

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

EIS GMBH,)	Case No.
)	IPR2020-00007
Petitioner,)	
)	U.S. Patent
vs.)	No. 9,849,061
)	
NOVOLUTO GMBH,)	
)	
Patent Owner.)	
_____)	

Remote Deposition of
DEBRA HERBENICK, PH.D.
Friday, February 19, 2021

Reported by:

Lisa Moskowitz, CA-CSR 10816, RPR, CRR

Job No.: 1481

TransPerfect Legal Solutions

1 REMOTE DEPOSITION OF DEBRA HERBENICK, PH.D.,
2 reported stenographically by Lisa Moskowitz,
3 California Certified Shorthand Reporter No. 10816,
4 Washington State Certified Shorthand Reporter No.
5 21001437, RPR, CRR, Realtime Systems Administrator,
6 commencing at 9:10 a.m., Friday, February 19, 2021.

7
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1 FRIDAY, FEBRUARY 19, 2021

2 9:10 A.M.

3
4 THE CERTIFIED STENOGRAPHER: Good
5 morning. My name is Lisa Moskowitz. I am
6 a certified stenographic reporter
7 appearing in association with TransPerfect
8 Legal Solutions. I will be reporting this
9 deposition and swearing in the witness
10 remotely.

11 Today's date is Friday,
12 February 19, 2021, and the time is
13 approximately 9:10 a.m.

14 Will counsel please identify
15 yourselves and state whom you represent.
16 May we start with the noticing attorney.

17 MR. SUTTON: AJ Sutton here on
18 behalf of the Petitioner from Bookoff
19 McAndrews. Here with me is Dinesh Melwani
20 and Ankit Aggarwal also from Bookoff.

21 MS. TERRY: Hi, I'm Tammy Terry,
22 counsel for patent owner Novoluto GmbH.
23 I'm a partner at Osha Bergman Watanabe &
24 Burton. And with me are my colleagues
25 Lisa Margonis and Califf Cooper.

1 THE CERTIFIED STENOGRAPHER: Thank
2 you.

3 Since we are doing this remotely, I
4 ask that you all speak slowly and one at a
5 time so that I am able to understand
6 everyone and that we avoid any audio
7 glitches or dropped testimony from talking
8 at the same time.

9 I will now swear in the witness.

10

11 DEBRA HERBENICK, Ph.D.,

12 called as a witness,

13 was examined and testified as follows:

14

15 EXAMINATION

16 BY MR. SUTTON:

17 Q Good morning, Dr. Herbenick. My
18 name is AJ Sutton, and I represent the
19 petitioner EIS GmbH in this matter. I'm going
20 to be asking you a series of questions today.
21 The court reporter is taking down every word
22 each of us says. Therefore, it is important
23 that we both speak loudly, slowly and clearly
24 so that the court reporter is able to hear and
25 understand what you and I are saying, and so

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