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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAVANT TECHNOLOGIES LLC d/b/a GE LIGHTING and
LEDVANCE LLC,
Petitioners,
v.

FEIT ELECTRIC COMPANY, INC.,
Patent Owner.

Case IPR2024-01357

U.S. Patent No. 8,604,678

SAVANT TECHNOLOGIES LLC d/b/a GE LIGHTING,
ELONG INTERNATIONAL USA INC., and
XIAMEN LONGSTAR LIGHTING CO. LTD.,
Petitioners,
v.

FEIT ELECTRIC COMPANY, INC.,
Patent Owner.

Transcript of Andrew Martin
Conducted on May 19, 2026

2

Case IPR2024-00260

U.S. Patent No. 8,604,678

** [REDACTED] **

Deposition of ANDREW MARTIN

Boston, Massachusetts

Tuesday, May 19, 2026

8:55 a.m.

Job No.: 633365

Pages: 1 - 211

Reported By: Michelle Keegan, RMR, CRR, CSR

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Feit Electric Co., Inc., Ex. 2117
Page 2 of 211
IPR2024-01357

1 Deposition of ANDREW MARTIN, held at the
2 offices of:

3
4 GOODWIN PROCTER LLP
5 100 Northern Avenue
6 Boston, Massachusetts 02210
7 (617) 570-1000

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12 Pursuant to notice, before Michelle
13 Keegan, Registered Merit Reporter and Notary
14 Public in and for the Commonwealth of
15 Massachusetts.

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A P P E A R A N C E S

ON BEHALF OF PETITIONERS SAVANT TECHNOLOGIES LLC
d/b/a GE LIGHTING; LEDVANCE LLC; ELONG
INTERNATIONAL USA INC.; and XIAMEN LONGSTAR
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C O N T E N T S

EXAMINATION OF ANDREW MARTIN

PAGE

By Mr. MCMAHON

8

E X H I B I T S

(None)

PREVIOUSLY MARKED EXHIBITS

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[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

8

1	P R O C E E D I N G S	
2	ANDREW MARTIN,	
3	having been satisfactorily identified and duly	
4	sworn by the Notary Public, was examined and	
5	testified as follows:	08:55:06
6	EXAMINATION BY COUNSEL FOR	08:55:07
7	FEIT ELECTRIC COMPANY, INC.	08:55:08
8	BY MR. MCMAHON:	08:55:08
9	Q. Good morning, Mr. Martin.	08:55:09
10	A. Good morning.	08:55:10
11	Q. I'm going to hand you a copy of a document	08:55:10
12	I think will be familiar to you, a declaration	08:55:13
13	that you signed --	08:55:15
14	MR. MCMAHON: Sorry, Andy.	08:55:17
15	MR. BROWN: That's fine.	08:55:18
16	Q. -- a declaration that you signed in	08:55:19
17	connection with this proceeding. I'll have	08:55:21
18	questions about that later. I just wanted to make	08:55:22
19	sure you had a copy in case you wanted to refer to	08:55:25
20	it. Okay?	08:55:27
21	A. Okay.	08:55:28
22	Q. Have you been deposed before, sir?	08:55:28

[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

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1	A. Yes, I have.	08:55:30
2	Q. How many times?	08:55:31
3	A. I believe twice.	08:55:32
4	Q. Twice. In what type of case?	08:55:34
5	A. Both were patent cases.	08:55:37
6	Q. Okay. In what capacity were you deposed	08:55:41
7	in those cases?	08:55:45
8	A. As general counsel for LEDVANCE.	08:55:46
9	Q. Have you attended depositions other than	08:55:49
10	the two in which you were the witness?	08:55:51
11	A. Yes, I have.	08:55:52
12	Q. How many, roughly?	08:55:54
13	A. Maybe -- under ten.	08:55:58
14	Q. Okay. You're generally familiar with the	08:56:03
15	deposition process?	08:56:07
16	A. Yes.	08:56:08
17	Q. Okay. So I'll ask questions. I will do	08:56:08
18	my best to be clear. If you don't understand my	08:56:11
19	question, let me know. I'm happy to try and	08:56:14
20	clarify. Okay? Okay?	08:56:17
21	A. Okay.	08:56:20
22	Q. And we will need you to answer verbally so	08:56:20

[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

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1	that Michelle, our court reporter, can get	08:56:24
2	everything down on the record. Okay?	08:56:26
3	A. Okay.	08:56:28
4	Q. All right. Can you tell me a little bit	08:56:28
5	about your background. I understand that you have	08:56:36
6	been with LEDVANCE for about almost ten years,	08:56:39
7	about ten years?	08:56:44
8	A. No. I think it's 16 years.	08:56:44
9	Q. Oh, 16 years. I misunderstood. When did	08:56:47
10	you join LEDVANCE?	08:56:50
11	A. So that was with Osram Sylvania Inc. is	08:56:51
12	when I originally joined.	08:56:57
13	Q. When was that? What year, roughly?	08:56:59
14	A. So that would have been January, roughly,	08:57:01
15	2011.	08:57:05
16	Q. January 2011. And sometime after you	08:57:06
17	joined, you became general counsel. Right?	08:57:12
18	A. After I joined LEDVANCE, I became --	08:57:13
19	shortly after I joined LEDVANCE, I became general	08:57:19
20	counsel.	08:57:23
21	Q. So let me make sure I've got this timeline	08:57:23
22	right. Somewhere around 2011 you joined Osram	08:57:25

1	Sylvania. Right?	08:57:28
2	A. Correct.	08:57:29
3	Q. And then sometime around 2016 it became	08:57:30
4	LEDVANCE. Is that correct?	08:57:34
5	A. Correct. LEDVANCE was spun off.	08:57:36
6	Q. Okay. And then when did you become	08:57:39
7	general counsel of LEDVANCE?	08:57:42
8	A. Shortly after I joined LEDVANCE. I want	08:57:43
9	to say it was two or three months.	08:57:48
10	The prior general counsel left to take	08:57:50
11	another job, another opportunity, and I took over	08:57:52
12	the position. I came over as chief IP counsel and	08:57:58
13	then took over both positions as general counsel	08:58:02
14	and IP counsel.	08:58:09
15	Q. And that, the spinoff, if I'm correct, was	08:58:10
16	in 2016?	08:58:14
17	A. That's when it initially -- they started	08:58:15
18	separating the lamp business from the other Osram	08:58:22
19	businesses.	08:58:25
20	Q. Prior to that spinoff, did the LEDVANCE	08:58:26
21	name exist within the company?	08:58:31
22	A. No, it didn't. It was around 2015 or '16,	08:58:32

1	somewhere in there, that that was created for the	08:58:38
2	lamp business.	08:58:42
3	Q. And was the name "LEDVANCE" created in	08:58:42
4	connection with the spinoff?	08:58:45
5	A. Yes.	08:58:46
6	Q. When you stepped into the general counsel	08:58:47
7	role, you said you continued to be also chief IP	08:58:52
8	counsel. Right?	08:58:55
9	A. Correct.	08:58:55
10	Q. How long did that dual-hat relationship	08:58:56
11	continue?	08:59:00
12	A. It continues today.	08:59:01
13	Q. To this day. So for the last ten years	08:59:02
14	you've been general counsel and chief IP counsel	08:59:04
15	for LEDVANCE?	08:59:07
16	A. Correct.	08:59:08
17	MR. BROWN: And if I may, to clarify, when	08:59:15
18	you refer to LEDVANCE, are you referring to	08:59:17
19	LEDVANCE LLC?	08:59:20
20	MR. MCMAHON: That will be one of the	08:59:22
21	questions we'll get to.	08:59:23
22	Q. I guess let me clarify.	08:59:26

1	When I was referring to your role as	08:59:28
2	general counsel and chief IP counsel of LEDVANCE,	08:59:30
3	that is LEDVANCE LLC. Right?	08:59:34
4	A. That is correct. It is LEDVANCE LLC.	08:59:36
5	LEDVANCE GmbH is the parent company, which I have	08:59:38
6	never worked for.	08:59:42
7	Q. Where were you -- what was your employment	08:59:42
8	before you joined Osram Sylvania?	08:59:52
9	A. Before Osram Sylvania, I worked at	08:59:54
10	AmberWave Systems, which was a late-stage	09:00:02
11	start-up.	09:00:05
12	And then I worked for Burke & Associates	09:00:05
13	and Hayes Soloway as an outside counsel, and then	09:00:12
14	I worked for Fish & Richardson straight out of law	09:00:17
15	school.	09:00:20
16	Q. Here in the Boston office?	09:00:20
17	A. Yes.	09:00:22
18	Q. I spent a summer in the D.C. office, many	09:00:23
19	years ago.	09:00:29
20	So you were -- you were at LEDVANCE LLC	09:00:29
21	for the entirety of the transition to new	09:00:48
22	ownership?	09:00:52

[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

14

1	A. Yes.	09:00:53
2	Q. Were you involved in that transaction?	09:00:53
3	A. I was initially involved in the	09:00:57
4	transaction.	09:00:59
5	However, my boss, who was going to	09:01:01
6	LEDVANCE as chief IP counsel, decided to retire	09:01:08
7	early, and that opened that position up and I	09:01:12
8	requested that I be considered for the position,	09:01:17
9	and they agreed and hired me.	09:01:22
10	Once I was part of the business entity	09:01:24
11	being sold, I was walled off from the process.	09:01:28
12	Q. I see. So you were initially involved in	09:01:30
13	the transaction in your role for Osram Sylvania?	09:01:40
14	A. Correct.	09:01:43
15	Q. And once you were --	09:01:43
16	A. Once I was part of the asset being	09:01:48
17	purchased, I was then walled off from any of the	09:01:50
18	other processes.	09:01:53
19	Q. Okay. So you were hired on to become	09:01:54
20	general counsel and chief IP counsel for	09:01:58
21	LEDVANCE LLC, and at that point you were walled	09:02:00
22	off?	09:02:04

[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

15

1	A. And to run and represent LEDVANCE LLC.	09:02:04
2	Q. When you say "walled off," can you tell me	09:02:08
3	a little bit more about what that means?	09:02:10
4	A. I no longer worked on projects with regard	09:02:12
5	to the spin-out from the Osram side -- from the	09:02:16
6	Osram Sylvania side, and I no longer had access to	09:02:20
7	documents from that side.	09:02:24
8	Q. Were you generally familiar with the	09:02:25
9	process as it was happening?	09:02:31
10	A. Yes, because I was part of the -- I was	09:02:33
11	representing LEDVANCE LLC, the part that would be	09:02:37
12	sold off.	09:02:40
13	Q. And what -- generally, what were your	09:02:40
14	responsibilities in that capacity?	09:02:43
15	A. Just the day-to-day operations and	09:02:45
16	continuing of the day-to-day operations of that	09:02:50
17	entity, the LEDVANCE LLC.	09:02:53
18	Q. In your role as general counsel of	09:02:56
19	LEDVANCE LLC, did you have any role in the	09:03:00
20	transaction itself?	09:03:04
21	A. No.	09:03:05
22	Q. In what way -- in what way were you	09:03:05

1	generally familiar with the process as it was	09:03:18
2	happening?	09:03:20
3	A. I knew -- so LEDVANCE GmbH was created out	09:03:20
4	of the European and the rest of the world.	09:03:29
5	LEDVANCE LLC was the U.S. operations, and that was	09:03:32
6	under Osram Sylvania Inc. And that portion was a	09:03:41
7	reverse carve-out. That was later transferred	09:03:44
8	under LEDVANCE GmbH once the closing happened. So	09:03:47
9	that was the general corporate structure.	09:03:55
10	Q. And I'm sorry, I may not have been clear	09:03:57
11	in my question.	09:04:02
12	I'm trying to get a sense of what your	09:04:04
13	perspective was at that time sitting in the	09:04:06
14	general counsel's chair for LEDVANCE LLC. In what	09:04:08
15	ways would you become familiar at that time with	09:04:13
16	the transaction process?	09:04:16
17	A. Not a lot. I had access to the purchase	09:04:17
18	and sale agreement, but I was part of the asset	09:04:21
19	being sold. So most of the work and discussions	09:04:24
20	were between the buyer and the seller, not the	09:04:28
21	LEDVANCE LLC, the portion that I was working for.	09:04:32
22	Q. You had access to the purchase and sale	09:04:37

[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

17

1	agreement. Was that before or after it was	09:04:41
2	executed?	09:04:43
3	A. That was after it was executed.	09:04:44
4	Q. So once the deal was done, you then became	09:04:46
5	familiar with the terms of the deal?	09:04:49
6	A. Correct.	09:04:50
7	Q. During the process of that transaction,	09:04:50
8	did you have any communications with anyone at	09:05:05
9	LEDVANCE GmbH?	09:05:09
10	A. I still had colleagues that worked at	09:05:11
11	Osram Sylvania Inc., which is the U.S. portion of	09:05:15
12	the Osram GmbH. I still had contact with them.	09:05:19
13	Although they were in separate offices, we	09:05:26
14	still had lunch and stuff. Not contact as far as	09:05:30
15	access to documents or anything confidential, but	09:05:37
16	I still talked to those colleagues.	09:05:40
17	Q. I want to make sure I understand sort of	09:05:43
18	the sequence of events.	09:05:58
19	So LEDVANCE as a group of companies, as a	09:06:00
20	name, did not exist before 2015. At some point in	09:06:03
21	time, LEDVANCE GmbH was formed and LEDVANCE LLC	09:06:08
22	was formed. Right?	09:06:12

[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

18

1	A. Correct.	09:06:13
2	Q. And at that point -- and then shortly	09:06:14
3	after that, you were hired on as general counsel	09:06:18
4	and chief IP counsel at LEDVANCE LLC. Correct?	09:06:21
5	A. Correct. Initially chief IP counsel	09:06:25
6	during that stage, and then it was -- I want to	09:06:28
7	say July 2017 or '18 is when I also took on the	09:06:46
8	title of general counsel.	09:06:49
9	Q. Okay. By that time the transaction was	09:06:50
10	complete. Is that correct?	09:06:58
11	A. Yes. Yes.	09:06:59
12	Q. So when you stepped into the role of	09:07:03
13	general counsel, the transaction had already been	09:07:05
14	completed?	09:07:07
15	A. Correct. The transaction closed in March	09:07:08
16	of 2017 is when the actual closing happened. The	09:07:20
17	purchase and sale was signed in September 2016.	09:07:25
18	Q. So if I understand correctly, there was a	09:07:31
19	window in time where you're employed by -- where	09:07:34
20	you were employed by LEDVANCE LLC as chief IP	09:07:38
21	counsel.	09:07:42
22	But you were walled off with the	09:07:42

