

Page 1		Page 3	
1	UNITED STATES DISTRICT COURT	1	----- EXHIBITS -----
2	DISTRICT OF NEW JERSEY	2	CUOZZO'S
3		3	DESCRIPTION PAGE LINE
4	CUOZZO SPEED TECHNOLOGIES, INC,	4	Exhibit 1 Copy of Deposition 15 6
5	Plaintiff,	5	Notice,
6	vs. Case No.	6	Exhibit 2 Copy of U.S. Patent 16 3
7	2:12-CV-03623CCC-JAD	7	6,778,074,
8	GARMIN INTERNATIONAL, INC., et al.,	8	Exhibit 3 Copy of Declaration of 29 17
9	Defendants.	9	Giuseppe Cuozzo,
10		10	Exhibit 4 Copy of Declaration of 30 12
11		11	Giuseppe Cuozzo,
12		12	Exhibit 5 Copy of Exhibits A 36 17
13		13	through P to March 10, 2013
14	VIDEOTAPED DEPOSITION OF GIUSEPPE CUOZZO	14	declaration,
15	Newark, New Jersey	15	Exhibit 6 Letter dated January 2, 92 20
16	Tuesday, May 14, 2013	16	2001, Bates Nos. CST 007442 through
17		17	7642,
18		18	Exhibit 7 Document titled 116 4
19		19	Invention Submission Corporation,
20		20	Bates Nos. CST 007643 through 7786,
21		21	Exhibit 8 Copy of File History of 128 19
22		22	Patent,
23	Reported by:	23	Exhibit 9 Document, Bates Nos. CST 146 20
24	THOMAS A. FERNICOLA, RPR	24	6734 through 6746,
25		25	
Page 2		Page 4	
1	----- INDEX -----	1	----- EXHIBITS (Cont'd) -----
2	ATTORNEY PAGE	2	CUOZZO'S
3	Mr. Mudd 11	3	DESCRIPTION PAGE LINE
4	Mr. Connor 175	4	Exhibit 10 Document, Bates Nos. 146 23
5		5	CST 6753 through 6745,
6		6	Exhibit 11 Document, Bates Nos. 147 1
7		7	CST 6758 through 6777,
8		8	Exhibit 12 Document, Bates Nos. 147 4
9		9	CST 6778 through 6783,
10		10	
11		11	
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1 May 14, 2013
 2 10:10 a.m.
 3
 4
 5 Videotaped Deposition of GIUSEPPE
 6 CUOZZO, held at the law offices of Scarpone &
 7 Vargo LLC, 50 Park Place, Suite 1003, Newark,
 8 New Jersey, before Thomas A. Fernicola, a
 9 Registered Professional Reporter and Notary
 10 Public of the State of New York.
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Page 6

1 APPEARANCES:
 2
 3 REED & SCARDINO, LLP
 4 Attorneys for Plaintiff
 5 301 Congress Avenue, Suite 1250
 6 Austin, Texas 78701
 7 Tel: 512.373.2449
 8 BY: CABRACH J. CONNOR, ESQ.
 9
 10 ERISE IP, P.A.
 11 Attorneys for Defendants Garmin
 12 6201 College Boulevard, Suite 300
 13 Overland Park, Kansas 66211
 14 Tel: 913.777.5600
 15 BY: JASON R. MUDD, ESQ.
 16
 17
 18 ALSO PRESENT:
 19 MANUEL GARCIA, Videographer
 20 DANIEL MITRY, Empire IP, LLC.
 21
 22
 23
 24
 25

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1 THE VIDEOGRAPHER: This is the start
 2 of tape labeled No. 1 of the videotaped
 3 deposition of Giuseppe Cuzzo, in the
 4 matter of Cuzzo Speed Technologies, LLC
 5 versus Garmin International, Inc., on
 6 May 14, 2011 at approximately 10:10 p.m.
 7 My name is Manuel Garcia from TSG
 8 Reporting, Inc. I am the legal video
 9 specialist.
 10 The court reporter is Tom Fernicola,
 11 in association with TSG Reporting.
 12 Will counsel please introduce
 13 yourselves.
 14 MR. MUDD: My name is Jason Mudd.
 15 I'm with the law firm of Erise IP, and I'm
 16 appearing on behalf of Garmin
 17 International.
 18 MR. CONNOR: And on behalf of Cuzzo
 19 Speed and the witness, Giuseppe Cuzzo, my
 20 name is Cabrach Connor, and from the
 21 plaintiff, Cuzzo Speed Technologies, LLC,
 22 is Daniel Mitry.
 23 THE VIDEOGRAPHER: Will the court
 24 reporter please swear in the witness.
 25

