

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

3 -----X

4 ALIGN TECHNOLOGY, INC., :

5 Petitioner, : Case No.

6 v. : IPR2023-01369

7 DENTAL MONITORING SAS, :

8 Patent Owner. :

9 -----X

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11 REMOTE STENOGRAPHIC DEPOSITION OF

12 HASSAN FOROOSH, PHD

13 Thursday, September 19, 2024

14 9:58 a.m.

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21 Job No.: SY009716

22 Pages: 1 - 32

23 STENOGRAPHICALLY REPORTED BY:

24 GISELLE MITCHELL-MARGERUM, RPR, CRI, CCR, LCR, ACCR, CSR

25 CALIFORNIA CSR 14424

1 Deposition of HASSAN FOROOSH, PHD, held
2 remotely, via videoconference at:

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5 VIA VIDEOCONFERENCE

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9 Pursuant to agreement, before Giselle
10 Mitchell-Margerum, Registered Professional Reporter,
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16 Certified Court Reporter (NM).

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1 A P P E A R A N C E S

2 ON BEHALF OF PETITIONER:

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16 ON BEHALF OF PATENT OWNER:

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1	W I T N E S S I N D E X	
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3	Witness Page	
4		
5	HASSAN FOROOSH, PHD (sworn)	5
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7	Examination by ANDREW BLYTHE	5
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1 P R O C E E D I N G S

2 COURT REPORTER: Dr. Foroosh, please raise
3 your right hand.

4 Do you swear to tell the truth, the whole
5 truth, and nothing by the truth?

6 THE WITNESS: I do.

7 COURT REPORTER: Okay. We can start.
8 (Witness sworn.)

9 HASSAN FOROOSH, PHD
10 Having been duly sworn testified as follows:
11 EXAMINATION BY ATTORNEY BLYTHE:

12 Q. Good morning, Dr. Foroosh.

13 A. Good morning.

14 Q. Is there anything that would prevent you
15 from testifying completely and truthfully today?

16 A. No.

17 Q. During today's deposition, if you don't
18 understand a question, please ask me to clarify. If
19 you don't ask me to clarify, I'll assume you
20 understood the question.

21 Is that fair?

22 A. That's fair.

23 Q. Where are you located today?

24 A. I am in a room in my home that I use as my
25 office.

1 Q. And that's in Florida?

2 A. That's in Florida.

3 Q. Is anyone else in the room with you?

4 A. Nobody else with me.

5 Q. Do you have any materials related to this
6 case present with you?

7 A. Not other than the clean set of exhibits
8 that I have with me.

9 Q. And that clean set of exhibits, is that
10 the exhibits cited in your reply declaration?

11 A. Yes.

12 Q. And that includes a copy of your reply
13 declaration as well?

14 A. Yes.

15 Q. Other than Zoom, do you have any other
16 files or programs open on your computer?

17 A. No.

18 Q. Did you do anything to prepare for your
19 deposition today?

20 A. I spent the day yesterday, I mean, with
21 attorneys -- Mr. Argenti and Mr. Medley, to prepare.

22 Q. Other than yesterday, did you meet with
23 your attorneys to prepare for this deposition?

24 A. No.

25 Q. Approximately how long did you meet with

1 your attorneys yesterday?

2 A. About eight hours.

3 Q. Was that by Zoom?

4 A. By Zoom, yes. Well actually, by Microsoft
5 Meet.

6 Q. Other than Mr. Argenti and Mr. Medley, did
7 you speak with anyone else in preparing for your
8 deposition?

9 A. No.

10 Q. Did you review any documents in preparing
11 for your deposition today?

12 A. I read the exhibits and my declaration.

13 Q. Other than your declaration, the exhibits
14 cited in your reply declaration, did you review any
15 documents to prepare for your deposition today?