[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

19

1	transaction so you didn't know anything about what	09:07:44
2	was happening in the negotiations. Right?	09:07:46
3	A. Correct. The only thing -- other than	09:07:47
4	what was public.	09:07:49
5	Q. And then the transaction closed in March	09:07:50
6	of 2017. Sometime after that, you were hired as	09:07:56
7	general counsel of LEDVANCE LLC?	09:07:58
8	A. Correct. I think it was that summer,	09:08:00
9	July 2017, I think.	09:08:03
10	Q. At that point the transaction is closed,	09:08:05
11	you're no longer walled off. Right?	09:08:10
12	A. The transaction had closed, so I had	09:08:12
13	access to the finished documents.	09:08:20
14	Q. At that point, did you do anything to	09:08:22
15	familiarize yourself with the details of the	09:08:25
16	transaction?	09:08:26
17	A. The purchase and sale agreement was my	09:08:27
18	main source.	09:08:31
19	Q. Okay. And do you recall anything you	09:08:31
20	learned from that at the time?	09:08:34
21	A. Just the general, what LEDVANCE LLC owned	09:08:40
22	or the obligations of LEDVANCE LLC and any assets	09:08:46

1	of LEDVANCE LLC.	09:08:50
2	Q. Do you recall whether there was anything	09:08:51
3	in particular that when you picked up that	09:08:56
4	document you were hoping to learn from it?	09:08:59
5	A. Not really. I mean, the mechanics of	09:09:01
6	everything, dates and stuff, were important to	09:09:09
7	consider. Not anything that was a surprise to me.	09:09:12
8	Q. Okay. LEDVANCE LLC has been fully owned	09:09:17
9	by LEDVANCE GmbH since LEDVANCE LLC was created.	09:09:32
10	Correct?	09:09:38
11	A. I'm sorry. Say that again.	09:09:38
12	Q. Yeah. It's a precise question.	09:09:42
13	From the moment LEDVANCE LLC was created,	09:09:48
14	has it been fully owned by LEDVANCE GmbH?	09:09:51
15	A. No. So LEDVANCE LLC was created under	09:09:54
16	Osram Sylvania Inc. as a kind of reverse carve-out	09:09:57
17	where all the assets were pulled out of -- and I	09:10:02
18	say "OSI," that's Osram Sylvania Inc., carved out	09:10:06
19	into the LLC.	09:10:13
20	(Interruption)	09:10:15
21	A. Once the closing transaction occurred, LLC	09:10:16
22	was moved to under LEDVANCE GmbH -- actually,	09:10:18

1	there was a holding company, LEDVANCE Holding	09:10:22
2	Company LLC, which was under LEDVANCE GmbH.	09:10:25
3	LEDVANCE LLC was then transferred to under that	09:10:28
4	LEDVANCE Holding LLC. And that's the structure.	09:10:32
5	MR. BROWN: I'd like to mark the	09:10:38
6	transcript as [REDACTED]. We can discuss	09:10:40
7	your redactions later.	09:10:45
8	MR. MCMAHON: Okay.	09:10:47
9	Q. So I think I understand. There were, I	09:10:52
10	guess, three entities formed around that time.	09:10:57
11	In Germany, LEDVANCE GmbH was formed?	09:11:00
12	A. Correct.	09:11:03
13	Q. In the United States, LEDVANCE LLC was	09:11:04
14	formed?	09:11:06
15	A. Correct.	09:11:06
16	Q. Also in the United States, LEDVANCE	09:11:07
17	Holding LLC was formed?	09:11:09
18	A. And LEDVANCE Holding LLC was also formed	09:11:10
19	under LEDVANCE GmbH.	09:11:13
20	Q. Okay. And then LEDVANCE LLC was	09:11:15
21	transferred into LEDVANCE Holding?	09:11:19
22	A. At the closing. Correct.	09:11:22

1	Q. And at that moment -- so the closing,	09:11:23
2	meaning in March of 2017, LEDVANCE LLC became	09:11:26
3	wholly owned indirectly by LEDVANCE GmbH?	09:11:30
4	A. Correct.	09:11:34
5	Q. Thank you for clarifying that.	09:11:35
6	MR. MCMAHON: Let's go off the record for	09:11:44
7	a minute.	09:11:45
8	(Off the record, 9:11 a.m. to 9:24 a.m.)	09:11:48
9	BY MR. MCMAHON:	09:24:38
10	Q. Mr. Martin, thank you for your patience in	09:24:43
11	that break. I just needed to organize some	09:24:45
12	exhibits.	09:24:48
13	While we were on the break, I handed you a	09:24:48
14	new copy of your declaration. The only difference	09:24:51
15	is that this one has been marked Exhibit 2064.	09:24:54
16	Do you see that?	09:25:01
17	A. Yes, I do.	09:25:01
18	(Exhibit 2064)	09:25:32
19	Q. Mr. Martin, go ahead and take a look at	09:25:32
20	your declaration. I just want to make sure that	09:25:44
21	it's the same document you signed.	09:25:47
22	A. Yes, it appears to be.	09:28:39

1	Q. Thank you for confirming. That is -- the	09:28:40
2	content of that declaration, that's your testimony	09:28:49
3	under oath?	09:28:50
4	A. Yes.	09:28:51
5	Q. Signed it under penalty of perjury?	09:28:51
6	A. Yes.	09:28:54
7	Q. And do you stand by that testimony today?	09:28:55
8	A. Yes.	09:28:58
9	Q. Is there anything that you would want to	09:28:58
10	change about your testimony?	09:29:03
11	A. I don't believe so.	09:29:04
12	Q. You are familiar today with the company	09:29:06
13	known as MLS CO., Ltd?	09:29:14
14	A. Yes.	09:29:17
15	Q. Is it okay if I refer to that company as	09:29:17
16	just "MLS"?	09:29:20
17	A. Yes.	09:29:22
18	Q. MLS owns LEDVANCE. Correct?	09:29:22
19	A. Owns LEDVANCE GmbH. Correct.	09:29:27
20	Q. And also owns LEDVANCE LLC. Right?	09:29:31
21	A. Yes. Well, as a sibling company of	09:29:34
22	LEDVANCE GmbH.	09:29:37

1	Q. Sibling?	09:29:39
2	A. I'm sorry. As a child company.	09:29:44
3	Q. Thank you. And so if we start with	09:29:45
4	LEDVANCE LLC and work up the ownership chain, the	09:29:49
5	next level is LEDVANCE Holding LLC?	09:29:53
6	A. Yes.	09:29:57
7	Q. And then LEDVANCE GmbH?	09:29:58
8	A. Yes.	09:30:00
9	Q. And ultimately at the top is MLS. Right?	09:30:00
10	A. Correct. I don't know the corporate	09:30:04
11	structure once you get that far.	09:30:05
12	Q. Okay. Do you know -- there are other	09:30:07
13	companies between LEDVANCE GmbH and MLS. Right?	09:30:10
14	A. There may be. I don't know.	09:30:17
15	Q. But just to be clear, MLS owns 100 percent	09:30:22
16	of both LEDVANCE GmbH and LEDVANCE LLC?	09:30:25
17	A. Owns 100 percent of LEDVANCE GmbH, which	09:30:30
18	owns 100 percent of LEDVANCE Holding LLC which	09:30:33
19	owns 100 percent of LEDVANCE LLC.	09:30:36
20	Q. When you were preparing this declaration,	09:30:39
21	did you consult in any way with anyone at	09:30:41
22	LEDVANCE GmbH?	09:30:45

1	A. No, I did not.	09:30:46
2	Q. Did you consult with anyone at MLS?	09:30:46
3	A. No, I did not.	09:30:49
4	Q. Did you consult with anyone at any other	09:30:50
5	entity in the ownership chain between MLS and	09:30:52
6	LEDVANCE LLC?	09:30:57
7	A. Only LEDVANCE LLC.	09:30:58
8	Q. Would you turn to Paragraph 4 of your	09:31:01
9	declaration, please. Do you have that?	09:31:17
10	A. Yes, I do.	09:31:22
11	Q. Here you testified that "LEDVANCE LLC is	09:31:23
12	an operating company responsible for the design,	09:31:28
13	purchase, importation, marketing, and sale of all	09:31:32
14	lighting products sold by a LEDVANCE entity in the	09:31:36
15	United States and is the successor of Sylvania	09:31:39
16	Lighting, which has operated in the United States	09:31:43
17	since 1901."	09:31:45
18	Did I read that correctly?	09:31:47
19	A. Yes.	09:31:48
20	Q. I would like to focus on a particular type	09:31:48
21	of product that LEDVANCE LLC sells. In	09:31:56
22	particular, I'd like to focus on LEDVANCE LLC's	09:32:00

1	white-filament LED bulbs. Okay?	09:32:03
2	A. Okay.	09:32:06
3	Q. So the statement that we just read from	09:32:06
4	Paragraph 4 is true as to LEDVANCE LLC's	09:32:09
5	white-filament LED bulbs. Right?	09:32:13
6	A. Yes.	09:32:16
7	Q. Actually, I have some bulbs here with me.	09:32:20
8	I'll hand this to you.	09:32:23
9	Am I correct that that is a package of two	09:32:31
10	white-filament LED bulbs that are sold by	09:32:35
11	LEDVANCE LLC?	09:32:39
12	A. Yes, it appears to be.	09:32:42
13	Q. And branded under the label "Sylvania."	09:32:52
14	Correct?	09:32:57
15	A. Correct.	09:32:58
16	MR. MCMAHON: I'm sorry. I'm going to go	09:33:00
17	off the record for just another moment. Another	09:33:01
18	box of documents arrived.	09:33:03
19	(Off the record, 9:33 a.m. to 9:34 a.m.)	09:33:05
20	(Exhibit 2095)	09:33:54
21	BY MR. MCMAHON:	09:33:54
22	Q. Mr. Martin, I've just handed you a	09:33:57

[REDACTED]
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1	document labeled Exhibit 2095. And I'll represent	09:33:59
2	to you that this is just a series of photos of the	09:34:03
3	packaging of the two bulbs that are sitting in	09:34:06
4	front of you. Do you see that?	09:34:10
5	A. Yes.	09:34:11
6	Q. Does it appear to be a true and accurate	09:34:12
7	copy of that packaging?	09:34:15
8	A. Yes, it does.	09:34:16
9	Q. Go ahead and take a closer look, if you'd	09:34:18
10	like.	09:34:25
11	A. I think this is a different package. Oh,	09:34:37
12	it's the side. Okay.	09:34:41
13	Q. The Exhibit 2095 should be all six	09:34:42
14	surfaces of the box that you're holding in your	09:34:48
15	hand.	09:34:50
16	A. Yes.	09:34:50
17	Q. Does it look accurate?	09:34:50
18	A. Yes, it does.	09:34:52
19	Q. Is LEDVANCE LLC responsible for the	09:34:53
20	design, purchase, importation, marketing, and sale	09:35:00
21	of LEDVANCE's white-filament LED bulbs?	09:35:03
22	A. In the U.S., yes.	09:35:06

1	Q. In the U.S. is LEDVANCE LLC solely	09:35:09
2	responsible for those activities?	09:35:14
3	A. Yes.	09:35:15
4	Q. What if we broadened beyond the United	09:35:16
5	States? Does your answer change?	09:35:19
6	A. Outside of the U.S., yes, it does.	09:35:21
7	Q. How so?	09:35:25
8	A. Because LEDVANCE LLC only operates in the	09:35:25
9	U.S., so it would be a different company in, say,	09:35:29
10	South America, Brazil, in Singapore, or another	09:35:35
11	country, Europe.	09:35:43
12	Q. Thank you for clarifying. I'd like to go	09:35:44
13	back to Paragraph 4 and focus on sort of the first	09:35:58
14	clause of that statement that ends with "in the	09:36:05
15	United States."	09:36:09
16	So let me read that again. "LEDVANCE LLC	09:36:10
17	is an operating company responsible for the	09:36:13
18	design, purchase, importation, marketing, and sale	09:36:15
19	of all lighting products sold by a LEDVANCE entity	09:36:18
20	in the United States."	09:36:22
21	Did I read that part correctly?	09:36:24
22	A. Yes.	09:36:25

1	Q. Are the words "in the United States"	09:36:25
2	modifying the products or modifying the	09:36:32
3	activities? And let me try to ask that question a	09:36:41
4	little more clearly.	09:36:44
5	When you wrote the words "in the United	09:36:45
6	States" in that clause, is that referring to	09:36:47
7	products sold in the United States or the	09:36:49
8	activities -- designed, purchased, importation,	09:36:51
9	marketing, and sale -- in the United States?	09:36:54
10	A. I'd say it's somewhat both.	09:36:55
11	Q. Are the same white-filament LED bulbs that	09:37:31
12	LEDVANCE LLC sells in the United States also sold	09:37:40
13	in other countries?	09:37:43
14	A. So they can be sold in Canada. That's	09:37:45
15	what this product is. Depending on timing, some	09:37:48
16	products are shipped into the U.S. and then sold	09:37:55
17	by the Canadian -- our Canadian affiliate, which	09:37:59
18	is the -- that's that LEDVANCE Ltd.	09:38:05
19	Q. And you're looking at page 4 of	09:38:16
20	Exhibit 2095?	09:38:19
21	A. Correct.	09:38:20
22	Q. So looking at that page, there are two	09:38:21

1	entities listed at the bottom of the label. One	09:38:23
2	is LEDVANCE LLC and the other is LEDVANCE	09:38:25
3	LTD/LTEE?	09:38:32
4	A. Correct. And those would be exported to	09:38:32
5	Canada and sold.	09:38:37
6	Q. Okay.	09:38:38
7	A. Hence the French verbiage.	09:38:39
8	Q. I appreciate that. French on one side,	09:38:42
9	English on the other.	09:38:47
10	Okay. So back to Paragraph 4 of your	09:38:50
11	declaration. Where did the design of this product	09:38:52
12	occur?	09:39:03
13	A. In the U.S.	09:39:04
14	Q. By LEDVANCE LLC?	09:39:05
15	A. Correct.	09:39:08
16	Q. And not by anyone else?	09:39:09
17	A. Correct.	09:39:10
18	Q. Where did -- okay. So those two -- that	09:39:11
19	package of two bulbs -- and by the way, I	09:39:39
20	purchased that from Menards in Chicago, so that	09:39:41
21	was sold in the United States.	09:39:44
22	For those products, your testimony is that	09:39:46

1	LEDVANCE LLC is solely responsible for the design,	09:39:49
2	purchase, importation, marketing, and sale of	09:39:52
3	those bulbs?	09:39:54
4	A. Correct.	09:39:55
5	Q. Thank you for clarifying. That list of	09:39:55
6	activities does not include manufacturing.	09:40:05
7	Who manufactures LEDVANCE's white-filament	09:40:08
8	LED bulbs?	09:40:12
9	A. Different contract manufacturers.	09:40:12
10	Q. Like who?	09:40:17
11	A. It could be any one of a number of	09:40:17
12	different Asian, Chinese, or Vietnamese contract	09:40:30
13	manufacturing companies.	09:40:35
14	Q. Can you think of any of them, sitting here	09:40:37
15	today?	09:40:39
16	A. I think of [REDACTED] or -- let's see --	09:40:39
17	[REDACTED]. What are the ones that . . .	09:40:53
18	If I did a Google Search it would come to	09:41:00
19	me, some more would come to me.	09:41:16
20	Q. But sitting here today, the two you can	09:41:18
21	think of are [REDACTED]?	09:41:20
22	A. [REDACTED]	09:41:22