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1 GIUSEPPE CUOZZO,
 2 called as a witness, having been duly sworn
 3 by a Notary Public, was examined and
 4 testified as follows:
 5 BY THE REPORTER:
 6 **Q. Please state your full name and**
 7 **address for the record.**
 8 A. Giuseppe Cuzzo, 119 Park Street,
 9 Montclair, New Jersey 07042.
 10 MR. CONNOR: Mr. Mitry, I just want
 11 to note the videographer read in the style
 12 from the case. It's a little different
 13 than the style from the IPR, which is, it's
 14 our understanding that we're here under the
 15 authority from the Inter Partes Review
 16 process that was issued from the board and
 17 under their rules.
 18 Is that your understanding?
 19 MR. MUDD: Yes, that's correct. The
 20 IPR matter 2012-00001 in the matter of
 21 Garmin International, Inc., Petitioner,
 22 versus Cuzzo Speed Technologies, LLC, the
 23 patent owner, in the United States Patent
 24 and Trademark Office, that is correct.
 25

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1 EXAMINATION BY MR. MUDD:
 2 **Q. Good morning, Mr. Cuozzo.**
 3 A. Thank you.
 4 **Q. Is it Cuozzo?**
 5 A. Joe, is fine.
 6 **Q. Joe. Okay. Joe. All right.**
 7 **Can you -- you may have already done**
 8 **this. Can you spell your name for the record?**
 9 A. G-I-U-S-E-P-P-E, middle initial A,
 10 C-U-O-Z-Z-O.
 11 **Q. And, Mr. Cuozzo, are you represented**
 12 **by counsel today?**
 13 A. Yes.
 14 **Q. Is that Mr. Cabrach Connor, is he**
 15 **your counsel today?**
 16 A. Correct.
 17 **Q. Okay.**
 18 MR. MUDD: And, Cab, just to make
 19 sure I'm clear, you've been representing
 20 Mr. Cuozzo in connection with this case; is
 21 that correct?
 22 MR. CONNOR: In connection with the
 23 Inter Partes Review.
 24 MR. MUDD: The Inter Partes Review,
 25 as well as the District Court litigation.

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1 MR. CONNOR: That is not entirely, or
 2 I should say technically correct. I
 3 represent Mr. Cuozzo for purposes of this
 4 deposition and in connection with the Inter
 5 Partes Review for purposes of discovery.
 6 MR. MUDD: Okay.
 7 BY MR. MUDD:
 8 **Q. Mr. Cuozzo, have you retained other**
 9 **counsel to represent you in connection with**
 10 **either the Inter Partes Review or the District**
 11 **Court case?**
 12 A. I'm not sure.
 13 **Q. Okay.**
 14 **What lawyers have you spoken with in**
 15 **connection with either this Inter Partes Review**
 16 **or the District Court case?**
 17 MR. CONNOR: Mr. Cuozzo, you can go
 18 ahead and answer that question as long as
 19 it does not require you to disclose the
 20 substance of those communications that you
 21 had with attorneys representing you in this
 22 matter, but the question --
 23 A. Well, I spoke with Daniel and Cab.
 24 **Q. Anyone else?**
 25 A. No.

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1 **Q. Joe, have you had your deposition**
 2 **taken before?**
 3 A. No.
 4 **Q. I'll just quickly go through some**
 5 **ground rules with you. It's fairly simple.**
 6 **I'll just be asking you questions and I'll ask**
 7 **you to answer those questions. We have a court**
 8 **reporter here today that's taking everything**
 9 **down in a written record.**
 10 **Because of that, I'll ask that you**
 11 **give verbal responses; so, yeses, or nos,**
 12 **rather than "uh-huhs" or "uh-uhs"; is that**
 13 **okay?**
 14 A. That's fine.
 15 **Q. And we need to be careful not to**
 16 **speak over each other. So I'll ask that you**
 17 **wait for me to finish a question before you**
 18 **answer, and I'll do my best to wait for you to**
 19 **finish your answer before I ask the next**
 20 **question.**
 21 A. Correct.
 22 **Q. You understand you're under oath**
 23 **today and it's the same oath you would take as**
 24 **if you were testifying in a court?**
 25 A. Correct.

