

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TREND MICRO, INC. and AO KASPERSKY LAB  
Petitioners,

v.

OPEN TEXT INC.  
Patent Owner

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Case IPR2023-00556<sup>1</sup>  
Patent No. 8,726,389

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**PATENT OWNER OPEN TEXT INC.'S  
NOTICE OF DEPOSITION OF DR. WENKE LEE**

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

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<sup>1</sup> Trend Micro, Inc. who filed a petition in IPR2023-01459 has been joined as a petitioner in this proceeding. AO Kaspersky Lab, who filed a petition in IPR2024-00035 has also been joined as a petitioner in this proceeding.

Pursuant to 37 C.F.R. § 42.53, counsel for the parties have conferred and agreed that Patent Owner Open Text Inc. will conduct a cross-examination deposition of Petitioner's witness. Patent Owner hereby notices the deposition of Petitioner's declarant, Dr. Wenke Lee in Case IPR2023-00556 as follows:

**Place:** King & Spalding LLP, 1180 Peachtree Street, NE  
Suite 1600  
Atlanta, GA 30309-3521  
Tel: (404) 572-4600

**Date/Time:** Friday, March 15, 2023, 9:00 a.m. ET

**Declarant's Name:** Dr. Wenke Lee

The deposition will take place beginning at 9:00 a.m. EST, **March 15, 2024**, and will continue until its completion. The deposition may be conducted via remote videoconference technology. The deposition may be recorded by audio, stenographically, and/or by real-time transcription, and will be taken by a court reporter authorized to administer oaths and to take testimony under 35 U.S.C § 23.

Respectfully submitted,

KING & SPALDING LLP

BY: /s/ Brian Eutermoser

Brian Eutermoser (Reg. No. 64,058)

Case No. IPR2023-00556

U.S. Patent No. 8,726,389

*Attorney for Patent Owner*

*Open Text, Inc.*

Date: February 26, 2024

1401 Lawrence Street, Suite 1900

Denver, CO 80202

Telephone: (720) 535-2312

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that the foregoing **PATENT OWNER'S NOTICE OF DEPOSITION OF DR. WENKE LEE** was served by filing these documents through the Patent Trial and Appeal Case Tracking System (P-TACTS) as well as by delivering a copy via electronic mail on February 26, 2024, in the entirety on the following:

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*Trend Micro, Inc.*

KING & SPALDING LLP

BY: /s/ Brian Eutermoser

Brian Eutermoser (Reg. No. 64,058)

Case No. IPR2023-00556

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*Attorney for Patent Owner*

*Open Text, Inc.*

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