[REDACTED]
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1	[REDACTED]	
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	09:41:33
5	A. Yes. [REDACTED], I think.	09:41:35
6	Q. How do you spell that?	09:42:13
7	A. I think it's [REDACTED]. I can't think	09:42:14
8	of any other ones, off the top of my head.	09:42:40
9	Q. The three that you named --	09:42:42
10	A. [REDACTED], I think.	09:42:47
11	Q. Sorry. I didn't mean to talk over you.	09:42:51
12	So you've named four: [REDACTED]	
	[REDACTED]?	09:43:01
14	A. Correct.	09:43:03
15	Q. Those four are all located in China?	09:43:04
16	A. They have factories throughout Asia.	09:43:06
17	Q. Are any of LEDVANCE's white-filament LED	09:43:17
18	bulbs made by MLS?	09:43:20
19	A. No, they are not.	09:43:22
20	Q. Are any of LEDVANCE's white-filament LED	09:43:23
21	bulbs made by companies owned by MLS?	09:43:29
22	A. They could be. There is [REDACTED] as well	09:43:33

1	as a few other contract manufacturing subsidiaries	09:43:38
2	of MLS that are made.	09:43:45
3	Q. What is [REDACTED]?	09:43:47
4	A. [REDACTED] is another contract manufacturer	09:43:49
5	entity.	09:43:53
6	Q. Where is [REDACTED] based?	09:43:54
7	A. I believe in China, but I'm not sure.	09:43:57
8	Again, I think they have manufacturing facilities	09:44:00
9	throughout Asia.	09:44:02
10	Q. And [REDACTED] makes LEDVANCE white-filament	09:44:05
11	LED bulbs?	09:44:10
12	A. They do do contract manufacturing for us.	09:44:11
13	Q. Of white-filament LED bulbs?	09:44:13
14	A. Yes.	09:44:19
15	Q. Who supplies the LED filaments for	09:44:20
16	LEDVANCE's white-filament LED bulbs?	09:44:25
17	A. I'm not sure.	09:44:27
18	Q. Does MLS supply them?	09:44:29
19	A. A company -- I don't know if [REDACTED] makes	09:44:35
20	them in-house or whether they contract that out.	09:44:39
21	Whether that's a contracted MLS entity, I don't	09:44:45
22	know.	09:44:48

1	Q. Does LEDVANCE have contracts -- sorry.	09:44:48
2	Let me take a step back.	09:44:59
3	Does LEDVANCE have contracts with the	09:45:04
4	companies that manufacture LEDVANCE's	09:45:06
5	white-filament LED bulbs?	09:45:10
6	A. We would have a contract manufacturing	09:45:12
7	agreement with the company that sells the product.	09:45:15
8	So we would have a contract manufacturing	09:45:17
9	agreement with [REDACTED].	09:45:20
10	Q. When you say "the company that sells the	09:45:21
11	product," what do you mean by that?	09:45:28
12	A. The company that manufactures the final	09:45:29
13	product we buy as opposed to the various parts	09:45:32
14	inside.	09:45:35
15	Q. Understood. Thank you.	09:45:35
16	So LEDVANCE has an agreement with [REDACTED]?	09:45:39
17	A. Yes.	09:45:42
18	Q. Do you also have agreements with [REDACTED]	
	[REDACTED]?	09:45:46
20	A. Yes.	09:45:46
21	Q. Do you review those contracts as part of	09:45:47
22	your job responsibilities?	09:46:04

1	A. Yes.	09:46:06
2	Q. So I want to be clear. Is it your	09:46:06
3	testimony today that LEDVANCE's white-filament LED	09:46:17
4	bulbs have been manufactured by at least five	09:46:21
5	different companies?	09:46:25
6	A. I'm sorry. Repeat the question.	09:46:25
7	Q. So I'm focused only on LEDVANCE's	09:46:32
8	white-filament LED bulbs. Do you understand?	09:46:36
9	A. Yes.	09:46:38
10	Q. And my question is, is it your testimony	09:46:39
11	that there are at least five companies that have	09:46:40
12	manufactured those white-filament LED bulbs for	09:46:43
13	LEDVANCE?	09:46:47
14	A. No, that's not my testimony today.	09:46:47
15	Q. My apologies. I misunderstood.	09:46:53
16	A. Five? Which five?	09:46:55
17	Q. The ones I had in mind were [REDACTED]	
	[REDACTED].	09:47:00
19	A. No, that's not my testimony.	09:47:05
20	Q. Can you please clarify.	09:47:07
21	A. I don't know that [REDACTED] has	09:47:08
22	made -- I don't know that they have made white	09:47:11

1	filaments for LEDVANCE LLC.	09:47:13
2	Q. But you do know that [REDACTED] has?	09:47:15
3	A. I know [REDACTED] has.	09:47:17
4	Q. Okay. Other than [REDACTED], can you think	09:47:18
5	of any other companies that have made	09:47:21
6	white-filament LED bulbs for LEDVANCE?	09:47:24
7	A. I don't know for certain.	09:47:27
8	Q. Is LEDVANCE LLC indemnified by any party	09:47:27
9	for patent infringement liability in connection	09:47:34
10	with white-filament LED bulbs?	09:47:36
11	A. The contract manufacturer agreement that	09:47:39
12	we have would provide indemnification language.	09:47:47
13	Q. Who is the indemnitor?	09:47:49
14	A. So if it was [REDACTED] that manufactured it,	09:47:53
15	it could be [REDACTED]. And it's at the discretion	09:47:55
16	of LEDVANCE LLC whether we seek indemnification.	09:47:59
17	Q. So [REDACTED] is obligated to indemnify. But	09:48:04
18	as the indemnitee, LEDVANCE LLC can choose whether	09:48:11
19	or not to invoke that requirement?	09:48:14
20	A. Yes.	09:48:15
21	Q. Can you turn to Paragraph 7, please, of	09:48:16
22	your declaration. Let me know when you have that.	09:48:31

[REDACTED]
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1	A. Yes.	09:48:35
2	Q. Here you testified about a gentleman named	09:48:36
3	Qinghuan Sun. Correct?	09:48:40
4	A. Correct.	09:48:42
5	Q. Do you know if I said that name correctly?	09:48:42
6	A. I believe that's correct.	09:48:45
7	Q. Have you met -- I'm going to go out on a	09:48:46
8	limb here. I believe Sun is his family name,	09:48:51
9	surname?	09:48:54
10	A. Yes.	09:48:54
11	Q. I'll call him Mr. Sun. Do you know if	09:48:55
12	that's accurate?	09:48:59
13	A. I believe so.	09:48:59
14	Q. Have you ever met Mr. Sun?	09:49:00
15	A. I've met him once.	09:49:02
16	Q. When?	09:49:03
17	A. Shortly after the purchase. I want to say	09:49:09
18	2018 time frame he came to the U.S. with his	09:49:11
19	family.	09:49:16
20	And it was more of a meet-and-greet. He	09:49:16
21	does not speak English, so it was with a	09:49:20
22	translator. And I believe I had my photo taken	09:49:23

1	with him. And that was about the extent of our	09:49:26
2	conversation when I met him.	09:49:30
3	Q. How long was he in the States during that	09:49:31
4	visit?	09:49:34
5	A. I want to say a month or so, maybe less.	09:49:34
6	He was traveling with his family, so I don't think	09:49:39
7	he stayed long.	09:49:41
8	Q. Did he spend a month -- sorry. Did he	09:49:41
9	spend a month at LEDVANCE LLC?	09:49:48
10	A. No. I believe it was a day or two.	09:49:50
11	Q. Okay. What was the -- I understand he was	09:49:52
12	traveling with his family. But was there a	09:49:55
13	business purpose to the trip?	09:49:57
14	A. A meet-and-greet of employees with the	09:49:58
15	newly acquired business and photo op.	09:50:03
16	Q. You testified in Paragraph 7 that Mr. Sun	09:50:10
17	is one of LEDVANCE GmbH's managing directors.	09:50:14
18	Correct?	09:50:20
19	A. Correct.	09:50:20
20	Q. Are there other managing directors of	09:50:21
21	LEDVANCE GmbH?	09:50:23
22	A. I believe so.	09:50:24

1	Q. Who are they?	09:50:26
2	A. I don't know.	09:50:28
3	Q. So sitting here today, Mr. Sun is the only	09:50:28
4	managing director of LEDVANCE GmbH that you can	09:50:32
5	identify?	09:50:36
6	A. I don't know. I mean, I could search that	09:50:36
7	publicly. I'm not sure of the other directors.	09:50:39
8	Q. Who is the CEO of LEDVANCE GmbH?	09:50:44
9	A. Current CEO, I believe it's Mr. Sun.	09:50:49
10	Q. Mr. Sun is the CEO of LEDVANCE GmbH?	09:51:03
11	A. I'm not positive on that, but I believe	09:51:07
12	so.	09:51:10
13	Q. You didn't say in Paragraph 7 that Mr. Sun	09:51:10
14	is the CEO of LEDVANCE GmbH. Correct?	09:51:13
15	A. Let's see. Mr. Sun is one of LEDVANCE's	09:51:16
16	managing directors. So no, I didn't say he was	09:51:24
17	CEO.	09:51:27
18	Q. Can you turn to Paragraph 9 of your	09:51:27
19	declaration, please. Let me know when you have	09:51:30
20	that.	09:51:33
21	A. I'm here.	09:51:33
22	Q. You testified that Yiwu State-Owned Assets	09:51:34

1	Operation Center -- I'm going to pause for a	
2	second.	09:51:52
3	You testified that "Yiwu State-Owned	09:51:52
4	Assets Operation Center participated as a minority	09:51:58
5	investor in the 2016-2017 consortium acquisition	09:51:59
6	of LEDVANCE." Right?	09:52:03
7	MR. BROWN: Objection.	09:52:05
8	A. I testified that "Yiwu State-Owned Assets	09:52:06
9	Operation Center participated as a minority	09:52:27
10	investor in the 2017-2016 consortium acquisition	09:52:29
11	of LEDVANCE GmbH, and MLS subsequently acquired	09:52:34
12	Yiwu's interest in March 2018."	09:52:39
13	Q. That consortium acquisition acquired	09:52:44
14	LEDVANCE GmbH. Right?	09:52:48
15	A. Correct.	09:52:49
16	Q. And it also acquired LEDVANCE LLC.	09:52:51
17	Correct?	09:52:54
18	A. Correct.	09:52:54
19	Q. Yiwu State-Owned Assets Operations Center	09:52:55
20	is a Chinese state-owned entity. Correct?	09:53:03
21	MR. BROWN: Objection.	09:53:08
22	A. I don't know that.	09:53:09

1	Q. You also testified that MLS subsequently	09:53:09
2	acquired Yiwu's interest in March 2018. Right?	09:53:14
3	A. Correct. Along with IDG Capital was	09:53:17
4	another banker or financier.	09:53:23
5	Q. So the consortium that originally bought	09:53:26
6	LEDVANCE GmbH and LEDVANCE LLC included MLS,	09:53:31
7	IDG Capital, and Yiwu. Correct?	09:53:36
8	A. Yes. That financed the purchase and then	09:53:39
9	they were later acquired. MLS acquired the full	09:53:44
10	asset.	09:53:49
11	Q. And just to clarify that, MLS acquired the	09:53:49
12	shares of LEDVANCE GmbH and LEDVANCE LLC that had	09:53:53
13	been owned by --	09:53:57
14	A. Really just LEDVANCE GmbH.	09:53:59
15	Q. Let me break down this timeline.	09:54:01
16	There were two acquisition events that I	09:54:08
17	want to focus on. Okay? The first one is the	09:54:11
18	acquisition of -- the consortium participated in.	09:54:14
19	Can we call that "the first acquisition"?	09:54:20
20	A. Yes.	09:54:22
21	Q. And then the second acquisition is when	09:54:23
22	MLS bought out the shares that had been owned by	09:54:24

1	IDG Capital and Yiwu. I'll call that "the second	09:54:28
2	acquisition." Okay?	09:54:33
3	A. Okay.	09:54:34
4	Q. In between those two points in time, Yiwu	09:54:35
5	owned a portion of LEDVANCE LLC. Correct?	09:54:40
6	A. They did as a financier to facilitate the	09:54:43
7	transaction. It was a bank -- I believe it was a	09:54:48
8	bank. And IDG Capital was a private investment to	09:54:52
9	front the money and to close the agreement. And	09:54:56
10	then once it was closed, shortly after MLS	09:55:00
11	acquired 100 percent of the asset, LEDVANCE GmbH	09:55:02
12	being the asset.	09:55:08
13	Q. And that was what we agreed to call "the	09:55:09
14	second acquisition." Right?	09:55:11
15	A. Correct.	09:55:12
16	Q. So in between the first acquisition and	09:55:13
17	the second acquisition, Yiwu owned a portion of	09:55:14
18	LEDVANCE LLC. Correct?	09:55:18
19	A. Correct.	09:55:19
20	Q. And IDG Capital owned a portion of	09:55:20
21	LEDVANCE LLC. Correct?	09:55:23
22	A. Correct.	09:55:25

1	Q. And then in the second transaction, MLS	09:55:25
2	acquired the shares that had been owned by Yiwu	09:55:28
3	and IDG Capital?	09:55:31
4	A. Shortly after, in March 2018, yes, MLS	09:55:33
5	acquired both shares.	09:55:36
6	Q. Is it your understanding that Yiwu no	09:55:38
7	longer owns any interest in LEDVANCE?	09:55:41
8	A. Since 2018, correct.	09:55:44
9	Q. Is it your understanding that Yiwu owns no	09:55:46
10	interest in MLS?	09:55:49
11	A. Yes. Correct.	09:55:50
12	Q. So Yiwu no longer has any ownership	09:55:52
13	interest in MLS or LEDVANCE?	09:55:56
14	A. I believe so. I don't know for certain.	09:55:58
15	It would be public information.	09:56:01
16	Q. Could you turn to Paragraph 12, please.	09:56:05
17	Here -- do you have that?	09:56:17
18	A. Yes.	09:56:18
19	Q. Here you testified that LEDVANCE LLC	09:56:19
20	operates independently from LEDVANCE GmbH and MLS.	09:56:21
21	Correct?	09:56:25
22	A. Correct.	09:56:25