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1 **Q. And is there any reason today why you**
 2 **would not be able to answer truthfully and**
 3 **accurately?**
 4 A. No.
 5 **Q. If there are any questions I ask**
 6 **today that you don't understand, will you let**
 7 **me know that?**
 8 A. Yes.
 9 **Q. And I'll assume, then, that if you**
 10 **answer my question, that you've understood it;**
 11 **is that okay?**
 12 A. Correct. Yes.
 13 **Q. Your counsel may object at certain**
 14 **points during the deposition today, but unless**
 15 **he instructs you not to answer, you understand**
 16 **that you're to answer the question?**
 17 A. Correct.
 18 MR. MUDD: How long are our tapes
 19 today?
 20 THE VIDEOGRAPHER: 80 minutes.
 21 MR. MUDD: 80 minutes. Okay.
 22 BY MR. MUDD:
 23 **Q. We'll try to take regular breaks,**
 24 **but, you know, if you need a break sooner,**
 25 **definitely let me know.**

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1 A. After a question.
 2 **Q. Yes. After you answer the question,**
 3 **yes.**
 4 A. Correct, yes.
 5 **Q. Okay. Thank you.**
 6 **(Cuozzo's Exhibit 1, Copy of**
 7 **Deposition Notice, was marked for**
 8 **identification.)**
 9 BY MR. MUDD:
 10 **Q. Joe, I'm handing you what's been**
 11 **marked Exhibit 1, and Exhibit 1 is a copy of a**
 12 **deposition notice in this matter.**
 13 **Have you seen this document before?**
 14 A. One moment, please.
 15 THE WITNESS: This is the same as --
 16 MR. CONNOR: You answer his question.
 17 A. This, is this the same thing?
 18 **Q. I think it's different. You're**
 19 **referring to a declaration that you --**
 20 A. Submitted.
 21 **Q. -- that you submitted in this case.**
 22 A. And this is --
 23 **Q. This is a deposition notice. But**
 24 **it's okay if you have not seen it before.**
 25 A. No. Okay.

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1 **Q. I'll just note for the record you're**
 2 **appearing pursuant to that deposition notice.**
 3 **(Cuozzo's Exhibit 2, Copy of U.S.**
 4 **Patent 6,778,074, was marked for**
 5 **identification.)**
 6 BY MR. MUDD:
 7 **Q. I'm handing you what's been marked as**
 8 **Exhibit 2, which is a copy of U.S. Patent**
 9 **6,778,074.**
 10 **Have you seen this document before?**
 11 A. Yes.
 12 **Q. And are you the named inventor,**
 13 **Giuseppe Cuozzo -- Cuozzo, listed on this**
 14 **patent?**
 15 A. Yes.
 16 **Q. What did you do to prepare for your**
 17 **deposition today?**
 18 A. Get up and get coffee.
 19 **Q. You got up and got coffee?**
 20 A. Yes.
 21 **Q. Did you meet with counsel to prepare**
 22 **for your deposition?**
 23 A. Yes.
 24 **Q. When did you meet with counsel?**
 25 A. I got here approximately 9:10'ish.

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1 **Q. So you met with counsel this morning**
 2 **to prepare; is that correct?**
 3 A. No. I didn't prepare, no. There was
 4 no preparation. It was just to meet with him.
 5 **Q. Okay.**
 6 **So about how long did you meet with**
 7 **counsel to prepare for your deposition?**
 8 A. Today? 15, 20 minutes, 30 minutes.
 9 **Q. And then did you have phone calls**
 10 **with counsel to prepare for your deposition**
 11 **today?**
 12 A. Phone calls?
 13 No, there were no phone calls. To
 14 prepare? No.
 15 **Q. Okay.**
 16 **Any other kind of meetings with**
 17 **counsel to prepare for your deposition today?**
 18 A. No.
 19 **Q. Okay.**
 20 **Did you review any documents to**
 21 **prepare for your deposition today?**
 22 A. Yes, I did.
 23 **Q. What did you review?**
 24 A. The declaration that I have written.
 25 **Q. Okay.**

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1 **Anything else?**
 2 A. No.
 3 **Q. Did you review Exhibit 2, the '074**
 4 **patent, to prepare for your deposition today?**
 5 A. No, I did not.
 6 **Q. Did you have discussions with anyone**
 7 **else besides Mr. Connor or Mr. Mityr to prepare**
 8 **for your deposition today?**
 9 A. No.
 10 **Q. And besides Mr. Connor and Mr. Mityr,**
 11 **have you had discussions with anyone else about**
 12 **this case, either the -- and when I say "this**
 13 **case," I'm referring to both the IPR matter in**
 14 **the U.S. Patent and Trademark Office, as well**
 15 **as the District Court case.**
 16 A. No.
 17 **Q. Joe, could you briefly describe your**
 18 **educational background.**
 19 A. Briefly.
 20 High school, I went to a trade
 21 school, which is Union County Vocational Tech.
 22 I went to two years of automotive, ASC and all
 23 eight sections of automotive.
 24 Basically a lot of education from my
 25 father, construction wise, and so on and so