16 A. No.

17 Q. Other than your meeting yesterday with
18 counsel, did you do anything else to prepare for
19 your deposition?

20 A. As I said, I read the -- I read the
21 exhibits and I read my declaration again.

22 ATTORNEY BLYTHE: I'm going to introduce
23 into the chat window an exhibit that has already
24 been marked as Exhibit 1048.

25 BY ATTORNEY BLYTHE:

1 Q. Dr. Foroosh, you are welcome to follow
2 along if you have a printed copy of Exhibit 1048,
3 which is titled "Reply Declaration of
4 Dr. Hassan Foroosh."

5 Let me know when you have access either to
6 the PDF I just posted in the chat, or to your paper
7 copy.

8 A. Can I take the paper copy?

9 Q. You are welcome to. Yes.

10 A. So you are referring to my declaration.
11 Is that right?

12 Q. Yes. And to be clear, you are talking
13 about the paper marked exhibit, 1048, in the bottom
14 right-hand corner?

15 A. That's correct.

16 Q. Yes. And this is the declaration you
17 submitted most recently in this IPR? Is that
18 correct?

19 A. That is correct.

20 Q. And this declaration addresses U.S. Patent
21 No. 10,055,409?

22 A. That's correct?

23 Q. And if I refer to that as the '409 Patent
24 today, you understand that I'm referring to that
25 patent?

1 A. Yes.

2 Q. Are you aware of any errors in this
3 declaration?

4 A. Not at this point. No. I'm not aware of
5 any errors.

6 Q. Did you draft this declaration?

7 A. Yes.

8 Q. When did you first begin working on this
9 declaration?

10 A. I don't really remember.

11 Q. Do you recall if it was in July?

12 A. Honestly, I don't remember. But it could
13 be. Yes.

14 Q. Approximately how many hours have you
15 spent preparing this declaration?

16 A. Again, I don't remember.

17 Q. Could you turn to page 39 of your
18 declaration?

19 A. Yes.

20 Q. Is that your signature that appears at the
21 bottom of page 39?

22 A. Yes.

23 Q. And did you personally enter your
24 signature on this document?

25 A. Yes.

1 Q. Did you review this document carefully
2 before signing it?

3 A. Yes.

4 Q. And you signed this declaration on
5 August 20th 2024?

6 A. Yes.

7 Q. In preparing this declaration, did you
8 consider any materials not cited in this
9 declaration?

10 A. No.

11 Q. In this declaration, you address
12 Dr. Mongan's declaration, which is Exhibit 2028. Is
13 that correct?

14 A. Yes.

15 Q. Are you aware that counsel for Align
16 deposed Dr. Mongan in this case in July?

17 A. Yes. I was told that he was deposed.
18 Yes.

19 Q. Have you reviewed this transcript from
20 Dr. Mongan's deposition?

21 A. No. I have not reviewed it.

22 Q. Have you reviewed the transcript from
23 Dr. Kusnoto's deposition?

24 A. I have not. No.

25 Q. Have you, in any other way, considered

1 their deposition testimony in forming the opinions
2 in your reply declaration?

3 A. I've relied entirely on the exhibits that
4 I have cited in my declaration.

5 Q. One of the exhibits that you cite in this
6 declaration is Exhibit 1035, which is the
7 declaration of Dr. Maureen Valley.

8 Is that correct?

9 A. Yes.

10 Q. Dr. Valley is a dental professional.
11 Right?

12 A. To my best knowledge.

13 Q. Dr. Valley's opinions informed your
14 analysis in your reply declaration. Correct?

15 A. Can you repeat that question?

16 Q. Yes. Dr. Valley's opinions informed your
17 analysis in your reply declaration?

18 A. Inform? Yes.

19 Q. Have you ever spoken to Dr. Valley?

20 A. No.

21 Q. When did you first review Dr. Valley's
22 declaration?

23 A. I had a draft version earlier, but I had a
24 finer version, probably I reviewed it, I believe,
25 maybe about 24 hours before I finalized my

1 declaration.