1	Q. Do you mean that LEDVANCE GmbH has no	09:56:26
2	control over LEDVANCE LLC?	09:56:31
3	A. So no. They operate independently, so no	09:56:33
4	control over day-to-day operations. But it still	09:56:50
5	reports to LEDVANCE GmbH.	09:56:56
6	Q. Can LEDVANCE GmbH tell LEDVANCE LLC what	09:57:01
7	to sell?	09:57:13
8	A. They haven't.	09:57:13
9	Q. Can they?	09:57:15
10	A. No. I don't believe they could tell them	09:57:15
11	what to do.	09:57:23
12	Q. Can LEDVANCE GmbH tell LEDVANCE LLC which	09:57:24
13	components to use in its product?	09:57:30
14	A. No.	09:57:32
15	Q. Do you know if they ever have?	09:57:32
16	A. No, I don't believe they have.	09:57:37
17	Q. Is it your testimony that MLS has no	09:57:44
18	ability to control LEDVANCE LLC?	09:57:51
19	A. In the same way that LEDVANCE GmbH does	09:57:53
20	not control LEDVANCE LLC. Correct.	09:57:59
21	Q. Can MLS tell LEDVANCE LLC what products to	09:58:02
22	sell?	09:58:06

1	A. No.	09:58:06
2	Q. Can MLS tell LEDVANCE LLC what components	09:58:07
3	to use in its products?	09:58:11
4	A. No.	09:58:13
5	Q. How would you describe the relationship	09:58:14
6	between LEDVANCE and MLS?	09:58:21
7	A. It's the parent to the parent company.	09:58:23
8	Q. Is LEDVANCE a part of MLS?	09:58:38
9	A. LEDVANCE GmbH?	09:58:47
10	Q. Yes.	09:58:51
11	A. No. It's a separate entity.	09:58:52
12	Q. Is LEDVANCE LLC part of MLS?	09:58:57
13	A. No.	09:59:01
14	Q. Would you say that LEDVANCE and MLS are	09:59:01
15	partners?	09:59:04
16	A. No.	09:59:07
17	Q. Have you ever served as a representative	09:59:07
18	of LEDVANCE GmbH?	09:59:12
19	A. No, I haven't.	09:59:14
20	Q. Have you ever served as a representative	09:59:17
21	of MLS?	09:59:19
22	A. No.	09:59:20

1	Q. Could you turn to Paragraph 18, please, of	09:59:22
2	your declaration. Let me know when you have that.	09:59:27
3	A. Okay.	09:59:33
4	Q. In Paragraph 18, you testified that	09:59:33
5	LEDVANCE LLC filed IPR2024-01357 to defend itself	09:59:39
6	against those allegations. Right?	09:59:46
7	A. Yes.	09:59:48
8	Q. And those allegations you had described	09:59:48
9	earlier in Paragraph 16 as the allegations that	09:59:51
10	Feit Electric made that LEDVANCE was infringing	09:59:55
11	Feit's '678 patent. Correct?	09:59:59
12	A. Correct.	10:00:02
13	Q. And the IPR that you reference here is the	10:00:02
14	proceeding under which you're testifying here	10:00:08
15	today?	10:00:10
16	A. Correct.	10:00:11
17	Q. And more specifically, Feit Electric	10:00:12
18	accused LEDVANCE's white-filament LED bulbs of	10:00:17
19	infringing the '678 patent. Correct?	10:00:21
20	A. Correct.	10:00:24
21	Q. And LEDVANCE filed this IPR to protect	10:00:24
22	those white-filament bulbs. Right?	10:00:27

1	A. Correct.	10:00:29
2	Q. So that you, LEDVANCE, could keep selling	10:00:29
3	them?	10:00:33
4	A. Correct.	10:00:33
5	Q. And so that you would not have to pay Feit	10:00:34
6	Electric any damages for any infringement.	10:00:38
7	Correct?	10:00:40
8	A. Or take a license. Correct.	10:00:40
9	Q. And if LEDVANCE were found to infringe	10:00:42
10	Feit's patent, it would affect LEDVANCE's profits.	10:00:45
11	Right?	10:00:48
12	A. Could.	10:00:49
13	Q. Either you couldn't sell if there were	10:00:52
14	injunctions so there would be no profits from	10:00:55
15	those products. Right?	10:00:58
16	A. Correct.	10:00:58
17	Q. Or if you had to take a license or pay	10:00:59
18	damages, that would impact profits too?	10:01:01
19	A. Correct.	10:01:04
20	Q. Could you turn to Paragraph 21, please.	10:01:09
21	A. Yes.	10:01:19
22	Q. Let me know when you have that.	10:01:20

1	A. Yes.	10:01:21
2	Q. You testified that "No employee, officer,	10:01:22
3	director, or representative of LEDVANCE GmbH or	10:01:24
4	MLS authorized, directed, or requested that	10:01:28
5	LEDVANCE LLC file the petition in this IPR."	10:01:31
6	Right?	10:01:34
7	A. Correct.	10:01:35
8	Q. Prior to the filing of the IPR petition,	10:01:35
9	did you tell anyone at LEDVANCE GmbH that you	10:01:41
10	planned to file it?	10:01:45
11	A. I don't believe so. I don't remember	10:01:47
12	telling anybody that we were planning to file it.	10:01:53
13	Q. Are you sure?	10:01:57
14	A. It may have been reported to LEDVANCE GmbH	10:01:59
15	when Feit filed suit that one of the options would	10:02:05
16	be to challenge the patent through an IPR.	10:02:11
17	Q. Who would have done --	10:02:13
18	A. That would have been reporting.	10:02:16
19	Q. Who would have done that reporting?	10:02:18
20	A. I would have done that reporting.	10:02:20
21	Q. So you don't recall for sure, but you may	10:02:21
22	have reported to LEDVANCE GmbH after Feit filed	10:02:24

1	the lawsuit that one option would be to challenge	10:02:29
2	the '678 patent in an IPR?	10:02:32
3	A. As part of a review and update.	10:02:35
4	Q. Why would you review and update that	10:02:38
5	information for LEDVANCE GmbH?	10:02:42
6	A. So that they knew what business we were	10:02:45
7	doing, what our plans were.	10:02:49
8	Q. Why would LEDVANCE GmbH care?	10:02:53
9	A. Because they knew about the Feit	10:02:56
10	litigation.	10:03:02
11	Q. How did they know about that?	10:03:02
12	A. It's public knowledge when Feit filed	10:03:04
13	suit.	10:03:06
14	Q. Did you tell LEDVANCE GmbH about the Feit	10:03:07
15	lawsuit?	10:03:13
16	A. I believe they were aware of it.	10:03:13
17	Q. Why would Feit -- sorry. Withdraw that.	10:03:20
18	Why would LEDVANCE GmbH care about a	10:03:23
19	lawsuit against LEDVANCE LLC?	10:03:27
20	A. Because it might affect LEDVANCE LLC's	10:03:29
21	profits --	10:03:32
22	Q. And that would --	10:03:33

1	A. -- and business.	10:03:34
2	Q. And that would affect LEDVANCE GmbH's	10:03:35
3	profits?	10:03:39
4	A. Correct.	10:03:39
5	Q. Prior to filing the IPR petition, did you	10:03:40
6	tell anyone at MLS that you planned to file it?	10:03:43
7	A. No.	10:03:48
8	Q. Do you know if anyone at LEDVANCE GmbH	10:03:49
9	told MLS that you planned to file the petition?	10:03:53
10	A. I don't know.	10:03:57
11	Q. After filing the IPR petition, did you	10:03:57
12	tell anyone at LEDVANCE GmbH or MLS that you filed	10:04:00
13	it?	10:04:03
14	A. Yes. I would have reported that we had	10:04:04
15	filed an IPR.	10:04:07
16	Q. Why?	10:04:08
17	A. To report to them and keep them posted on	10:04:09
18	the litigation.	10:04:15
19	Q. Why would you do that?	10:04:16
20	A. So that they were aware of what we were	10:04:21
21	doing in the United States.	10:04:25
22	Q. Why do LEDVANCE GmbH and MLS need to be	10:04:27

1	aware of that?	10:04:31
2	A. Because they are the parent company.	10:04:32
3	Q. Do you report to LEDVANCE GmbH on	10:04:43
4	everything that LEDVANCE LLC does?	10:04:47
5	A. No, I don't.	10:04:49
6	Q. How do you choose what to report and what	10:04:50
7	not to report?	10:04:53
8	A. Well, if they ask me about it, I will	10:04:53
9	research it and respond. Or if it's a general	10:05:10
10	litigation matter and I'm reporting to our	10:05:15
11	auditors and their parent company about that	10:05:19
12	litigation, then I would update them.	10:05:22
13	Q. Because that litigation may be material to	10:05:28
14	LEDVANCE GmbH?	10:05:31
15	A. Material to LEDVANCE LLC, which would	10:05:32
16	affect LEDVANCE GmbH.	10:05:35
17	Q. And it could be material to MLS. Right?	10:05:38
18	A. I don't know.	10:05:45
19	Q. Would you turn to Paragraph 32 of your	10:05:47
20	declaration, please. Let me know when you have	10:05:57
21	that.	10:05:59
22	A. Yes.	10:06:13

1	Q. Here you testified that "LEDVANCE LLC	10:06:14
2	provides periodic updates to LEDVANCE GmbH	10:06:18
3	regarding significant intellectual property	10:06:21
4	litigation matters as part of routine corporate	10:06:24
5	reporting."	10:06:26
6	Did I read that correctly?	10:06:26
7	A. Yes.	10:06:28
8	Q. And it's you that provides those updates	10:06:29
9	to LEDVANCE GmbH. Correct?	10:06:32
10	A. Correct.	10:06:34
11	Q. In your role as general counsel?	10:06:35
12	A. Correct.	10:06:36
13	Q. Is this IPR a significant intellectual	10:06:37
14	property litigation matter?	10:06:43
15	A. I'd agree.	10:06:44
16	Q. Yes, it is?	10:06:53
17	A. Yes.	10:06:53
18	Q. Have you provided periodic updates to	10:06:53
19	LEDVANCE GmbH about this IPR?	10:06:56
20	A. Yes, I have.	10:06:58
21	Q. How many?	10:07:00
22	A. I am not sure of the number of times I've	10:07:00

1	mentioned it.	10:07:07
2	Q. Do you have a periodic reporting schedule?	10:07:07
3	A. Yes. Generally every month or every --	10:07:10
4	sometimes every couple of weeks.	10:07:15
5	Q. Okay.	10:07:17
6	A. I will have a conversation with the IP --	10:07:18
7	globally, the various GmbH IP colleagues.	10:07:22
8	Q. So every two to four weeks you report to	10:07:29
9	LEDVANCE GmbH about the status of this IPR?	10:07:38
10	MR. BROWN: Objection.	10:07:42
11	A. I report as far as our general status of	10:07:42
12	all litigation.	10:07:48
13	Q. Including this IPR?	10:07:49
14	A. Correct.	10:07:54
15	Q. Can you turn to Paragraph 33, please. Let	10:07:54
16	me know when you have that.	10:08:03
17	A. I have that.	10:08:04
18	Q. And here you testified that "LEDVANCE LLC	10:08:05
19	is the entity accused of infringement of the '678	10:08:08
20	patent in the United States and has a direct	10:08:12
21	commercial stake in the outcome of IPR2024-01357."	10:08:15
22	Did I read that correctly?	10:08:23

1	A. Yes.	10:08:24
2	Q. And that direct financial stake is that,	10:08:24
3	as you testified before, if LEDVANCE LLC were to	10:08:29
4	face an injunction or were to be found liable for	10:08:33
5	infringement, either way it would affect	10:08:35
6	LEDVANCE LLC's profits. Right?	10:08:37
7	A. Correct. Or to take the license.	10:08:39
8	Q. If you'd turn to Paragraph 35, please.	10:08:40
9	Let me know when you have that.	10:08:49
10	A. Okay.	10:08:51
11	Q. You testified here that "Any benefit to	10:08:52
12	MLS from a favorable outcome in this IPR would be	10:08:56
13	indirect and solely by virtue of corporate	10:09:00
14	ownership, not because MLS authorized, funded,	10:09:02
15	directed, or controlled this proceeding."	10:09:05
16	Did I read that correctly?	10:09:06
17	A. Yes, you did.	10:09:07
18	Q. Are you saying that MLS is effectively	10:09:08
19	just an investor here?	10:09:12
20	A. No.	10:09:13
21	Q. You said that any benefit to MLS would be	10:09:14
22	indirect and solely by virtue of corporate	10:09:34

1	ownership. What do you mean by that?	10:09:36
2	A. Well, it would be indirect, meaning that	10:09:38
3	if this patent is ruled invalid, they also could	10:09:44
4	sell that same product. So that would be an	10:09:48
5	indirect benefit.	10:09:52
6	Q. Is "they" meaning MLS?	10:09:53
7	A. Correct.	10:09:58
8	Q. Does MLS sell white-filament bulbs in the	10:09:58
9	United States?	10:10:01
10	A. I don't believe they do. But if they	10:10:02
11	chose to, it would be a benefit.	10:10:04
12	Q. Does MLS sell components that are used in	10:10:06
13	white-filament LED bulbs sold in the United	10:10:15
14	States?	10:10:18
15	A. I don't know.	10:10:18
16	Q. It's your testimony that MLS has no direct	10:10:19
17	interest in this IPR. Correct?	10:10:30
18	A. Correct.	10:10:31
19	Q. By that, do you mean that win or lose this	10:10:32
20	IPR, it's not going to have any direct effect on	10:10:45
21	MLS's profits? Is that your position?	10:10:48
22	A. Other than by virtue of LEDVANCE LLC	10:10:51

1	through LEDVANCE GmbH through ownership of -- by	10:10:54
2	MLS. Correct.	10:10:59
3	Q. You can set that aside.	10:11:00
4	MR. MCMAHON: We've been going a little	10:11:27
5	over an hour. Why don't we take a short break.	10:11:28
6	(Recess, 10:11 a.m. to 10:23 a.m.)	10:11:31
7	BY MR. MCMAHON:	10:23:15
8	Q. Mr. Martin, welcome back.	10:23:20
9	MLS purchased LEDVANCE in part to get	10:23:26
10	access to the U.S. market. Right?	10:23:29
11	A. They purchased LEDVANCE GmbH. Yes, that	10:23:30
12	was their first global market. And as part of it,	10:23:37
13	LEDVANCE LLC is the U.S. market.	10:23:42
14	Q. And MLS wanted to be the supplier of LEDs	10:23:43
15	in LEDVANCE's white-filament LED bulbs. Right?	10:23:48
16	A. I don't know.	10:23:52
17	Q. MLS is the supplier of the LEDs in	10:23:53
18	LEDVANCE's white-filament LED bulbs. Right?	10:23:56
19	A. MLS is not.	10:23:59
20	Q. MLS does not supply the LEDs?	10:24:02
21	A. [REDACTED] is the one that supplies the	10:24:05
22	lamps.	10:24:10

