

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DATASPEED INC.,

Petitioner,

v.

SUCXESS, INC.,

Patent Owner.

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Case IPR2020-00116  
U.S. Patent No. 9,871,671

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**PETITIONER'S NOTICE OF DEPOSITION OF  
MAHDI SHAHBAKHTI, PH.D. UNDER 37 C.F.R. § 42.53**

PLEASE TAKE NOTICE that Pursuant to 37 C.F.R. § 42.53 and parties' agreement, Petitioner Dataspeed, Inc., by and through its attorneys, will take the deposition of Patent Owner's declarant, Mahdi Shahbakhti, Ph.D., upon oral examination as follows.

Date: October 8, 2020  
Time: 11:00 a.m. EST  
Location: Remotely by videoconference

In light of the COVID-19 pandemic, the parties have agreed and stipulated to using a remote court reporter. The parties have also agreed that Mr. Shahbakhti's oath and testimony will have the same force and effect as an in-person oath and testimony. The deposition will be recorded by stenographic means by a court reporter licensed to administer oaths. In accordance with 37 C.F.R. § 42.53(d)(1), the parties have conferred and have agreed upon this date and location for Mr. Shahbakhti's deposition.

Dated: September 15, 2020

/s/ Wayne M. Helge  
Peter W. Gowdey (Reg. No. 25,872)  
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IPR2020-00116 Petitioner's Notice of Deposition of Mahdi Shahbakhti, Ph.D.

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Counsel for Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing  
PETITIONER'S NOTICE OF DEPOSITION OF MAHDI SHAHBAKHTI, PH.D.  
was served to Patent Owner by serving the correspondence email addresses of record  
as follows:

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Dated: September 15, 2020

/s/ Wayne M. Helge

Wayne M. Helge  
Counsel for Petitioner