2 Q. When did you review the draft declaration?

3 A. I don't remember.

4 Q. Was the draft declaration different from
5 the final declaration?

6 ATTORNEY ARGENTI: Objection. Form.

7 And I will caution and instruct the
8 witness not to get into content of work product
9 drafts.

10 THE WITNESS: I don't remember if there
11 were any difference. There might have been minor
12 differences.

13 BY ATTORNEY BLYTHE:

14 Q. Did you form the opinions expressed in
15 your report prior to reviewing Dr. Valley's final
16 declaration?

17 A. I --

18 ATTORNEY ARGENTI: Objection.

19 THE WITNESS: I formed my own opinion, but
20 I considered Dr. Valley's -- I read and reviewed
21 Dr. Valley's opinions. And, yes. I referred to
22 Dr. Valley's opinions.

23 BY ATTORNEY BLYTHE:

24 Q. Did Dr. Valley's opinions inform the
25 analysis in your reply declaration prior to

1 reviewing Dr. Valley's final declaration?

2 ATTORNEY ARGENTI: Objection. Form.

3 THE WITNESS: No. I'm entirely relying,
4 in my declaration, on the final declaration of
5 Dr. Valley.

6 BY ATTORNEY BLYTHE:

7 Q. And prior to relying on Dr. Valley's final
8 declaration, her opinions did not inform your
9 analysis in your reply declaration. Correct?

10 ATTORNEY ARGENTI: Objection. Form.

11 THE WITNESS: Again, as I said, I reviewed
12 a draft version. But -- but my final declaration
13 entirely relies on the final declaration of
14 Dr. Valley.

15 BY ATTORNEY BLYTHE:

16 Q. How did Dr. Valley's opinions inform your
17 analysis in your reply declaration?

18 ATTORNEY ARGENTI: Objection. Form.

19 THE WITNESS: I'm not sure what you mean
20 by that.

21 BY ATTORNEY BLYTHE:

22 Q. Could you please turn to paragraph three
23 of your declaration?

24 A. Yes.

25 Q. Do you see the second sentence of

1 paragraph three says, "I have also reviewed the
2 declaration of Dr. Maureen Valley, a dental expert
3 whose opinions inform my analysis?"

4 Do you see that?

5 A. Did you say on page three; second
6 paragraph?

7 Q. Sorry. Paragraph three. It's on page
8 one.

9 A. Oh. I see. Yes.

10 Q. You see the second sentence I just read
11 there?

12 A. Yes.

13 Q. How did Dr. Valley's opinions inform your
14 analysis?

15 A. Well, I reviewed Dr. Valley's
16 declaration -- final declaration. And I factored in
17 his dental professional opinion in my declaration.

18 Q. Prior to receiving Dr. Valley's final
19 declaration, you did not factor in Dr. Valley's
20 professional opinion?

21 ATTORNEY ARGENTI: Objection. Form.

22 THE WITNESS: As I said, I read a draft
23 version prior to that. And I don't believe the
24 final version made any changes to my opinions or
25 made any changes to my declaration.

1 BY ATTORNEY BLYTHE:

2 Q. Did the draft declaration inform your
3 analysis?

4 ATTORNEY ARGENTI: Objection. Form.

5 THE WITNESS: As I said, my final
6 declaration entirely relies on Dr. Valley's final
7 declaration.

8 BY ATTORNEY BLYTHE:

9 Q. I appreciate that your declaration cites
10 to Dr. Valley's final declaration. My question is a
11 little different. And that is, did Dr. Valley's
12 draft declaration inform your analysis?

13 A. No. It was the final declaration of
14 Dr. Valley that informed my analysis.

15 Q. Okay. Could you please turn to paragraph
16 33 of your declaration?

17 A. Yes.

18 Q. Do you see the last sentence beginning,
19 "In particular?"

20 A. Yes.

21 Q. And in that sentence, you state that:

22 "I understand from Dr. Valley that typical
23 variation in the way retractors sit in the mouths of
24 patients would tend to move registration marks like
25 those shown by Dr. Kusnoto substantially in

1 comparison to the example threshold values, (e.g.,
2 one millimeter or less), that Carrier teaches may be
3 used for approximate alignment to an overlay."