1	Q. Do you know who supplies the filament's	10:24:10
2	LED inside the bulb?	10:24:13
3	A. I'm not positive on that. I don't know	10:24:15
4	who.	10:24:17
5	Q. You don't know one way or another whether	10:24:18
6	it's MLS?	10:24:21
7	A. I don't know. Yes.	10:24:21
8	Q. Do you know whether LEDVANCE has a choice	10:24:25
9	about whether or not to buy filament LEDs from	10:24:32
10	MLS?	10:24:36
11	A. LEDVANCE LLC could specify where the	10:24:36
12	filaments come from. Yes.	10:24:41
13	Q. Have you?	10:24:42
14	A. In the past we have.	10:24:43
15	Q. Specified that they come from MLS?	10:24:50
16	A. No. We specified that they come from	10:24:53
17	[REDACTED].	10:24:57
18	Q. When?	10:24:57
19	A. I shouldn't say that. I don't even know	10:24:58
20	if we specify that, but they could, LLC could. As	10:25:05
21	the contract manufacturer, you could specify to a	10:25:13
22	contract manufacturer to supply.	10:25:15

1	Q. So I want to clarify because you said two	10:25:19
2	things that sounded like they may be in tension	10:25:21
3	with one another.	10:25:24
4	In the past, has LEDVANCE LLC specified	10:25:25
5	that filament LEDs should come from [REDACTED]	
	[REDACTED]?	10:25:35
7	A. No, I don't believe we specified that.	10:25:35
8	Q. And you also don't know whether you've	10:25:38
9	specified that filament LEDs should come from MLS?	10:25:40
10	A. Correct.	10:25:43
11	Q. I think we established this earlier, but	10:25:48
12	LEDVANCE's white-filament LED bulbs are made in	10:25:50
13	China. Right?	10:25:53
14	A. I don't know if they're made in China.	10:25:53
15	Q. And at least as to the bulbs sitting there	10:25:57
16	in front of you and the packaging that's reflected	10:25:59
17	in Exhibit 2095, if you'd turn to page 4 of 5.	10:26:03
18	Near the bottom of the page it says, "Made	10:26:14
19	in China." Right?	10:26:18
20	A. That's correct. Yes.	10:26:19
21	Q. And imported by LEDVANCE. Right?	10:26:20
22	A. Correct.	10:26:23

1	Q. LEDVANCE's white-filament LED bulbs are	10:26:23
2	assembled in MLS's Yiwu production base. Right?	10:26:30
3	A. They're assembled by [REDACTED].	10:26:35
4	Q. Are you familiar with MLS's Yiwu	10:26:37
5	production base?	10:26:41
6	A. No, I'm not.	10:26:41
7	Q. When you say [REDACTED]," is that company	10:26:42
8	known as -- do you know what the full name of the	10:26:50
9	[REDACTED] -- sorry. Let me withdraw that.	10:26:56
10	Do you know the full name of the company	10:26:59
11	that you call [REDACTED]?	10:27:00
12	A. No. I don't know, off the top of my head.	10:27:02
13	Q. Okay.	10:27:04
14	(Exhibit 2057)	10:27:36
15	Q. Mr. Martin, I've just handed you a	10:27:36
16	document we've marked as Exhibit 2057. Do you see	10:27:39
17	that?	10:27:41
18	A. Yes.	10:27:41
19	Q. And this is a printout of the "About Us"	10:27:42
20	page from LEDVANCE's website. Right?	10:27:47
21	A. This is ledvance.com, which is	10:27:49
22	LEDVANCE GmbH. Correct.	10:27:55

1	Q. The top of the page says "About LEDVANCE."	10:27:56
2	Right?	10:28:11
3	A. Yes, "About LEDVANCE GmbH."	10:28:11
4	Q. Let's be clear. The top of the page just	10:28:16
5	says "About LEDVANCE." Right?	10:28:18
6	MR. BROWN: Objection.	10:28:22
7	A. Correct.	10:28:22
8	Q. It doesn't say "GmbH" there. Right?	10:28:22
9	A. But the website is ledvance.com, which is	10:28:24
10	GmbH. LEDVANCE LLC's would be ledvanceus.com.	10:28:27
11	Q. So it's your testimony that on this page,	10:28:31
12	every time we see the name "LEDVANCE" it refers	10:28:40
13	specifically to LEDVANCE GmbH?	10:28:43
14	A. That's what I would assume.	10:28:45
15	Q. Is that true, generally, that whenever I	10:28:47
16	see the name "LEDVANCE" I should assume it's	10:28:53
17	LEDVANCE GmbH?	10:28:56
18	A. On this document, which is ledvance.com,	10:28:58
19	yes, I would assume that, because that's their	10:29:02
20	website.	10:29:07
21	Q. In the fourth paragraph it begins with the	10:29:08
22	sentence, "LEDVANCE was introduced to the world in	10:29:21

1	2016 as a spinoff from the lighting pioneers	10:29:24
2	OSRAM." Do you see that?	10:29:29
3	A. Yes.	10:29:30
4	Q. And in that sentence, you're saying	10:29:30
5	"LEDVANCE" refers to LEDVANCE GmbH?	10:29:34
6	A. Correct.	10:29:36
7	Q. And then it continues, the last sentence	10:29:37
8	in that paragraph reads, "Since then, we have	10:29:40
9	developed an extensive luminaires portfolio,	10:29:43
10	received several awards for our human centric	10:29:47
11	lighting (HCL) solutions and emerged as one of the	10:29:50
12	top players in the global lighting market."	10:29:53
13	Did I read that correctly?	10:29:56
14	A. Correct.	10:29:57
15	Q. And that sentence is still referring	10:29:58
16	specifically to LEDVANCE GmbH?	10:30:00
17	A. Correct.	10:30:02
18	Q. Does LEDVANCE GmbH operate in the United	10:30:03
19	States?	10:30:06
20	A. No.	10:30:06
21	Q. Does LEDVANCE GmbH operate anywhere	10:30:09
22	outside Europe?	10:30:11

1	A. Yes.	10:30:12
2	Q. Where?	10:30:13
3	A. Many countries, from South America,	10:30:14
4	Africa, Europe, Asia.	10:30:20
5	Q. LEDVANCE GmbH directly operates in those	10:30:22
6	countries?	10:30:25
7	A. They have subsidiaries that operate in	10:30:26
8	those countries.	10:30:28
9	Q. So when this sentence refers to "one of	10:30:29
10	the top players in the global lighting market,"	10:30:34
11	that can't be just LEDVANCE GmbH. Right?	10:30:38
12	A. It's LEDVANCE GmbH combined with all	10:30:41
13	subsidiaries.	10:30:45
14	Q. So at the beginning of this paragraph when	10:30:46
15	it says "LEDVANCE," that includes LEDVANCE LLC?	10:30:49
16	MR. BROWN: Objection.	10:30:52
17	A. As a part of LEDVANCE GmbH. Yes.	10:30:53
18	Q. This page is referring to LEDVANCE GmbH,	10:31:02
19	LEDVANCE LLC, and all the other global	10:31:07
20	subsidiaries as one. Right?	10:31:09
21	A. I'd say it's referring to LEDVANCE GmbH.	10:31:10
22	Q. Even though LEDVANCE GmbH does not	10:31:12

1	directly operate outside of Europe?	10:31:21
2	A. I don't know that they don't.	10:31:23
3	(Exhibit 1073)	10:32:07
4	Q. Mr. Martin, I've just handed you a	10:32:07
5	document that was previously marked as	10:32:10
6	Exhibit 1073. And I believe this is one of the	10:32:12
7	exhibits that you referred to in your declaration.	10:32:15
8	Correct?	10:32:18
9	A. I believe so.	10:32:18
10	Q. Specifically in at least Paragraph 5 of	10:32:23
11	your declaration.	10:32:31
12	A. Correct.	10:32:39
13	Q. Exhibit 1073 is a printout of the	10:32:39
14	Wikipedia entry for LEDVANCE GmbH. Correct?	10:33:14
15	A. Yes.	10:33:19
16	Q. And in the "History" section, it talks	10:33:20
17	about the spinoff from Osram. Right?	10:33:25
18	A. Yes, it does.	10:33:27
19	Q. And it talks about the acquisition by the	10:33:31
20	Chinese consortium. Right?	10:33:33
21	A. Yes, it does, in the second paragraph in	10:33:35
22	the "History."	10:33:43

1	Q. And that's the same consortium we talked	10:33:45
2	about earlier that includes IDG Capital and MLS	10:33:46
3	and Yiwu. Right?	10:33:51
4	A. Correct.	10:33:52
5	Q. At the end of that -- we were just	10:33:52
6	referring to the paragraph that begins with the	10:34:27
7	words "At the end of July 2016." Right? Sorry.	10:34:29
8	That was a confusing question because I said at	10:34:39
9	the beginning, at the end, and they meant	10:34:42
10	different things.	10:34:43
11	The paragraph that we were just referring	10:34:44
12	to, do you see it begins with the words "At the	10:34:45
13	end of July 2016"?	10:34:48
14	A. Yes.	10:34:50
15	Q. Okay. Near the end of that paragraph	10:34:50
16	there are two sentences. The first one reads,	10:34:54
17	"Due to the takeover, MLS gained distribution	10:34:58
18	networks in Europe and the United States."	10:35:01
19	Do you see that?	10:35:04
20	A. Yes.	10:35:04
21	Q. The distribution network that MLS gained	10:35:05
22	in the United States is LEDVANCE LLC. Correct?	10:35:08

1	A. Correct.	10:35:12
2	Q. And the last sentence of that paragraph	10:35:12
3	reads, "Since April 2018, MLS has been the sole	10:35:15
4	owner of LEDVANCE." Correct?	10:35:18
5	A. Correct.	10:35:21
6	Q. And that's true as to both LEDVANCE --	10:35:22
7	withdraw that.	10:35:25
8	That's true as to both LEDVANCE GmbH and	10:35:25
9	LEDVANCE LLC. Correct?	10:35:29
10	MR. BROWN: Objection.	10:35:31
11	A. MLS owns GmbH, which owns LLC.	10:35:32
12	Q. Why do you draw that distinction and frame	10:35:35
13	it that way particularly?	10:35:38
14	A. Because if you phrase it that MLS owns	10:35:39
15	LEDVANCE GmbH and the LLC, it makes it sound like	10:35:45
16	LLC is -- MLS is LLC's parent. And that's	10:35:49
17	inaccurate.	10:35:57
18	Q. Is MLS the direct parent of LEDVANCE GmbH?	10:35:57
19	A. Correct.	10:36:02
20	Q. It is?	10:36:02
21	So it's your testimony that the direct	10:36:05
22	parent of LEDVANCE GmbH is MLS?	10:36:07

1	A. There may be some corporate entities in	10:36:10
2	between there, but yes.	10:36:13
3	Q. Okay. So there are corporate entities	10:36:15
4	between MLS and LEDVANCE LLC. Right?	10:36:21
5	A. Correct.	10:36:24
6	Q. And there may be corporate entities	10:36:27
7	between MLS and LEDVANCE GmbH. Right?	10:36:30
8	A. Correct.	10:36:33
9	Q. Either way, MLS owns 100 percent of both	10:36:33
10	LEDVANCE GmbH and LEDVANCE LLC. Right?	10:36:39
11	A. Via LEDVANCE GmbH. Correct.	10:36:42
12	Q. Let me make sure I got that right.	10:36:48
13	Either way, MLS owns 100 percent of both	10:36:55
14	LEDVANCE GmbH and LEDVANCE LLC. Correct?	10:36:58
15	A. I don't believe that's accurate. I	10:37:01
16	believe that's inaccurate.	10:37:06
17	Q. How is that inaccurate?	10:37:09
18	A. MLS owns 100 percent of GmbH, which owns	10:37:10
19	100 percent of LEDVANCE LLC.	10:37:13
20	Q. If I own 100 percent of my car and my car	10:37:15
21	owns 100 percent of the wheel on the car, I also	10:37:18
22	own 100 percent of the wheel on the car. Correct?	10:37:21

1	MR. BROWN: Objection.	10:37:24
2	A. I don't like that analogy because a car	10:37:25
3	can't own something.	10:37:28
4	Q. Fair enough. You testified earlier that	10:37:29
5	MLS owns 100 percent of LEDVANCE LLC. You're not	10:37:31
6	backing away from that testimony, are you?	10:37:35
7	MR. BROWN: Objection.	10:37:37
8	A. I'm clarifying my testimony.	10:37:38
9	Q. How are you clarifying it?	10:37:40
10	A. MLS owns 100 percent of LEDVANCE GmbH.	10:37:41
11	LEDVANCE GmbH owns 100 percent of LEDVANCE LLC.	10:37:47
12	Q. And you're clarifying it because there	10:37:50
13	are -- the reason you don't want to say that MLS	10:37:55
14	owns LEDVANCE LLC is because there are intervening	10:37:58
15	corporate entities in the ownership chain. Is	10:38:02
16	that correct?	10:38:05
17	A. That's not the only reason, but that's	10:38:05
18	correct.	10:38:07
19	Q. What other reason?	10:38:07
20	A. Just to be more accurate.	10:38:08
21	Q. Okay. LEDVANCE GmbH does not directly own	10:38:11
22	LEDVANCE LLC. Correct?	10:38:14

1	A. Correct.	10:38:15
2	Q. There's an intervening company?	10:38:16
3	A. Correct.	10:38:18
4	Q. LEDVANCE Holdings LLC?	10:38:19
5	A. Correct.	10:38:20
6	Q. And just like MLS does not directly own	10:38:21
7	LEDVANCE LLC. Right?	10:38:25
8	A. Correct.	10:38:27
9	Q. There are intervening companies?	10:38:27
10	A. Yup. There's parent and child	10:38:29
11	corporations.	10:38:32
12	Q. But LEDVANCE GmbH does own 100 percent of	10:38:32
13	LEDVANCE LLC. Right?	10:38:37
14	A. Correct.	10:38:38
15	Q. And so does MLS?	10:38:39
16	A. I disagree with that statement. I've	10:38:41
17	already explained.	10:38:47
18	Q. Okay.	10:38:47
19	(Exhibit 1077)	10:39:18
20	Q. I just handed you a copy of Exhibit 1077,	10:39:18
21	previously marked. Do you see that?	10:39:21
22	A. Yes, I do. Although the type is very	10:39:22

1	small.	10:39:26
2	Q. It is. I apologize. That's how we	10:39:26
3	received it.	10:39:28
4	This is another of the exhibits that you	10:39:30
5	cited in your declaration. Correct?	10:39:33
6	A. Yes, I believe so.	10:39:35
7	Q. In Paragraph 6 specifically?	10:39:38
8	A. Yes.	10:40:00
9	Q. I'd like to direct your attention,	10:40:08
10	Mr. Martin, to the second page of Exhibit 1077.	10:40:49
11	There are two graphics on this page, and I'd like	10:40:52
12	to focus on the paragraph that appears in between	10:40:57
13	those two graphics. Do you see that?	10:41:00
14	A. Yes.	10:41:03
15	Q. There's a heading there that reads,	10:41:03
16	"3. Foster International competition" -- sorry. I	10:41:07
17	withdraw that.	10:41:09
18	There's a heading there that reads,	10:41:10
19	"3. Foster International Corporation in the	10:41:12
20	semiconductor lighting industry."	10:41:16
21	A. I'm just seeing if I have my glasses.	10:41:25
22	Q. Go ahead.	10:41:26

