

Carman, Derrick J.

From: Carman, Derrick J.
Sent: Thursday, June 5, 2025 5:04 PM
To: Samuel Wu; Dylan Blaney; Bill Stuart
Cc: Dominguez, Bailey R.; Morton, Cyrus A.; legal
Subject: RE: Depositions of Certified Translation Declarants

That should work for me. I have any earlier appointment that potentially could run long, but I will let you know if that looks like it is going to happen.

Best,
-Derrick

Derrick J. Carman | Partner | 212.980.7442 | He/Him/His

ROBINS  **KAPLAN** LLP

From: Samuel Wu <swu@questel.com>
Sent: Thursday, June 5, 2025 4:59 PM
To: Carman, Derrick J. <DCarman@RobinsKaplan.com>; Dylan Blaney <dblanky@questel.com>; Bill Stuart <bstuart@questel.com>
Cc: Dominguez, Bailey R. <BDominguez@RobinsKaplan.com>; Morton, Cyrus A. <CMorton@RobinsKaplan.com>; legal <legal@questel.com>
Subject: [EXTERNAL] Re: Depositions of Certified Translation Declarants

Does 11am ET on Friday work for you for prep call?

Best,
Sam

From: Carman, Derrick J. <DCarman@RobinsKaplan.com>
Sent: Thursday, June 5, 2025 4:42 PM
To: Samuel Wu <swu@questel.com>; Dylan Blaney <dblanky@questel.com>; Bill Stuart <bstuart@questel.com>
Cc: Dominguez, Bailey R. <BDominguez@RobinsKaplan.com>; Morton, Cyrus A. <CMorton@RobinsKaplan.com>; legal <legal@questel.com>
Subject: RE: Depositions of Certified Translation Declarants

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Hi Sam, Good timing. We received the notices of deposition just a few minutes ago. I have attached them here.

As you will see, they intend to take a single deposition of you for the two proceedings in which we submitted Morningside translations.

I expect we will be receiving deposition video conference information in the next day or two. I will forward that along when it comes in.

Do you have some time tomorrow to hop on a short call to go over some prep items (e.g., logistics, deposition basics, and likely questions)? Matthew is welcome to join as well if he wants.

Best,
-Derrick

Derrick J. Carman | Partner | 212.980.7442 | He/Him/His

ROBINS  KAPLAN LLP

From: Samuel Wu <swu@questel.com>

Sent: Thursday, June 5, 2025 4:28 PM

To: Carman, Derrick J. <DCarman@RobinsKaplan.com>; Dylan Blaney <dblaney@questel.com>; Bill Stuart <bstuart@questel.com>

Cc: Dominguez, Bailey R. <BDominguez@RobinsKaplan.com>; Morton, Cyrus A. <CMorton@RobinsKaplan.com>; legal <legal@questel.com>

Subject: [EXTERNAL] RE: Depositions of Certified Translation Declarants

Hi Derrick,

Any update on the potential deposition next Tuesday, 10 June?

I've copied in our In-house legal counsel, Matthew Dennison, on this email. He would be happy to join the online deposition but not speak unless absolutely necessary, and let you handle the objections if that is okay arrangement.

Thanks,
Sam



Samuel Wu | Managing Director
SWu@questel.com | Cell: +1 (646) 342-7197

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morningtrans.com | questel.com

From: Samuel Wu <swu@questel.com>

Sent: Monday, June 2, 2025 12:39 PM

To: Carman, Derrick J. <DCarman@RobinsKaplan.com>; Dylan Blaney <dblaney@questel.com>; Bill Stuart <bstuart@questel.com>

Cc: Dominguez, Bailey R. <BDominguez@RobinsKaplan.com>; Morton, Cyrus A. <CMorton@RobinsKaplan.com>

Subject: RE: Depositions of Certified Translation Declarants

Hi Derrick,

I tried to call you but got the voicemail.

Since the translation work products and translation certifications were provided by Morningside Translations, a corporate entity and not by individuals, we believe the responsibility to respond to any deposition request would be the delegated representatives of Morningside Translation, which would be myself or Dylan. I can share more details by phone.

I can give you another call this afternoon, or you can try to my cell phone below, or my office line at 646-744-1916, to discuss further.

Thanks,
Sam



Samuel Wu | Managing Director
SWu@questel.com | Cell: +1 (646) 342-7197

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From: Carman, Derrick J. <DCarman@RobinsKaplan.com>

Sent: Monday, June 2, 2025 12:26 PM

To: Dylan Blaney <dblaney@questel.com>; Bill Stuart <bstuart@questel.com>

Cc: Dominguez, Bailey R. <BDominguez@RobinsKaplan.com>; Morton, Cyrus A. <CMorton@RobinsKaplan.com>; Samuel Wu <swu@questel.com>

Subject: RE: Depositions of Certified Translation Declarants

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Confidential / Attorney Work Product

Hi Dylan: Thanks for the response. I don't think that the Petitioner is going to accept a deposition from yourself or Sam, as neither you nor Sam are the declarant that signed the declaration attesting to the validity of the translation. The Petitioner has indicated that any questions would be directed to the contents of the declaration. I don't think it likely that they will be asking any linguistic questions, but they are likely going to ask about the basis for the claims in the declaration, which were made by Emily and Oscar. So, naturally, it would be appropriate if the actual declarants were also the deponents.