4 Did I read that correctly?

5 A. Yes.

6 Q. In making that statement, you cite the
7 exhibit 1035 at paragraph 44. Correct?

8 A. Yes.

9 ATTORNEY BLYTHE: I'm going to introduce
10 into the chat what has been previously marked as
11 Exhibit 1035 in this IPR.

12 BY ATTORNEY BLYTHE:

13 Q. Dr. Foroosh, if you could either download
14 the PDF or refer to a paper copy of Exhibit 1035, if
15 you have it?

16 A. Yes. Let me take up the hard copy.

17 Q. No problem.

18 A. Yes. I have it.

19 Q. And the exhibit in front of you is titled
20 "Reply Declaration of Dr. Maureen Valley?"

21 A. Yes.

22 Q. Could you please turn to paragraph 44 of
23 her declaration?

24 A. My declaration?

25 Q. Sorry. Of Dr. Valley's declaration.

1 A. Of Dr. Valley's declaration. Yes.

2 Q. In the second-to-last sentence beginning
3 "Unlike expected movement of teeth."

4 A. Yes.

5 Q. Do you see that? Dr. Valley does not
6 indicate -- let me rephrase that.

7 Other than much more than a millimeter,
8 Dr. Valley does not indicate a distance that a
9 retractor would be expected to move in the patient's
10 mouth. Correct?

11 A. It says what it says. Yes.

12 Q. Sorry. Dr. Valley does not identify a
13 distance that a retractor would move in a patient's
14 mouth, other than it would move much more than a
15 millimeter. Correct?

16 ATTORNEY ARGENTI: Objection. Form.

17 THE WITNESS: Is this in the same sentence
18 that you mentioned?

19 "Unlike expected movement of teeth, these
20 types of registration marks would be expected to
21 move unpredictably over distances much more than a
22 millimeter."

23 Is that the sentence you are referring to?

24 ATTORNEY BLYTHE: Yes.

25 BY ATTORNEY BLYTHE:

1 Q. And my question is a little more general.
2 Which is, other than that statement, Dr. Valley has
3 not identified in this paragraph of her declaration,
4 or anywhere in her declaration, how far a retractor
5 would move in a patient's mouth?

6 A. It says what it says. It says, "much more
7 than a millimeter."

8 Q. Okay.

9 I just want to confirm there is nowhere
10 else that you would identify in this declaration
11 that would say how far the retractor moves, other
12 than much more than a millimeter. Correct?

13 A. I don't recall anywhere else.

14 Q. Let's switch back to your report.
15 Exhibit 1048.

16 A. Yes.

17 Q. Excuse me. Your declaration. Could you
18 please turn to paragraph 13 on page four?

19 A. Yes.

20 Q. And do you see that in this section of
21 your declaration, under "Claim Construction," you
22 are addressing the term, "deep learning device?"

23 A. Yes.

24 Q. If you flip the page to paragraph 16 on
25 page five?

1 A. Yes.

2 Q. In the first sentence, you indicate that
3 Dr. Mongan's construction is not the planned
4 ordinary meaning that a POSA -- P-O-S-A -- would
5 have ascribed the term, "device."

6 Do you see that?

7 A. I do.

8 Q. In your declaration, you did not express
9 any opinion regarding the plain and ordinary meaning
10 of the full phrase, "deep learning device."
11 Correct?

12 ATTORNEY ARGENTI: Objection to form.

13 THE WITNESS: What do you mean by that?

14 BY ATTORNEY BLYTHE:

15 Q. You do not, in your declaration, identify
16 a -- an interpretation of the phrase, "deep learning
17 device," other than in paragraph 13. Correct?