[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

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1	A. I don't have them.	10:41:57
2	Q. Are you able to read Exhibit 1077?	10:41:58
3	A. I cannot. I can try to read it. It looks	10:42:04
4	like the first word is "In May 2016, MLS announced	10:42:08
5	that it would be" -- "that it had to acquire	10:42:14
6	LEDVANCE."	10:42:21
7	Q. I apologize. I didn't intend for this to	10:42:23
8	be an eye exam today. I don't have many questions	10:42:25
9	about this document. What I'll suggest is this.	10:42:29
10	I have an electronic version I can blow up. I	10:42:33
11	guess I can show that to you, too, if that helps.	10:42:35
12	A. Yes.	10:42:39
13	Q. Give me just a moment.	10:42:39
14	MR. BROWN: Web pages can often be	10:43:02
15	difficult.	10:43:03
16	Q. Is that easier to read?	10:43:16
17	A. Yes, please.	10:43:18
18	Q. So you had just begun to read the first	10:43:22
19	sentence of the paragraph on page 2 that appears	10:43:24
20	between the graphics. Right?	10:43:27
21	A. Yes.	10:43:28
22	Q. And I want to focus on the second sentence	10:43:28

1	in that same paragraph, which reads, "In 2018, MLS	10:43:31
2	completed the acquisition of LEDVANCE so that	10:43:35
3	Chinese LED companies participate in global	10:43:38
4	competition by selling products overseas." Do you	10:43:41
5	see that?	10:43:48
6	A. Yes.	10:43:48
7	Q. And it continues, "It," meaning MLS "has	10:43:49
8	integrated LEDVANCE in many areas and improved the	10:43:53
9	supply chain and product structure, resulting in	10:43:57
10	gains in the brand advantages and profitability of	10:43:59
11	LEDVANCE."	10:44:02
12	Did I read that correctly?	10:44:03
13	A. Yes.	10:44:04
14	Q. Do you agree with that statement?	10:44:04
15	A. I'd agree with that statement.	10:44:05
16	Q. The next sentence reads, "After acquiring	10:44:19
17	LEDVANCE, MLS now owns foreign high-end lighting	10:44:21
18	brands, including the Centennial brands 'LEDVANCE'	10:44:25
19	and 'Sylvania.'"	10:44:30
20	Did I read that correctly?	10:44:33
21	A. Yes.	10:44:34
22	Q. Do you agree with that statement?	10:44:35

1	A. I don't think they necessarily own it, but	10:44:36
2	they own LEDVANCE GmbH, which owns that asset. So	10:44:40
3	yes.	10:44:45
4	Q. So you agree --	10:44:45
5	A. They don't directly own it.	10:44:48
6	Q. So do you agree -- I'm sorry. I didn't	10:44:49
7	mean to talk over you. Do you have something more	10:44:53
8	to say?	10:44:56
9	A. No.	10:44:56
10	Q. Do you agree or disagree with that	10:44:57
11	statement?	10:44:59
12	MR. BROWN: Objection.	10:45:03
13	A. I don't know that it's accurate, but I	10:45:04
14	agree with the overall.	10:45:05
15	Q. What do you believe is inaccurate about	10:45:12
16	that statement?	10:45:14
17	A. That they own those brands.	10:45:14
18	Q. And your disagreement is because MLS does	10:45:17
19	not own those brands directly?	10:45:25
20	A. Correct.	10:45:26
21	Q. But it does own them?	10:45:26
22	MR. BROWN: Objection.	10:45:33

1	A. I disagree.	10:45:34
2	Q. Okay. The last sentence in that paragraph	10:45:34
3	reads, "With overseas sales channels that cover	10:45:38
4	140 countries and regions, MLS has global brands	10:45:45
5	and channel advantages in the field of lighting."	10:45:48
6	Did I read that correctly?	10:45:51
7	A. Yes.	10:45:52
8	Q. Do you agree with that statement?	10:45:52
9	A. Agree.	10:45:55
10	Q. Do you know what all the 140 countries and	10:46:00
11	regions are?	10:46:03
12	A. No.	10:46:04
13	Q. We'll come back to those.	10:46:04
14	That's it for 1077. I'll take that back.	10:46:10
15	Thank you for your flexibility.	10:46:13
16	(Exhibit 2058)	10:46:43
17	Q. This one might be a challenge too. And by	10:46:43
18	that, I mean that this next exhibit, which is	10:46:52
19	designated Exhibit 2058, also has some small type	10:46:56
20	and may be difficult to read. Fortunately, I only	10:47:02
21	have a couple questions.	10:47:13
22	If you could turn to page 2 of	10:47:33

1	Exhibit 2058. Do you see on the right side of the	10:47:35
2	page it says "About Us"?	10:47:45
3	A. Yes.	10:47:47
4	Q. Are you able to read the text below that?	10:47:48
5	A. Yes.	10:47:50
6	Q. Okay. Right below it, it says Mulinsen	10:47:52
7	Group. Right?	10:47:58
8	A. Yes.	10:47:59
9	Q. And Mulinsen is MLS. Right?	10:47:59
10	A. I don't know. I believe so.	10:48:01
11	Q. Okay. It says, "Mulinsen was founded in	10:48:06
12	1997 and successfully listed on the Shenzhen Stock	10:48:14
13	Exchange in 2015." Right?	10:48:18
14	A. Yes.	10:48:19
15	Q. If you look further down, there are some	10:48:20
16	numbers in orange, including operating revenue	10:48:23
17	that reached 18.615 billion RMB. Right?	10:48:25
18	A. Correct.	10:48:29
19	Q. And 20,000 employees worldwide. Right?	10:48:30
20	A. Correct.	10:48:33
21	Q. And then it says its business covers 140	10:48:33
22	countries and regions worldwide. Right?	10:48:36

1	A. Correct.	10:48:39
2	Q. Okay. We'll come back to that.	10:48:39
3	(Exhibit 2040)	10:49:04
4	Q. Mr. Martin, apologies. I've just handed	10:49:04
5	you Exhibit 2040, which also has some small type.	10:49:07
6	Are you able to read the text on that	10:49:10
7	page?	10:49:11
8	A. I think so.	10:49:12
9	Q. Okay. If you have any difficulties	10:49:12
10	reading it, let me know and I will find a way to	10:49:15
11	enlarge it.	10:49:19
12	This is a press release from LEDVANCE.	10:49:33
13	Correct?	10:49:41
14	A. I think it's LEDVANCE GmbH. Yes.	10:49:41
15	Q. And the title of the press release is	10:49:45
16	"Chinese Consortium Completes Acquisition of	10:49:48
17	LEDVANCE"?	10:49:50
18	A. Correct.	10:49:51
19	Q. And that's the same consortium that we	10:49:51
20	talked about before. Right?	10:49:57
21	A. I believe so.	10:49:58
22	Q. Consortium including IDG Capital and MLS	10:49:59

1	and Yiwu State-Owned Assets Operations Center.	10:50:04
2	Right?	10:50:07
3	A. Yes.	10:50:08
4	Q. Also known as just "Yiwu." Right?	10:50:08
5	A. Yes.	10:50:11
6	Q. I'd like to focus your attention under the	10:50:11
7	photograph on page 1 there's a caption and then	10:51:19
8	there's a paragraph that begins with the word	10:51:22
9	"We." Do you see that?	10:51:24
10	A. Yes.	10:51:25
11	Q. The next word -- next paragraph begins	10:51:26
12	with the word "It." Do you see that?	10:51:28
13	A. No. I see "We are very pleased."	10:51:31
14	Q. Yes. And then the next -- that's the	10:51:34
15	first paragraph.	10:51:36
16	A. Okay.	10:51:36
17	Q. And then there's a second paragraph and a	10:51:37
18	third paragraph.	10:51:39
19	A. Yes. I see the second. "It is great."	10:51:40
20	Q. I'd like to focus on the fourth paragraph	10:51:45
21	that begins with "LEDVANCE and MLS."	10:51:47
22	A. Okay.	10:51:50

1	Q. Specifically it reads, "LEDVANCE and MLS	10:51:50
2	will now focus on leveraging synergies."	10:51:53
3	Do you see that?	10:51:56
4	A. Yes.	10:51:56
5	Q. And then it continues, "Through MLS	10:51:57
6	LEDVANCE now gains access to cost-efficient LED	10:51:59
7	components for its LED products and will be able	10:52:01
8	to expand its market presence in China, the	10:52:04
9	largest lighting market in the world."	10:52:07
10	Do you see that?	10:52:09
11	A. Yes.	10:52:09
12	Q. Do you agree with that statement?	10:52:10
13	A. Yes.	10:52:11
14	Q. Some of the cost-efficient LED components	10:52:15
15	that LEDVANCE got access to are the LED filaments	10:52:20
16	used in the white-filament LED bulbs. Right?	10:52:25
17	MR. BROWN: Objection.	10:52:30
18	A. I don't know that it's referencing that.	10:52:30
19	Q. But it could be?	10:52:35
20	A. They already -- LEDVANCE and Osram already	10:52:37
21	had access to the same contract manufacturers.	10:52:41
22	It's maybe just alluding to greater access.	10:52:45

1	Q. Prior to the acquisition, was either	10:52:47
2	LEDVANCE or Osram buying LED components from MLS?	10:52:52
3	MR. BROWN: Objection.	10:52:56
4	A. I don't know for sure, but I believe they	10:52:57
5	would have.	10:52:58
6	Q. "LEDVANCE" here refers to both	10:53:13
7	LEDVANCE GmbH and LEDVANCE LLC. Correct?	10:53:15
8	A. I would, again, assume it's LEDVANCE GmbH	10:53:17
9	because I think this is LEDVANCE GmbH's website.	10:53:22
10	Q. So it's your position that in this	10:53:27
11	document the word "LEDVANCE" by itself refers to	10:53:31
12	LEDVANCE GmbH?	10:53:34
13	A. Correct.	10:53:35
14	Q. Okay. Let's look at the next paragraph,	10:53:35
15	which begins, "Based on an agreement with Osram,	10:53:39
16	LEDVANCE will continue to use the Osram brand name	10:53:42
17	for its products (Sylvania for U.S.A. and	10:53:44
18	Canada)." Correct?	10:53:51
19	A. Correct.	10:53:51
20	Q. That can't be just LEDVANCE GmbH.	10:53:52
21	Correct?	10:53:58
22	MR. BROWN: Objection.	10:53:58

1	A. LEDVANCE GmbH and all its subsidiaries.	10:53:59
2	Q. Okay. So when this document refers to	10:54:01
3	LEDVANCE, it's referring to LEDVANCE GmbH and all	10:54:06
4	of its subsidiaries?	10:54:09
5	A. I'd agree with that.	10:54:09
6	Q. Including LEDVANCE LLC?	10:54:11
7	A. As a subsidiary. Yes.	10:54:13
8	Q. The next sentence in that last paragraph	10:54:14
9	on page 1 reads, "Intellectual property rights	10:54:16
10	have been clearly allocated, so MLS and LEDVANCE	10:54:19
11	can continue to drive innovations globally." Do	10:54:22
12	you see that?	10:54:26
13	A. Correct.	10:54:26
14	Q. Do you know what that means, "Intellectual	10:54:27
15	property rights have been clearly allocated"?	10:54:29
16	A. I believe that's -- since the prior one is	10:54:31
17	referring to brands, I believe that might be	10:54:35
18	intellectual property rights as far as the brands	10:54:38
19	go.	10:54:41
20	Q. Do you know what it means by "have been	10:54:41
21	clearly allocated"?	10:54:43
22	A. Yeah. The brands are set throughout the	10:54:45

1	world, like "Sylvania" is used in the U.S. and	10:54:48
2	"Osram" is used in the rest of the world. I'm	10:54:51
3	sorry. U.S. and Canada.	10:55:01
4	Q. So the brand name "Sylvania" is not used	10:55:02
5	anywhere except the United States and Canada?	10:55:06
6	A. It is, but by other companies.	10:55:08
7	Q. Got it.	10:55:11
8	We talked about this earlier, but this	10:55:30
9	document refers to the consortium purchase which	10:55:31
10	happened in March of 2017. Subsequently MLS	10:55:33
11	acquired 100 percent ownership of LEDVANCE GmbH	10:55:38
12	and all of its subsidiaries. Correct?	10:55:42
13	A. Yes. It looks like it's referring to the	10:55:43
14	completion of the -- it looks like it's referring	10:55:46
15	to the first purchase, as you referred to it	10:55:52
16	earlier.	10:55:55
17	Q. Right. And then after this date -- this	10:55:55
18	is in March of 2017. After this date, there was	10:56:00
19	the second transaction in which MLS acquired full	10:56:03
20	ownership of GmbH and all of its subsidiaries?	10:56:06
21	A. Correct.	10:56:09
22	Q. But Yiwu still owns an interest in MLS.	10:56:09

1	Correct?	10:56:18
2	A. I don't think so. I don't know.	10:56:18
3	(Exhibit 2041)	10:56:45
4	Q. Mr. Martin, I've just handed you a	10:56:45
5	document marked as Exhibit 2041. Once again, very	10:56:47
6	small text. I apologize.	10:56:50
7	A. And I should clarify, that last question,	10:56:52
8	was that with regard to the interim period when	10:56:55
9	you said Yiwu still owns part of LEDVANCE or of	10:56:59
10	MLS?	10:57:04
11	Q. So good question. Thank you for	10:57:04
12	clarifying. I mean today.	10:57:06
13	A. Today, I don't believe Yiwu owns any part	10:57:09
14	of MLS.	10:57:11
15	Q. Okay. So back to the exhibit I've just	10:57:12
16	handed you. That's Exhibit 2041. Are you able to	10:57:17
17	read that?	10:57:19
18	A. Yes.	10:57:20
19	Q. Okay. And this is a press release dated	10:57:24
20	about a year -- almost exactly a year later in	10:57:37
21	2018. Correct?	10:57:40
22	A. Correct.	10:57:41

1	Q. And I'm not certain on the exact date	10:57:41
2	because I don't know which date format is being	10:57:47
3	used here. Do you know whether this is March 4th	10:57:49
4	or April 3rd?	10:57:52
5	A. I don't know. I'm assuming since it's	10:57:53
6	LEDVANCE GmbH it's going to be day, month, year.	10:58:00
7	Q. So April 3rd?	10:58:03
8	A. That's what I think.	10:58:05
9	Q. Okay. We can agree this press release was	10:58:06
10	issued in either March or April of 2018?	10:58:09
11	A. Yes.	10:58:14
12	Q. And in that first paragraph, the second	10:58:14
13	sentence reads, "MLS has taken over full ownership	10:58:20
14	of LEDVANCE by means of a share deal with the	10:58:25
15	strategic IDG Capital and a financial investor	10:58:29
16	Yiwu." Do you see that?	10:58:33
17	A. Yes.	10:58:34
18	Q. And by -- this is the second transaction	10:58:34
19	that we referred to. Right?	10:58:38
20	A. Yes.	10:58:39
21	Q. So as a result of this transaction, MLS	10:58:39
22	owns 100 percent of LEDVANCE GmbH and all of its	10:58:43

