

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

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

1133 Avenue of the Americas

New York, New York

April 13, 2016

1:00 p.m.

DEPOSITION OF ADAM KOZAK, held at the
above-mentioned time and place, before Randi
Friedman, a Registered Professional Reporter,
within and for the State of New York.

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

APPEARANCES :

PATTERSON BELLKNAP WEBB & TYLER, LLP
Attorneys for Petitioner
1133 Avenue of the Americas
New York, New York 10036
BY: ABHISHEK BAPNA, ESQ.

ROTHWELL, FIGG, ERNST & MANBECK
Attorneys for Patent Owner
607 14th Street, N.W.
Washington, D.C. 20005
BY: DEREK F. DAHLGREN, ESQ.

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

STIPULATIONS

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

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

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

The filing of the original of this deposition is waived.

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

* * *

ADAM KOZAK, the witness herein,
having been duly sworn, was examined and
testified as follows:

* * *

EXAMINATION

BY MR. DAHLGREN:

Q Good afternoon. Can you please state
your name and address for the record, please?

A My name is Adam Kozak. Will my
business address be okay?

Q Actually, if you do your personal
address, your residential address, that's all
right.

A Sure. So it's 81 Mount Vernon Street,
and that's in Somerville, Massachusetts.

MR. BAPNA: Just for the record,
I'm Abhishek Bapna. I represent the
petitioner in this proceeding, and today I
represent Mr. Kozak in this deposition.

MR. DAHLGREN: My name is Derek
Dahlgren. I'm an attorney, I represent the
patent owner, Gold Standard Instruments, LLC
in this proceeding. This is PGR2015-0019.

1 A. Kozak

2 (Exhibit 2024 was marked.)

3 BY MR. DAHLGREN:

4 Q I'm handing you what's been marked as
5 Exhibit 2024. Take a look at that. This is
6 patent owner Gold Standard Instrument, LLC's
7 Notice of Cross-Examination of Adam Kozak.

8 Have you seen this document before?

9 A I have not.

10 Q Okay. You can take a few minutes and
11 look at it if you want, but do you understand
12 today that you're here to testify in this
13 proceeding regarding a certain declaration that
14 you submitted?

15 A I understand.

16 Q Okay. Have you ever been deposed
17 before?

18 A I have not.

19 Q Okay. So I'm just going to go over a
20 few ground rules. Try to make this easier.

21 A Sure.

22 Q The first one is we need to get verbal
23 responses to make it easier on the court
24 reporter. It's hard to take down nodding heads
25 and things like that. So can you do that today?

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.