<p style="text-align: right;">Page 17</p> <p>1 forth. Very mechanically inclined.</p> <p>2 Q. So you did -- was it a two-year</p> <p>3 automotive degree in addition to high school;</p> <p>4 is that right?</p> <p>5 A. Well, usually you would have to go to</p> <p>6 school for one year and get four sections of</p> <p>7 ASC certifications to even be a mechanic; but</p> <p>8 my parents pushed me to stay an extra year to</p> <p>9 have everything covered, basically.</p> <p>10 Q. So do you have -- is it an</p> <p>11 associate's degree then?</p> <p>12 A. It's ASC certified certification.</p> <p>13 There's eight of them, like CM suspension, so</p> <p>14 on and so forth.</p> <p>15 Q. Okay.</p> <p>16 Any education beyond that?</p> <p>17 A. Life. That's a good one; right?</p> <p>18 Q. Yes.</p> <p>19 But you -- no other formal degrees</p> <p>20 beyond that?</p> <p>21 A. Degrees, no.</p> <p>22 Q. I think I may have seen in your</p> <p>23 declaration that you were a college student at</p> <p>24 one point.</p> <p>25 Were you in a degree program at a</p>	<p style="text-align: right;">Page 19</p> <p>1 summarize for me your work history?</p> <p>2 A. Summarize? Yes, I probably can.</p> <p>3 I basically worked since I was very</p> <p>4 little with my father, beside him since I was</p> <p>5 able 18 or so. Then with a shop for a while</p> <p>6 after school. Fell back into construction,</p> <p>7 basically, because that's what I wake up and</p> <p>8 familiarize myself with.</p> <p>9 And then self-employed for a while.</p> <p>10 Bought a house, renovated the whole house</p> <p>11 myself in 2006. Then I got into the hotel</p> <p>12 business for about four years or so.</p> <p>13 And now I just got laid off, so...</p> <p>14 Q. So when did you -- what year did you</p> <p>15 complete your automotive education?</p> <p>16 A. 2002. It's between 2001 and 2002.</p> <p>17 Q. Did you go to work in the automotive</p> <p>18 field after that?</p> <p>19 A. Yes, I did.</p> <p>20 Q. Where did you work initially in the</p> <p>21 automotive field?</p> <p>22 A. Actually, it was at a shop, I forget</p> <p>23 the name of it, it was a gas station off Orange</p> <p>24 Road in Montclair.</p> <p>25 Q. And how long did you work there?</p>
<p style="text-align: right;">Page 18</p> <p>1 college at some point?</p> <p>2 A. Well, the college would be -- I mean,</p> <p>3 it is, I'm assuming you're referencing to the</p> <p>4 vocational technical school that I went to.</p> <p>5 Q. Okay.</p> <p>6 A. Per se, college, I don't have any</p> <p>7 credits or went to a college, so...</p> <p>8 Q. Okay.</p> <p>9 And what was the name of the</p> <p>10 technical school you got your automotive</p> <p>11 education?</p> <p>12 A. Union County Vocational Technical</p> <p>13 School. It's in Union.</p> <p>14 Q. And what's your current occupation?</p> <p>15 A. Right now I actually just got laid</p> <p>16 off.</p> <p>17 Q. And before that, where had you been</p> <p>18 working?</p> <p>19 A. I was a supervisor at the Wales Hotel</p> <p>20 on Madison Avenue in Manhattan.</p> <p>21 Q. And what did your job</p> <p>22 responsibilities there include?</p> <p>23 A. Basically maintaining the whole</p> <p>24 building, all the rooms, ACs.</p> <p>25 Q. In addition to that, can you</p>	<p style="text-align: right;">Page 20</p> <p>1 A. Not too long. It was a little too</p> <p>2 hot on some of the equipment, you know. It</p> <p>3 was -- I realized that doing that type of work</p> <p>4 was more of a hobby than what I wanted to do</p> <p>5 for my livelihood.</p> <p>6 Q. So did you work there for a year?</p> <p>7 A. Approximately.</p> <p>8 Q. Had you worked in an auto shop before</p> <p>9 that point?</p> <p>10 A. Actually, since I was very little,</p> <p>11 with my brother, we've been taking cars apart.</p> <p>12 I mean, I was taking cars apart when I was</p> <p>13 eight, completely rebuilding engines.</p> <p>14 We found a car actually across the</p> <p>15 street that we got for free and we completely</p> <p>16 disassembled and sprayed the whole body,</p> <p>17 rebuilt the engine, so on and so forth; so,</p> <p>18 yes.</p> <p>19 Q. So after you worked at that auto shop</p> <p>20 for about a year, where did you work next?</p> <p>21 A. I don't quite remember. We're</p> <p>22 talking a while ago.</p> <p>23 Q. Did you work in the automotive field</p> <p>24 after that point at all?</p> <p>25 A. Again, I mean, I've been doing it</p>

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