1	subsidiaries?	10:58:47
2	A. Yes.	10:58:48
3	Q. The next sentence in Exhibit 2041 reads,	10:58:48
4	"As part of the deal, IDG Capital and Yiwu will	10:58:52
5	become shareholders of MLS via a joint	10:58:55
6	investment." Do you see that?	10:58:59
7	A. Yes.	10:59:00
8	Q. Do you agree with that statement?	10:59:00
9	A. I don't know enough about it.	10:59:02
10	Q. Okay. Would you agree that, if true, that	10:59:06
11	statement means that Yiwu owns a portion of MLS?	10:59:09
12	A. Yes. But it could be a .0001 percent	10:59:13
13	share.	10:59:18
14	Q. If you look a little bit further down the	10:59:25
15	page, just under the photograph that appears on	10:59:28
16	page 1, that first paragraph, do you see that	10:59:59
17	paragraph?	11:00:03
18	A. Yes.	11:00:03
19	Q. There are a couple of quotes in this	11:00:03
20	paragraph from someone named Jacob C. Tarn, Ph.D.,	11:00:12
21	managing director and CEO of LEDVANCE. Do you see	11:00:18
22	that?	11:00:21

1	A. Yes.	11:00:22
2	Q. And that's managing director and CEO of	11:00:22
3	LEDVANCE GmbH. Right?	11:00:25
4	A. Yes.	11:00:26
5	Q. Dr. Tarn said -- I'm starting with that	11:00:27
6	second quote in the middle of the paragraph --	11:00:36
7	"With MLS as our partner and key supplier of LED	11:00:38
8	components, we will continue to vehemently drive	11:00:42
9	forward the transition of LEDVANCE into becoming	11:00:44
10	the leading global LED lighting company."	11:00:46
11	Did I read that correctly?	11:00:49
12	A. Yes.	11:00:50
13	Q. So a couple things there.	11:00:51
14	First, when he refers to LEDVANCE becoming	11:00:54
15	the leading global LED lighting company, is it	11:00:56
16	fair to say that means LEDVANCE GmbH and all of	11:00:59
17	its subsidiaries?	11:01:02
18	A. "With MLS as a partner and key supplier of	11:01:03
19	LED components." So that's saying LEDVANCE GmbH	11:01:08
20	will continue to -- and I can't read the rest.	11:01:16
21	Sorry.	11:01:22
22	Q. So the end of the sentence reads	11:01:22

1	"vehemently drive forward the transition of	11:01:26
2	LEDVANCE into becoming the leading global LED	11:01:29
3	lighting company." Do you see that?	11:01:32
4	A. Yes.	11:01:34
5	Q. In that sentence, which refers to LEDVANCE	11:01:35
6	becoming the leading global LED lighting company,	11:01:40
7	"LEDVANCE" must mean LEDVANCE GmbH and all of its	11:01:45
8	subsidiaries. Correct?	11:01:48
9	A. Correct.	11:01:48
10	Q. And the first part of the sentence	11:01:49
11	describes MLS as a partner and key supplier of LED	11:01:53
12	components. Right?	11:01:56
13	A. Yes.	11:01:57
14	Q. Okay. You can put that off to the side.	11:01:58
15	MR. MCMAHON: Off the record.	11:02:19
16	(Recess, 11:02 a.m. to 11:08 a.m.)	11:02:21
17	BY MR. MCMAHON:	11:08:15
18	Q. Mr. Martin, I've just handed you what's	11:08:30
19	been marked as Exhibit 2042. This one also has	11:08:33
20	small type, so I'm going to give you a screen to	11:08:36
21	look at the text.	11:08:39
22	(Exhibit 2042)	11:08:43

1	Q. Are you able to read that on the screen?	11:08:43
2	A. Yes, I am.	11:08:44
3	Q. This is an announcement from MLS about	11:08:45
4	the -- I'm sorry.	11:09:06
5	This is an announcement from MLS about the	11:09:12
6	leadership of LEDVANCE GmbH. Correct?	11:09:14
7	A. Yes.	11:09:17
8	Q. And specifically, it is announcing that	11:09:18
9	Lawrence Lin will leave LEDVANCE. Correct?	11:09:24
10	A. Yes.	11:09:26
11	Q. Did you know Mr. Lin?	11:09:28
12	A. Yes.	11:09:30
13	Q. He was the CEO and managing director of	11:09:32
14	LEDVANCE for a brief period of time?	11:09:36
15	A. Yes.	11:09:39
16	Q. And as of -- further down, at the bottom	11:09:41
17	of the page, it says, "Lin had been appointed as	11:09:44
18	CEO and managing director in 2018 after Jacob	11:09:47
19	Tarn, who took the role for only eight months."	11:09:52
20	Do you see that?	11:09:55
21	A. Yes.	11:09:56
22	Q. And then it continues, "In January 2019,	11:09:56

1	Lin also became responsible for managing LEDVANCE	11:09:59
2	in the U.S. and Canada since Jim Johnson left."	11:10:01
3	A. Correct.	11:10:05
4	Q. Now, going back up to the sentence that's	11:10:06
5	highlighted above the photo, it reads, "Qinghuan	11:10:10
6	Sun, president of MLS, has been appointed as CEO	11:10:17
7	and managing director of LEDVANCE since Lin left."	11:10:21
8	Right?	11:10:24
9	A. Yes.	11:10:24
10	Q. And "Erol Kirilmaz, chief sales and	11:10:25
11	marketing officer, on the other hand, has become	11:10:35
12	managing director in the United States and Canada	11:10:37
13	on an interim basis." Do you see that?	11:10:39
14	A. Yes.	11:10:41
15	Q. First of all, do you know how to pronounce	11:10:42
16	that name? Is it Kirilmaz?	11:10:45
17	A. I believe that's right.	11:10:47
18	Q. Do you know Mr. Kirilmaz?	11:10:49
19	A. I did know him.	11:10:51
20	Q. Okay. Did you interact with him?	11:10:52
21	A. Yes.	11:10:54
22	Q. Did you know Mr. Lin?	11:10:55

1	A. Yes.	11:10:59
2	Q. Did you interact with him?	11:11:00
3	A. Yes.	11:11:02
4	Q. What was the nature of your interactions	11:11:03
5	with those two gentlemen?	11:11:04
6	A. So Lin became CEO of LEDVANCE LLC for a	11:11:05
7	period of time, and I interacted with him --	11:11:14
8	Q. Was that after --	11:11:18
9	A. -- as my boss.	11:11:20
10	Q. -- this time period?	11:11:21
11	A. Yes. This was after Lin left the company,	11:11:23
12	Lawrence left the company.	11:11:36
13	Q. So just want to make sure I get the	11:11:42
14	timeline straight here.	11:12:00
15	Lawrence Lin took over as CEO of LEDVANCE	11:12:02
16	in November 2018. Right?	11:12:06
17	A. I'm not sure if it was November of 2018.	11:12:08
18	This suggests it's January 2019.	11:12:14
19	Q. And that's what I wanted to clarify. In	11:12:17
20	the paragraph above the photo, it says "who took	11:12:20
21	over the role of CEO in LEDVANCE in	11:12:24
22	November 2018."	11:12:27

1	That may be LEDVANCE GmbH?	11:12:28
2	A. Correct.	11:12:29
3	Q. And then at the bottom it says, "In	11:12:29
4	January 2019, Lin also became responsible for	11:12:32
5	managing LEDVANCE in the U.S. and Canada since Jim	11:12:35
6	Johnson left."	11:12:38
7	A. There was an interim period where our CEO,	11:12:39
8	Jim Johnson, left.	11:12:42
9	Q. And that's CEO of LEDVANCE LLC?	11:12:43
10	A. Correct.	11:12:46
11	Q. So Mr. Lin stepped in as CEO of LEDVANCE	11:12:46
12	LLC?	11:12:51
13	A. Correct.	11:12:51
14	(Exhibit 2101)	11:13:27
15	Q. Mr. Martin, I've just handed you a	11:13:27
16	document marked as Exhibit 2101, once again with	11:13:29
17	very small type. Are you able to read that?	11:13:33
18	A. Yes.	11:13:37
19	Q. If you have any difficulties reading it,	11:13:37
20	let me know and I'll get you a screen to read it	11:13:38
21	on.	11:13:41
22	This is a press release from LEDVANCE GmbH	11:13:50

1	announcing that Dr. Markus Emmert had taken over	11:13:53
2	as the new chief financial officer at LEDVANCE.	11:13:58
3	Correct?	11:14:00
4	A. Of LEDVANCE GmbH. Correct.	11:14:01
5	Q. And Dr. Emmert also became a member of	11:14:02
6	LEDVANCE's management board. Correct?	11:14:12
7	A. I believe so.	11:14:14
8	Q. And the last sentence of that first	11:14:16
9	paragraph ends by noting that Dr. Emmert will	11:14:19
10	report directly to the CEO, Qinghuan Sun.	11:14:23
11	Correct?	11:14:28
12	A. Correct.	11:14:28
13	Q. That's CEO of LEDVANCE GmbH?	11:14:29
14	A. Correct.	11:14:31
15	Q. So from the previous exhibit,	11:14:32
16	Exhibit 2042, we know that Mr. Sun became CEO of	11:14:43
17	LEDVANCE GmbH in 2018. Right?	11:14:46
18	A. Yes.	11:14:48
19	Q. And this document, Exhibit 2101, is dated	11:14:49
20	2023, October 19th, and indicates that Mr. Sun is	11:14:54
21	still the CEO at this time of LEDVANCE GmbH.	11:15:01
22	Correct?	11:15:05

1	A. Correct.	11:15:05
2	Q. Sitting here today, do you know is	11:15:06
3	Mr. Sun -- is Mr. Sun still the CEO of	11:15:11
4	LEDVANCE GmbH?	11:15:14
5	A. I don't know.	11:15:15
6	Q. Do you have any reason to believe he is	11:15:16
7	not?	11:15:18
8	A. I don't.	11:15:18
9	(Exhibit 2043)	11:16:03
10	Q. Mr. Martin, I've handed you what's been	11:16:03
11	marked as Exhibit 2043. Do you see that?	11:16:05
12	A. Yes.	11:16:07
13	Q. And are you able to read this one?	11:16:07
14	A. Yes.	11:16:09
15	Q. This is a printout from the MLS website	11:16:10
16	labeled "Our Team." Correct?	11:16:14
17	A. That's what it says. Yes.	11:16:16
18	Q. And there's a photo here of Mr. Sun.	11:16:19
19	Right?	11:16:41
20	A. Yes.	11:16:41
21	Q. Do you recognize him from when you met	11:16:42
22	him?	11:16:45

1	A. Yes.	11:16:45
2	Q. Under his name, Sun Qinghuan, the first	11:16:46
3	bullet point reads, "Founder of Mulinsen Co.,	11:16:51
4	Ltd."	11:16:55
5	A. Yes.	11:16:55
6	Q. Founded Mulinsen Co., Ltd., in 1997.	11:16:56
7	That's the second bullet point. Right?	11:16:59
8	A. Yes.	11:17:00
9	Q. And Mulinsen is MLS. Right?	11:17:01
10	A. I believe some corporate entity related to	11:17:03
11	MLS.	11:17:06
12	Q. The third and fourth bullet points both	11:17:07
13	refer to Mulinsen. The first one indicates that	11:17:13
14	Mr. Sun served as the executive chairman and	11:17:19
15	general manager of Mulinsen. Right?	11:17:21
16	A. Correct. Served as executive chairman and	11:17:23
17	general manager of Mulinsen.	11:17:26
18	Q. And then the fourth bullet point reads --	11:17:28
19	indicates that Mr. Sun created brands such as	11:17:31
20	Mulinsen, Mulinsen Lighting, and Forest Lighting.	11:17:33
21	Right?	11:17:36
22	A. Yes.	11:17:36

1	Q. And then the fifth bullet point reads	11:17:37
2	"Acquisition of LEDVANCE." Do you see that?	11:17:39
3	A. Yes.	11:17:41
4	Q. And then the last bullet point reads,	11:17:41
5	"Built the company into a multilevel diversified	11:17:44
6	global platform." Do you see that?	11:17:46
7	A. Yes.	11:17:48
8	Q. "The company" there is MLS. Right?	11:17:49
9	A. I assume so.	11:17:51
10	Q. The multilevel diversified global platform	11:17:52
11	includes LEDVANCE GmbH and its subsidiaries.	11:18:00
12	Right?	11:18:04
13	A. Yes. I would assume it includes all the	11:18:04
14	MLS subsidiaries.	11:18:11
15	MR. MCMAHON: Now we have been going for	11:18:32
16	close to an hour. Why don't we take a break.	11:18:33
17	(Recess, 11:18 a.m. to 11:24 a.m.)	11:18:35
18	BY MR. MCMAHON:	11:24:13
19	Q. Mr. Martin, I've just handed you a	11:24:31
20	document we've marked as Exhibit 2077.	11:24:33
21	(Exhibit 2077)	11:24:37
22	Q. This one, again, has very small print.	11:24:37

1	Are you able to read it?	11:24:39
2	A. I may have to ask for a highlighted	11:24:40
3	portion.	11:24:44
4	Q. I thought that might be the case. So here	11:24:46
5	it is on an iPad screen. You can scroll.	11:24:49
6	A. Okay.	11:24:54
7	Q. Exhibit 2077 is a press release from	11:24:55
8	Osram. Right?	11:25:05
9	A. Yes.	11:25:06
10	Q. Dated July 26th, 2016?	11:25:06
11	A. Yes.	11:25:09
12	Q. And this is announcing the first	11:25:10
13	transaction, the consortium's acquisition of	11:25:15
14	LEDVANCE. Right?	11:25:17
15	A. Yes. The sale from Osram to the	11:25:18
16	consortium.	11:25:21
17	Q. If you look at the -- at the top there are	11:25:21
18	a series of six bullet points. Do you see that?	11:25:29
19	A. Yes.	11:25:31
20	Q. And then there's a paragraph right below	11:25:31
21	those bullet points.	11:25:34
22	A. Yes.	11:25:35

1	Q. And about two-thirds of the way down that	11:25:35
2	paragraph, there's a sentence that begins over on	11:25:39
3	the right-hand side with the words "Through the	11:25:41
4	transaction." Do you see that?	11:25:43
5	A. I see -- now I see it, "Through the	11:25:45
6	transaction."	11:26:00
7	Q. Actually, I'm going to start with the	11:26:01
8	sentence right before that, which reads, "The	11:26:03
9	consortium and LEDVANCE are a very good fit due to	11:26:05
10	their complementary structure, both geographically	11:26:08
11	as well as respective product portfolios, and they	11:26:11
12	have solid financial resources." Do you see that?	11:26:14
13	A. Yes.	11:26:16
14	Q. And then the next sentence reads, "Through	11:26:16
15	the transaction, both would respectively benefit	11:26:18
16	from a significantly larger sales and distribution	11:26:21
17	network." Do you see that?	11:26:23
18	A. Yes.	11:26:25
19	Q. And skipping down to the next paragraph,	11:26:25
20	in the middle of that paragraph there's a sentence	11:26:30
21	that begins with the word "Benefiting."	11:26:32
22	A. Yes.	11:26:36

