

1
2 UNITED STATES PATENT AND TRADEMARK OFFICE
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD
4

5
6 _____
7 APPLE, INC.

8 Petitioner

9 -vs-

10 COREPHOTONICS, LTD.

11 Patent Owner
12 _____

13 IPR2018-01133

14 U.S. Patent 9,538,152
15 _____

16
17 VIDEOTAPED DEPOSITION OF JAMES KOSMACH, Ph.D.

18 Thursday, May 16, 2019

19 Chicago, Illinois
20
21
22

23 Reported by:

24 JANICE M. KOCEK, CSR, CLR

25 JOB NO. 160569

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

May 16, 2019

9:07 a.m.

The videotaped deposition of
JAMES KOSMACH, Ph.D., held at the offices of
Haynes and Boone, LLP, 180 North LaSalle
Street, Suite 2215, Chicago, Illinois, before
Janice M. Kocek, a Certified Shorthand
Reporter, Certified LiveNote Reporter and
Notary Public of the State of Illinois.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

HAYNES AND BOONE
Attorneys for Petitioner
2323 Victory Avenue
Dallas, TX 75219

BY: JAMIE MCDOLE, ESQ.

HAYNES AND BOONE
600 Congress Avenue
Austin, TX 78701

BY: DAVID O'BRIEN, ESQ.

COOLEY
Attorneys for Petitioner
3175 Hanover Street
Palo Alto, CA 94304

PRIYA VISWANATH, ESQ.

RUSS AUGUST & KABAT
Attorneys for Patent Owner
12424 Wilshire Boulevard
Los Angeles, CA 90025

BY: NEIL RUBIN, ESQ.

ALSO PRESENT:

ROBERT ZELLNER, videographer

1 J KOSHMACH, Ph.D.

2 THE VIDEOGRAPHER: Good morning.

3 This is the start of disc labeled number 1
4 of the video deposition of Dr. James
5 Kosmach, Ph.D., taken in the matter of
6 Apple Inc. versus Corephotonics, Ltd., in
7 the United States Patent & Trademark Office
8 before the Patent Trial and Appeal Board,
9 number IPR2018-01133.

10 This deposition is being held at
11 HaynesBoone LLP, 180 North LaSalle Street,
12 Suite 2215, in Chicago, Illinois 60601 on
13 May 16th, 2019, at approximately 9:07 a.m.

14 My name is Robert Zellner from TSG
15 Reporting, Inc., and I am the legal video
16 specialist. And the court reporter is
17 Janice Koczek, also in association TSG
18 Reporting.

19 And will counsel please introduce
20 yourselves for the record.

21 MR. MCDOLE: Jamie McDole rep- --
22 representing petitioner.

23 MR. O'BRIEN: David O'Brien
24 representing petitioner.

25 MS. VISWANATH: Priya Viswanath also

1 J KOSHMACH, Ph.D.

2 on behalf of petitioner.

3 MR. RUBIN: Neil Rubin of
4 Russ August & Kabat representing the patent
5 owner and defending the witness.

6 (Witness sworn.)

7 J A M E S K O S M A C H , Ph. D. ,
8 called as a witness, having been duly
9 sworn by a Notary Public, was examined
10 and testified as follows:

11 EXAMINATION BY

12 MR. MCDOLE:

13 Q. Good morning, Dr. -- is it Kosmach?

14 A. Kosmach is fine, yes.

15 Q. Do you understand that you're under
16 oath today?

17 A. I do.

18 Q. Okay. Could you state your full
19 name for the record?

20 A. Sure. It's James Joseph Kosmach.

21 Q. And do you go by Dr. or --

22 A. I just go by Jim.

23 Q. By Jim?

24 A. Uh-huh.

25 Q. Do people call you Dr. Kosmach?

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.