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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

US ENDODONTICS LLC,

Petitioner,

- against -

GOLD STANDARD INSTRUMENTS, LLC

Patent Owner.

Case No. PGR2015-00019

April 20, 2016

9:00 a.m.

1133 Avenue of the Americas

New York, New York

VIDEOTAPED DEPOSITION OF A. JON

GOLDBERG, Ph.D., held at the above-mentioned time
and place, before Randi Friedman, a Registered
Professional Reporter, within and for the State
of New York.

1 A. Jon Goldberg, Ph.D.

2 APPEARANCES:

3 PATTERSON BELLKNAP WEBB & TYLER, LLP
4 Attorneys for Petitioner
5 1133 Avenue of the Americas
6 New York, New York 10036

7 BY: JEFFREY S. GINSBERG, ESQ.
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10 Attorneys for Patent Owner

11 607 14th Street, N.W.
12 Washington, D.C. 20005

13 BY: STEVEN LIEBERMAN, ESQ.
14 JASON M. NOLAN, Ph.D.

15 * * *

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19
20 ALSO PRESENT:

21 JD Martinez - Videographer
22
23
24
25

1 A. Jon Goldberg, Ph.D.

2 STIPULATIONS

3 IT IS HEREBY STIPULATED, by and between
4 the attorneys for the respective parties hereto,
5 that:

6 All rights provided by the C.P.L.R.,
7 and Part 221 of the Uniform Rules for the Conduct
8 of Depositions, including the right to object to
9 any question, except as to the form, or to move
10 to strike any testimony at this examination is
11 reserved; and in addition, the failure to object
12 to any question or to move to strike any
13 testimony at this examination shall not be a bar
14 or a waiver to make such motion at, and is
15 reserved to, the time of this action.

16 This deposition may be sworn to by the
17 witness being examined before a Notary Public
18 other than the Notary Public before whom this
19 examination was begun, but the failure to do so
20 or to return the original of this deposition to
21 counsel, shall not be deemed a waiver or the
22 rights provided by Rule 3116, C.P.L.R., and shall
23 be controlled thereby.

24 The filing of the original of this
25 deposition is waived.

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A. Jon Goldberg, Ph.D.

MR. MARTINEZ: We are now on the record. Please note that the microphones are sensitive and may pick up whispering and private conversations. Please turn off all cellphones or just place them away from the microphones, as they can interfere with the deposition audio. Recording will continue until all parties agree to go off the record.

My name is J.D. Martinez, representing Veritext New York. The date today is April 20th, 2016, and the time is approximately 9:03 a.m. This deposition is being held at Patterson Belknap, located at 1133 Avenue of the Americas, New York, New York.

This case caption is U.S. Endodontics, LLC versus Gold Standard Instruments, LLC. It is being held in the U.S. Patent and Trademark Office before the Patent Trial and Appeal Board, Case PGR 2015-0019. The name of the witness is Jon Goldberg. And at this time, the attorneys present in the room will identify themselves

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A. Jon Goldberg, Ph.D.

and the parties they represent, after which our court reporter, Randi Friedman, will swear in the witness, and we can proceed.

MR. LIEBERMAN: My name is Steve Lieberman from the law firm of Rothwell Figg Ernst & Manbeck. I'm here with my colleague, Jason Nolan, and together we represent the patent owner.

Good morning, Dr. Goldberg.

THE WITNESS: Good morning.

MR. GINSBERG: This is Jeff Ginsberg. I'm with the law firm of Patterson Belknap. I represent the petitioner, U.S. Endodontics. With me is my colleague, Abhisheck Bapna, and we are also representing the witness.

* * *

A. JON GOLDBERG, the witness herein, having been duly sworn, was examined and testified as follows:

* * *

EXAMINATION

BY MR. LIEBERMAN:

Q Good morning, Dr. Goldberg.

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