  |
|--|--|
| Matthew J. Moore (Reg. No. 42012)<br>Postal & Hand-Delivery Address:<br>Latham & Watkins LLP<br>555 Eleventh Street NW<br>Suite 1000<br>Washington, DC 20004-1304<br>Tel.: (202) 637-2278<br>Fax.: (202)637-2201<br>Matthew.Moore@lw.com | Robert Steinberg (Reg. No. 33144)<br>Postal & Hand-Delivery Address:<br>Latham & Watkins LLP<br>355 South Grand Avenue<br>Los Angeles, CA 90071-1560<br>Tel.: (213) 891-8989<br>Fax.: (213) 891-8763<br>Bob.Steinberg@lw.com |

Additionally, Petitioner authorizes the following counsel for co-Petitioners to represent Petitioner in this proceeding as back-up counsel as circumstances require:

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| Thomas K. Pratt (Reg. No. 37,210)<br>TPratt@bannerwitcoff.com<br>J. Pieter van Es (Reg. No. 37,746)<br>PVanEs@bannerwitcoff.com<br>Banner & Witcoff, Ltd.<br>10 South Wacker Drive, Suite 3000<br>Chicago, IL 60606<br>Tel: (312)463-5000, Fax: (312)463-5001 | Jordan N. Bodner (Reg. No. 42,338)<br>JBodner@bannerwitcoff.com<br>Michael S. CuvIELLO (Reg. No. 59,255)<br>MCuvIELLO@bannerwitcoff.com<br>Banner & Witcoff, Ltd.<br>1100 13th Street NW, Suite 1200<br>Washington, DC 20005<br>Tel: (202)824-3000, Fax: (202)824-3001<br><br>Counsel for Coriant Operations, Inc. and<br>Coriant (USA) Inc. |
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*Inter Partes* Review No. Unassigned  
*Inter Partes* Review of USPN RE42,678

The individual signing below has the authority to execute this document on behalf of Ciena Corporation.

SIGNATURE:   
NAME: Robert D. Kucler  
TITLE: Associate GC, Head of Intellectual Property  
TELEPHONE: (410) 694-5700  
DATE: September 22, 2015