## UNITED STATES PATENT AND TRADEMARK OFFICE

## BEFORE THE PATENT TRIAL AND APPEAL BOARD

DATASPEED INC.,

Petitioner,

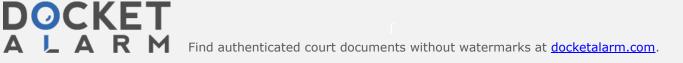
v.

SUCXESS, INC.,

Patent Owner.

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

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



IPR2020-00116 Petitioner's Notice of Deposition of Mahdi Shahbakhti, Ph.D.

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) Wayne M. Helge (Reg. No. 56,905) James T. Wilson (Reg. No. 41,439) DAVIDSON BERQUIST JACKSON & GOWDEY, LLP 8300 Greensboro Dr., Suite 500 McLean, VA 22102 Telephone: (571) 765-7700 Fax: (571) 765-7200 IPR2020-00116 Petitioner's Notice of Deposition of Mahdi Shahbakhti, Ph.D.

Email: pgowdey@ dbjg.com Email: whelge@dbjg.com Email: jwilson@dbjg.com

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:

> Axel Nix Smartpat PLC 400 Renaissance Center, Suite 2600 Detroit, MI 48243 Telephone: (248) 854-2233 axel.nix@smartpat.net max@maxwellgoss.com admin@maxwellgoss.com

Dated: September 15, 2020

<u>/s/ Wayne M. Helge</u> Wayne M. Helge Counsel for Petitioner

