

STEPHEN TALLON
October 27, 2021

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

RIMFROST,

Petitioner,

vs.

Case No. IPR2020-01532
U.S. Patent No.
9,644,169 B2
and 9,816,046 B2

AKER BIOMARINE ANTARCTIC,

Patent Owner.

Deposition of STEPHEN TALLON
Appearing remotely from
New Zealand

Wednesday, October 27th, 2021

3:00 p.m.

Stenographically reported by:
Maria V. Camera, Court Reporter
Appearing remotely from Milwaukee County, Wisconsin

1 Deposition of STEPHEN TALLON, a witness
2 in the above-entitled action, was taken at the instance
3 of the Petitioner, under and pursuant to the provisions
4 of Chapter 804 of the Wisconsin Statutes, and pursuant
5 to Notice, before me, MARIA V. CAMERA, Court Reporter,
6 and Notary Public in and for the State of Wisconsin, on
7 the 27th day of October, 2021, commencing at 3:00 p.m.
8 and concluding at 3:25 p.m.

9
10 A P P E A R A N C E S

11
12 HOFFMANN & BARON, LLP, by
13 Mr. Michael I. Chakansky
14 4 Century Drive, Suite 300
15 Parsippany, New Jersey 07054-4606
16 appeared on behalf of the Petitioner.

17 CASIMIR JONES S.C., by
18 Mr. J. Mitchell Jones
19 2275 Deming Way, Suite 310
20 Middleton, Wisconsin 53562
21 appeared on behalf of the Patent Owner.

22 ALSO PRESENT: Mr. John T. Gallagher.
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I N D E X

EXAMINATION	PAGE
By Mr. Jones	5

E X H I B I T S

(No exhibits were marked.)

R E Q U E S T S

(No requests were made.)

1 TRANSCRIPT OF PROCEEDINGS

2 THE COURT REPORTER: The attorneys
3 participating in this deposition acknowledge that I
4 am not physically present in the deposition room
5 and that I will be reporting this deposition
6 remotely.

7 They further acknowledge that, in lieu of
8 an oath administered in person, I will administer
9 the oath remotely, pursuant to the March 25th,
10 2020, Order of the Wisconsin Supreme Court and
11 Section 804.04 of the Wisconsin Statutes.

12 The parties and their counsel consent to
13 this arrangement and waive any objections to this
14 manner of reporting.

15 Please indicate your agreement by stating
16 your name and your agreement on the record.

17 MR. JONES: Mitchell Jones, counsel for
18 Aker Biomarine, and I state my agreement.

19 MR. CHAKANSKY: Michael Chakansky,
20 attorney for petitioner, Rimfrost, I agree with
21 your statement.

22 STEPHEN TALLON, called as a witness
23 herein by the Petitioner, after having been first
24 duly sworn, was examined and testified as follows:

25

EXAMINATION

BY MR. JONES:

Q Good morning, Dr. Tallon.

A Good morning.

Q Do you understand that you are here today to testify in relation to a reply declaration submitted for IPR2020-01533 for U.S. Patent Number 9,816,046 and IPR2020-1532, which is for U.S. Patent Number 9,644,169?

A I do.

Q And I'm going to note for the record that under the exhibit numbering system that's been used, both of those have been marked as Exhibits 1086 for the respective IPRs, and I believe in some of the previous depositions where we've had the situation where the -- we have exhibits with the same number and that largely have similar content that we've agreed that when I ask a question about one of those exhibits that to the extent that the other exhibit in the other IPR is the same, that those responses to questions about that will apply to both?

MR. CHAKANSKY: As long as they are exactly the same and the content is the same, yes.

MR. JONES: Okay.

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