18 A. Other than in paragraph 13? I say in
19 paragraph 13 -- I say:

20 "In my original declaration, I interpreted
21 'deep learning device' to encompass a device
22 comprising a deep learning neural network trained
23 with a learning base, performing a function of
24 analyzing an image."

25 In parentheses, "(i.e., the analysis

1 image)."

2 And I'm referring to Exhibit 1002, page
3 150, which I believe was my original declaration.
4 So basically, I'm giving that as what my -- what I
5 believe a POSA would consider as the plain and
6 ordinary meaning of a device, i.e. physical
7 apparatus.

8 ATTORNEY BLYTHE: I'm introducing into the
9 chat what has been previously marked as
10 Exhibit 1002.

11 BY ATTORNEY BLYTHE:

12 Q. You have a paper copy. Could you please
13 turn to that?

14 A. Yes. Let me get that. I have it.

15 Q. Could you please turn to paragraph 99,
16 which is on page 53?

17 A. Yes.

18 Q. In paragraph 99, in the second sentence,
19 you indicate:

20 "I have been instructed that this claim
21 term should be interpreted to encompass a device
22 comprising a deep learning neural network trained
23 with a learning base, performing a function of
24 analyzing an image, (i.e., the analysis image)."

25 Do you see that?

1 A. I do.

2 Q. And that is the same interpretation that
3 you recite in paragraph 13 of your reply
4 declaration; Exhibit 1048. Correct?

5 A. Yes.

6 Q. That is the interpretation that you were
7 instructed to apply by counsel for Align in this
8 IPR. Correct?

9 A. Correct.

10 Q. You have not identified in your
11 declaration, any analysis as to how a person of
12 ordinary skill would interpret this phrase.
13 Correct?

14 ATTORNEY ARGENTI: Objection. Form.

15 THE WITNESS: I don't know what you mean,
16 person of ordinary skill would interpret this. I
17 think a person of ordinary skill would have known
18 that a neural network -- and I mention this probably
19 throughout my declaration, I don't recall -- but a
20 person of ordinary skill would appreciate that a
21 piece of software like neural network would be
22 running on a hardware.

23 And I think my plain and ordinary
24 understanding of a device as being a physical or
25 hardware apparatus is implicit in there, that any

1 POSA would know that software will run on hardware.

2 Not in vacuum.

3 Q. So my question is actually about the plain
4 and ordinary meaning of the phrase, "deep learning
5 device." Not just "device." So could you please
6 direct me to where in your declaration you have an
7 analysis of the plain and ordinary meaning of the
8 phrase, "deep learning device," other than you have
9 been instructed to apply, as in paragraph 99 of
10 Exhibit 1002.

11 ATTORNEY ARGENTI: Objection. Form.

12 THE WITNESS: Are you referring to my
13 original declaration? Or my reply declaration?

14 ATTORNEY BLYTHE: Both.

15 THE WITNESS: Well, in my reply
16 declaration, I was talking about the plain and
17 ordinary meaning of the word "device." And in
18 the -- in the words, "deep learning device," the
19 word "device" is there.

20 That's what I mean by plain and ordinary
21 meaning of device would have been understood by a
22 POSA as, to my opinion, typically as a physical
23 unit; in other words, a hardware.

24 Q. Does your analysis of the term, "device,"
25 in paragraph 16 of your reply declaration, change

1 your understanding -- excuse me.

2 Does your analysis of the term, "device,"
3 in paragraph 16 of your reply declaration, change
4 your interpretation of the phrase, "deep learning
5 device?"

6 A. As I mentioned in my reply declaration, at
7 best, it really doesn't matter whether deep learning
8 device is a physical apparatus, a hardware, or a
9 software. It would not affect my analysis of the
10 obviousness, and it would not affect my combination.
11 I think either way, it wouldn't matter.

12 Q. With respect to the phrase, "deep learning
13 device," you are still interpreting that phrase in
14 the way that you were instructed to interpret it in
15 paragraph 99 of Exhibit 1002. Correct?