On your question regarding remote depositions, yes, any deposition would be taken remotely.

Let me know if a phone call would be helpful. Sorry, again, about interrupting your paternity leave.

Best,
-Derrick

Derrick J. Carman | Partner | 212.980.7442 | He/Him/His

ROBINS  KAPLAN LLP

From: Dylan Blaney <dblaney@questel.com>

Sent: Thursday, May 29, 2025 6:44 PM

To: Carman, Derrick J. <DCarman@RobinsKaplan.com>; Bill Stuart <bstuart@questel.com>

Cc: Dominguez, Bailey R. <BDominguez@RobinsKaplan.com>; Morton, Cyrus A. <CMorton@RobinsKaplan.com>; Samuel Wu <swu@questel.com>

Subject: [EXTERNAL] RE: Depositions of Certified Translation Declarants

Hi Derrick,

Thanks for your patience.

Emily Paras is a Project Manager and has signed on behalf of our company. If someone must be deposed, it would be myself as the head of our legal vertical or Samuel Wu (added here) our Managing Director. I will be unavailable until July 7 at the earliest as I'm on paternity leave.

Neither Sam or myself (or the PMs) are linguists – so we wouldn't be able to answer any linguistic questions. But we can speak to our company, its processes, etc.

We also assume that any deposition would be handled remotely, if required. Both Sam and I are based in the NYC area. If this is something that the challenger wishes to pursue in earnest, we can have a further conversation about the costs associated with this request.

Hope this helps but let us know if you have any questions.

Best,
Dylan

 **Dylan Blaney** | Vice President, Business Development
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From: Carman, Derrick J. <DCarman@RobinsKaplan.com>
Sent: Wednesday, May 28, 2025 1:05 PM
To: Dylan Blaney <dblaney@questel.com>; Bill Stuart <bstuart@questel.com>
Cc: Dominguez, Bailey R. <BDominguez@RobinsKaplan.com>; Morton, Cyrus A. <CMorton@RobinsKaplan.com>
Subject: RE: Depositions of Certified Translation Declarants

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Hi Dylan, Thanks for the quick response, and while you're on paternity leave, no less. I have attached the certifications here for your reference.

Best,
-Derrick

Derrick J. Carman | Partner | 212.980.7442 | He/Him/His

ROBINS  KAPLAN LLP

From: Dylan Blaney <dblaney@questel.com>
Sent: Wednesday, May 28, 2025 12:56 PM
To: Carman, Derrick J. <DCarman@RobinsKaplan.com>; Bill Stuart <bstuart@questel.com>
Cc: Dominguez, Bailey R. <BDominguez@RobinsKaplan.com>; Morton, Cyrus A. <CMorton@RobinsKaplan.com>
Subject: [EXTERNAL] Re: Depositions of Certified Translation Declarants

Hi Derrick,

I'm out on paternity leave and Bill is OOO until next week but I should be able to get the ball rolling here.

Are you able to provide our ref number and/or copies of the certifications?

Fair warning: there is a reasonable chance that the person who signed the cert is either 1) unwilling to be deposed or 2) is outside the US. Generally if we know upfront that a deposition is possible we'd select someone without those barriers. But obviously in this case you did. Or have advanced knowledge so we will do what we can to help. For what it's worth, I've overseen our Legal vertical for over a decade and for all the countless times I've heard that a deposition is possible regarding our translations, I've only ever seen it happen once.

In any case once we know who signed the certs, we'll be able to suggest possible next steps.

Dylan

From: Carman, Derrick J. <DCarman@RobinsKaplan.com>

Sent: Wednesday, May 28, 2025 12:45:36 PM

To: Bill Stuart <bstuart@questel.com>; Dylan Blaney <dblaney@questel.com>

Cc: Dominguez, Bailey R. <BDominguez@RobinsKaplan.com>; Morton, Cyrus A. <CMorton@RobinsKaplan.com>

Subject: Depositions of Certified Translation Declarants

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Mr. Stewart and Mr. Blaney: I understand from Bailey Dominguez that you are Robins Kaplan's reps at Morningside that assist us with obtaining certified translations. We recently had two certified translations performed by Morningside for *inter partes* review proceedings pending in the USPTO (IPR2024-00958 and IPR2024-00960). The patent challenger in those cases has indicated that they wish to depose the individuals that signed the translation certifications.

Please give me a call (my direct number is in my bio below) at your earliest convenience to discuss the matter.

Best,
-Derrick



Derrick J. Carman

Partner | He/Him/His

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Thank you in advance for your cooperation.

Robins Kaplan LLP

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