

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ACCLARENT, INC.,  
Petitioner

v.

Ford Albritton, IV,  
Patent Owner

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Case IPR2017-00498  
Patent No. 9,011,412 B2

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**PATENT OWNER'S NOTICE OF DEPOSITION OF  
DR. HOWARD L. LEVINE**

*Mail Stop "PATENT BOARD"*  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Please take notice that pursuant to 37 C.F.R. § 42.53, the Patent Owner, Ford Albritton, IV, will conduct a telephonic cross-examination of Dr. Howard L. Levine, on March 14, 2018 at 9:30 am, with the Board's permission,<sup>1</sup> or at another date on or before March 13, 2018, to be agreed by the parties. In accordance with 37 C.F.R. § 42.53(d)(1), the parties have conferred regarding an agreeable date and time for Dr. Levine's deposition. The deposition will be taken telephonically and Dr. Levine will testify before a Notary Public or other officer authorized by law to administer oaths. The testimony will be recorded by stenographic means.

Respectfully submitted,

Dated: February 27, 2018

By: /s/ Ashley N. Moore  
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Counsel for Patent Owner, Dr. Ford Albritton IV

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<sup>1</sup> Patent Owner requested permission from [trials@uspto.gov](mailto:trials@uspto.gov) for a one-day extension to the prescribed cross-examination period to accommodate Dr. Levine's schedule.

**CERTIFICATE OF SERVICE**

A copy of the foregoing has been served on Petitioner via electronic mail at the following correspondence address:

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Respectfully submitted,

Dated: February 27, 2018

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