16 A. Correct.

17 Q. Let's change gears for a second. You are
18 familiar with the Pascal VOC 2012 data set.
19 Correct?

20 A. Yes.

21 Q. And you are aware that the Pascal VOC 2012
22 data set has approximately 10,000 images?

23 A. Yes.

24 Q. That image count does not include
25 augmented images. Correct?

1 A. It does not.

2 ATTORNEY BLYTHE: I'm going to introduce
3 into the chat what has been previously marked in
4 this IPR as Exhibit 1039.

5 BY ATTORNEY BLYTHE:

6 Q. If you could please download that or refer
7 to a paper copy if you have it?

8 A. Yes. I have it with me.

9 Q. And you recognize Exhibit 1039 as an
10 exhibit cited in your reply declaration?

11 A. Yes.

12 Q. Could you please turn to what is marked
13 page 809 at the bottom center?

14 A. Yes.

15 Q. In the right-hand column, just after the
16 bullet point, do you see the sentence beginning, "We
17 implemented?"

18 A. Yes.

19 Q. And that sentence states:

20 "We implemented our method on x86_64 CPU
21 micro-architecture with the Advanced Vector
22 Extension (AVX), which is available on both Intel
23 and AMD's CPUs after 2011, although we expect that
24 this approach could be extended to GPU
25 architectures."

1 Do you see that?

2 A. Yes.

3 Q. The research described in this paper was
4 performed with neural networks running on a CPU
5 rather than a GPU. Correct?

6 A. That is correct.

7 Q. This paper does not report its results on
8 a GPU. Correct?

9 A. The results are not reported on a GPU.
10 But it doesn't mean that those neural networks were
11 not originally designed for GPU. On the contrary,
12 those were originally existing neural networks that
13 were running and trained -- they were trained and
14 running on GPUs.

15 Q. But this report does not -- excuse me.
16 This publication does not report on any
17 results testing this methodology on a GPU rather
18 than a CPU. Correct?

19 A. This paper, which is my own paper, is
20 reporting how existing neural networks, with deep
21 learning CNN mode, specifically, that were
22 computationally expensive, could be optimized to be
23 implemented on a CPU.

24 Q. This publication only reports on the
25 results from implementing this methodology on a CPU.

1 Correct?

2 A. I don't know what you mean by "reports
3 only results on CPU." We are reporting -- we were
4 reporting here on how much speed we can gain,
5 compared to if it is not optimized.

6 But yes. We implemented these existing
7 neural networks on a CPU.

8 Q. And when you said we expect that this
9 approach could be extended to GPU architecture, it
10 was because it was not extended to GPU architectures
11 in this publication. Correct?

12 ATTORNEY ARGENTI: Objection. Form.

13 THE WITNESS: I'm not again quite sure
14 what you mean by that. Can you rephrase? What do
15 you mean?

16 ATTORNEY BLYTHE: Sure.

17 BY ATTORNEY BLYTHE:

18 Q. In that sentence, when you say that this
19 method was implemented on CPUs, it was not
20 implemented on GPUs. Correct?

21 A. Yes.

22 Q. But as I said, the purpose of this paper
23 was to demonstrate that existing CNNs that were
24 running on GPU, which is a highly paralyzed machine,
25 could be implemented on a CPU and run at

1 significantly higher speed than if they were not
2 optimized.

3 ATTORNEY BLYTHE: I've introduced into the
4 chat what has been previously marked as
5 Exhibit 1040.

6 BY ATTORNEY BLYTHE:

7 Q. Please download that or turn to your paper
8 copy.

9 A. I have the paper copy. Yes.

10 Q. Do you recognize Exhibit 1040 as an
11 exhibit you relied on in your reply declaration?

12 A. Yes.

13 Q. Could you please turn to Section 5.3?

14 A. Yes.

15 Q. Section 5.3 is titled, "Results on Mobile
16 Devices." Do you see that?

17 A. Yes.

18 Q. And at the end of the first paragraph, it
19 says, "The test-phase computation is carried out on
20 a single CPU core, without GPU acceleration."

21 Do you see that?

22 A. That's correct.

23 Q. And the research described in this paper
24 was performed with the neural networks running on a
25 CPU. Not a GPU. Correct?

1 A. Yes.

2 Q. This paper does not report on its
3 application to running those networks of GPUs.
4 Correct?

5 A. That is correct. But, again, pretty much
6 like the previous exhibit, the purpose of this
7 publication is to demonstrate that you can replace
8 GPU with a CPU by optimizing the existing highly
9 computationally expensive CNNs at the time.

10 Q. Let's go off the record for a 10-minute
11 break.

12 COURT REPORTER: Okay. We are off the
13 record.

14 (Short break.)

15 COURT REPORTER: Okay. We are back on the
16 record.

17 BY ATTORNEY BLYTHE:

18 Q. Dr. Foroosh, during the break, did you
19 discuss with counsel the substance of your testimony
20 in todays' deposition?

21 A. No.

22 Q. During your deposition today, have you
23 made any marks or annotations on your declaration or
24 any of the other exhibits we discussed?

25 THE WITNESS: No.

1 ATTORNEY BLYTHE: I have no further
2 questions at this time.

3 ATTORNEY ARGENTI: No redirect for me.
4 Thank you, Dr. Foroosh.

5 ATTORNEY BLYTHE: Thank you, Dr. Foroosh.

6 THE WITNESS: Thank you.

7 COURT REPORTER: Can I get your orders,
8 please?

9 ATTORNEY BLYTHE: Yes. Can we get the
10 rough today, and I think we have set for three-day
11 delivery on the final?

12 COURT REPORTER: Yes.

13 ATTORNEY BLYTHE: Thank you.

14 COURT REPORTER: Anyone else?

15 ATTORNEY ARGENTI: We'll take a rough as
16 well. We'll take a final, but no need for
17 expedited.

18 COURT REPORTER: Mr. Medley, which firm
19 are you with?

20 ATTORNEY MEDLEY: I'm with
21 Wilson & Sonsini. Same as Matt Argenti.

22 COURT REPORTER: Okay. Thank you.

23 (Whereupon, the deposition adjourned at
24 10:45 a.m.)

25

REPORTER'S CERTIFICATE

I, GISELLE MITCHELL-MARGERUM, the undersigned, a Registered Professional Reporter, Certified Reporting Instructor, Licensed Court Reporter, and Certified Court Reporter, do hereby certify:

That the witness, HASSAN FOROOSH, before examination was remotely duly sworn to testify to the truth, the whole truth, and nothing but the truth.

That the foregoing deposition was taken remotely stenographically by me on Thursday, September 19, 2024, and thereafter was transcribed by me, and that the deposition is a full, true, and complete transcript of the testimony, including questions and answers, and objections, motions and exceptions made by counsel.

That reading and signing was not requested; and that I am neither attorney nor counsel for, nor related to or employed by, any of the parties to the action in which this deposition was taken; and that I have no interest, financial or otherwise, in this case.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of September, 2024.

GISELLE MITCHELL-MARGERUM, RPR, CRI, CCR, LCR, ACCR, CSR
CALIFORNIA CSR 14424

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CERTIFICATE OF DEPONENT

I, HASSAN FOROOSH, hereby certify that I have read the foregoing pages, numbered 1 through 29, of my deposition of testimony taken in these proceedings on Thursday, September 19, 2024 and, with the exception of the changes listed on the next page and/or corrections, if any, find them to be a true and accurate transcription thereof.

Signed:

Name: HASSAN FOROOSH

Date:

1 ERRATA SHEET

2 Case Name: ALIGN TECHNOLOGY, INC., Petitioner v.
DENTAL MONITORING SAS

3 Witness Name: HASSAN FOROOSH

Date:

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22 me this date ____ day of month ____, 2024.

23 _____

24 HASSAN FOROOSH

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