1	Q. Which reads, "Benefiting from LEDVANCE's	11:26:37
2	decades of experience, MLS will be able to	11:26:39
3	significantly expand its position in the global	11:26:42
4	lighting market through the transaction."	11:26:45
5	A. Yes.	11:26:47
6	Q. And that's because MLS will have access to	11:26:47
7	LEDVANCE GmbH and its subsidiaries and their	11:26:55
8	global network. Right?	11:26:58
9	A. That's what this article is referencing,	11:26:59
10	probably.	11:27:04
11	Q. Do you agree with that?	11:27:04
12	A. Considering, yes, it wasn't in the global	11:27:05
13	market before. Yes.	11:27:17
14	Q. I'll take that back.	11:27:18
15	(Exhibit 2044)	11:28:06
16	Q. Mr. Martin, I'm handing you what we've	11:28:06
17	marked as Exhibit 2044. Let me know if you need	11:28:08
18	to see that on a bigger screen.	11:28:16
19	A. Yes.	11:28:17
20	Q. My apologies. We already covered a	11:28:17
21	different version of that. You can set that one	11:29:03
22	aside. I'm going to have the same question for	11:29:08

1	you about 2045.	11:29:13
2	(Exhibit 2045)	11:29:16
3	Q. This is a document marked as Exhibit 2045.	11:29:16
4	Let me know if you need a bigger screen for that	11:29:20
5	one.	11:29:22
6	A. Yes, I will need a bigger screen for	11:29:26
7	the -- any of the body text.	11:29:30
8	Q. No problem. Here, I'll give it to you on	11:29:32
9	screen. You can scroll down to see the text.	11:29:53
10	This is a page from the MLS website.	11:30:21
11	Right?	11:30:23
12	A. Yeah.	11:30:24
13	Q. At the top of page 1, there's kind of a	11:30:24
14	big photo and then there are two smaller photos	11:30:43
15	that appear right below that. Do you see those?	11:30:45
16	A. Yes.	11:30:47
17	Q. And then the sentence immediately after	11:30:48
18	all three of those photos reads, "MLS currently	11:30:50
19	owns two brand names: 'MLS' and 'LEDVANCE.'" Do	11:30:53
20	you see that?	11:31:03
21	A. Yes.	11:31:03
22	Q. Do you agree with that statement?	11:31:04

1	A. Again, I would clarify that they are	11:31:05
2	LEDVANCE GmbH, which owns the trademark for	11:31:09
3	LEDVANCE.	11:31:11
4	Q. The next sentence reads, "Its strategy	11:31:11
5	going forward will be primarily about building up	11:31:20
6	brand recognition and opening new sales channels."	11:31:22
7	Do you see that?	11:31:25
8	A. Yes.	11:31:25
9	Q. The pronoun at the beginning of that	11:31:26
10	sentence, the word "its," is referring to MLS.	11:31:27
11	Right?	11:31:31
12	A. I'd assume so because it's their web page.	11:31:31
13	Q. Okay. We just looked at that first	11:31:35
14	paragraph. Skip over the second paragraph, the	11:31:43
15	third paragraph, and can you go to the fourth	11:31:46
16	paragraph that begins with the words "When	11:31:48
17	discussing." Do you see that?	11:31:50
18	A. Yes.	11:31:56
19	Q. The third sentence in that paragraph	11:31:57
20	begins with the word "Second" and it reads,	11:31:59
21	"Second, it creates avenues for profit sharing	11:32:02
22	among participants in the distribution and sales	11:32:05

1	network, thereby forming mutually beneficial	11:32:07
2	relations between the manufacturer and its channel	11:32:11
3	partners."	11:32:13
4	Do you agree with that? Actually, let me	11:32:14
5	withdraw that because I think you were looking to	11:32:31
6	the first sentence, which is --	11:32:33
7	A. I'm trying to figure out what modifier --	11:32:35
8	Q. You're right. There's some context that I	11:32:39
9	did not set up. My apologies.	11:32:41
10	The first sentence of that paragraph	11:32:43
11	reads, "When discussing the complementary	11:32:45
12	relationship between channel management and	11:32:47
13	product development, MLS said that branding offers	11:32:49
14	two advantages. First, it assists the company in	11:32:53
15	selling products of premium quality to end users.	11:32:57
16	Second, it creates avenues for profit sharing	11:33:00
17	among participants in the distribution and sales	11:33:02
18	network, thereby forming mutually beneficial	11:33:05
19	relations between the manufacturer and its channel	11:33:08
20	partners."	11:33:10
21	Did I read all that correctly?	11:33:11
22	A. Yes.	11:33:13

[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

100

1	Q. Do you agree with all of that?	11:33:13
2	A. I don't know MLS well enough to know	11:33:15
3	whether -- I mean, it sounds reasonable, but I	11:33:20
4	don't know. It's MLS's statement, not mine.	11:33:23
5	Q. The manufacturer in that last sentence	11:33:25
6	would be MLS. Right?	11:33:28
7	A. It could be.	11:33:29
8	Q. And channel partners would include	11:33:32
9	LEDVANCE GmbH and its subsidiaries?	11:33:36
10	A. One could read that. I don't know what	11:33:38
11	MLS's intent was in that statement.	11:33:42
12	Q. Okay. You can set that one aside.	11:33:45
13	Actually, I'll take the screen.	11:33:51
14	Mr. Martin, do you read Chinese?	11:34:18
15	A. No, I do not.	11:34:20
16	Q. Neither do I.	11:34:21
17	A. I wish I could.	11:34:29
18	(Exhibit 2097)	11:35:03
19	Q. Mr. Martin, I've just handed you two	11:35:03
20	documents. The first one, rather lengthy, is in	11:35:09
21	Chinese.	11:35:13
22	MR. MCMAHON: Andy, I'll represent I only	11:35:14

1	have one copy of the Chinese version.	11:35:17
2	Q. And that, by the way, is Exhibit 2096.	11:35:20
3	The second document is 2097. That is a certified	11:35:24
4	partial translation of excerpts of the Chinese	11:35:28
5	version.	11:35:31
6	(Exhibit 2096)	11:35:35
7	Q. Do you have both documents in front of	11:35:35
8	you?	11:35:36
9	A. Yes.	11:35:37
10	Q. I'd like to focus on the English one.	11:35:37
11	MR. BROWN: And I'll object because this	11:36:09
12	is an incomplete document, the English	11:36:10
13	translation.	11:36:16
14	Q. We have two different sets of page numbers	11:36:16
15	here, Mr. Martin. There is -- at the bottom	11:36:33
16	right-hand corner, there is an exhibit number. It	11:36:36
17	says Feit Electric Company, Inc., Exhibit 2097.	11:36:39
18	A. Yes.	11:36:42
19	Q. And then page 1 of 72. Do you see that?	11:36:42
20	A. Yes.	11:36:46
21	Q. So I'd like you to go to page 3 of 72.	11:36:46
22	A. Okay.	11:36:50

1	Q. And there's a section here that describes	11:36:50
2	the purpose of this transaction. Do you see that?	11:36:56
3	A. Yes.	11:36:58
4	Q. And the paragraph under that heading	11:36:58
5	reads, "This transaction" -- sorry.	11:37:03
6	The first sentence of that paragraph	11:37:06
7	reads, "This transaction represents a key step in	11:37:07
8	the company's strategy to achieve a global	11:37:09
9	presence." Withdraw that. Let me take a step	11:37:12
10	back.	11:37:17
11	Let's go back to the first page, page 1 of	11:37:18
12	72.	11:37:24
13	A. Yes.	11:37:26
14	Q. The title of this document is, "Mulinsen	11:37:27
15	Co., Ltd., plan for issuance of shares and payment	11:37:31
16	of cash to purchase assets and raising of	11:37:35
17	supporting funds and related-party transactions."	11:37:37
18	Do you see that?	11:37:40
19	A. Yes.	11:37:41
20	Q. And then there is a table below that. And	11:37:48
21	on the left side of the table it says, "Name of	11:37:50
22	the target company," and then there's a company	11:37:52

1	name listed below it, "Harmony Mingxin (Yiwu)	11:37:55
2	Optoelectronic Technology Co., Ltd."	11:38:02
3	Do you see that?	11:38:06
4	A. Yes.	11:38:07
5	Q. Are you familiar with that company?	11:38:08
6	A. I'm not sure which company that is.	11:38:08
7	Q. Do you know if that company owns	11:38:10
8	LEDVANCE GmbH?	11:38:20
9	A. I don't.	11:38:21
10	MR. BROWN: Mr. McMahon, can you tell me	11:38:26
11	where this document is from? Is it a public	11:38:27
12	document?	11:38:29
13	MR. MCMAHON: It is a public document.	11:38:29
14	Q. Mr. Martin, if you could turn, please, to	11:40:06
15	page 4 of 72. The top of this page, the first	11:40:09
16	paragraph begins, "In terms of operating costs, as	11:40:19
17	the world's largest LED packaging company by	11:40:23
18	production volume, Mulinsen enjoys a cost	11:40:26
19	advantage in large-scale production." Do you see	11:40:29
20	that?	11:40:31
21	A. Yes.	11:40:31
22	Q. Mulinsen is MLS. Right?	11:40:31

1	A. I don't know. I don't know the document.	11:40:34
2	Q. The next sentence reads, "Its low cost	11:40:40
3	packaging business will substantially reduce the	11:40:44
4	procurement costs of LEDVANCE products. Upon	11:40:46
5	completion of this acquisition, the LED lamp beads	11:40:49
6	required by LEDVANCE products will be gradually	11:40:53
7	packaged by Mulinsen."	11:40:56
8	Did I read that correctly?	11:40:58
9	A. Yes.	11:40:59
10	Q. What are LED lamp beads?	11:41:00
11	A. I don't know what LED lamp beads are.	11:41:04
12	Q. Do you know if LEDVANCE products have	11:41:08
13	gradually taken over -- sorry. Withdraw that.	11:41:15
14	Do you know if LEDVANCE products have	11:41:19
15	gradually transitioned to use LED lamp beads from	11:41:21
16	Mulinsen?	11:41:24
17	A. No, I don't. Actually, let me correct my	11:41:25
18	answer there. I don't believe all our -- I don't	11:41:34
19	know what an LED lamp bead is.	11:41:39
20	Q. Fair enough.	11:41:43
21	A. I'm guessing it has to do with LEDs. And	11:41:44
22	I know not all our LEDs are packaged by Mulinsen.	11:41:49

1	Q. If you'd turn to page 16 of 72, please.	11:41:57
2	A. Okay.	11:42:29
3	Q. There's a section here under the heading	11:42:30
4	"Significant Subsidiaries." Do you see that?	11:42:32
5	A. Yes.	11:42:34
6	Q. And the paragraph begins, "Based on the	11:42:35
7	latest management financial data of the target	11:42:38
8	company and taking into account the level of	11:42:41
9	materiality, LEDVANCE's significant subsidiaries	11:42:43
10	include LEDVANCE LLC and LEDVANCE Lighting Co.,	11:42:46
11	Ltd." Do you see that?	11:42:50
12	A. Yes.	11:42:52
13	Q. Do you agree that LEDVANCE LLC is a	11:42:52
14	significant subsidiary of -- well, in the context	11:42:56
15	of that sentence, do you understand the first	11:43:00
16	instance of the word "LEDVANCE" to mean	11:43:01
17	LEDVANCE GmbH?	11:43:04
18	A. Yes, I do.	11:43:05
19	Q. Do you agree that LEDVANCE LLC is a	11:43:08
20	significant subsidiary of LEDVANCE GmbH?	11:43:10
21	A. One could say it's significant.	11:43:12
22	Q. Do you know if MLS holds that view?	11:43:17

1	A. I don't know.	11:43:20
2	Q. You can set those aside.	11:43:21
3	(Exhibit 2085)	11:46:13
4	Q. Mr. Martin, I've just handed you a	11:46:13
5	document marked Exhibit 2085. Do you see that?	11:46:17
6	A. Yes.	11:46:19
7	Q. Are you familiar with BaiduWiki?	11:46:19
8	A. No, I'm not.	11:46:27
9	Q. This is an entry from BaiduWiki describing	11:46:30
10	MLS Co., Ltd. Do you see that?	11:46:35
11	A. Yes.	11:46:38
12	Q. The third full paragraph begins, "MLS Co.,	11:46:38
13	Ltd., holds the qualification." Do you see that?	11:46:52
14	A. Yes.	11:46:55
15	Q. And the second sentence of that paragraph	11:46:55
16	reads, "It has built a full industrial chain	11:46:57
17	layout covering fields such as LED epitaxy, chips,	11:47:01
18	packaging, PCB, IC, and display panels. Its	11:47:05
19	brands include MLS, Mulinsen, LEDVANCE, and	11:47:09
20	LightSource families. The products are applied in	11:47:12
21	general lighting, health lighting, engineering	11:47:15
22	lighting, and photobiology." Do you see that?	11:47:18

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1	A. Yes.	11:47:20
2	Q. Does that help you understand whether	11:47:21
3	MLS -- Mulinsen is MLS?	11:47:25
4	A. No.	11:47:26
5	Q. Mr. Martin, do you still have	11:47:30
6	Exhibit 2043? This is a -- one of the printouts	11:51:41
7	from the MLS web page.	11:51:44
8	A. Yes, I do.	11:52:05
9	Q. And you agree this is a printout from the	11:52:05
10	MLS web page. Right?	11:52:09
11	A. I believe so.	11:52:10
12	Q. This is the one we talked about earlier	11:52:12
13	that shows a photo of Mr. Sun?	11:52:14
14	A. Yes.	11:52:16
15	Q. It has six bullet points describing him?	11:52:16
16	A. Yes.	11:52:21
17	Q. And the first four all relate to Mulinsen.	11:52:21
18	Right?	11:52:24
19	A. "Founder of Mulinsen Co., Ltd., founder of	11:52:24
20	Mulinsen Co., Ltd., in 19" -- I can't read that --	11:52:32
21	"1997. Served as executive chairman and general	11:52:40
22	manager of Mulinsen. Created brands such as	11:52:44

1	Mulinsen, Mulinsen Lighting, and Force Lighting.	11:52:49
2	Acquisition of LEDVANCE."	11:52:56
3	Q. Those four all refer to Mulinsen. Right?	11:52:58
4	A. Yes.	11:53:00
5	Q. And at the top of the page under the words	11:53:04
6	"Brand Personage," it says, "Mulinsen group	11:53:07
7	founder." Right?	11:53:11
8	A. Yes.	11:53:12
9	Q. If you scroll all the way to the bottom of	11:53:18
10	page 2, there's a copyright notice. Do you see	11:53:21
11	that?	11:53:27
12	A. Yes.	11:53:27
13	Q. It says, "Copyright 2024, Shenzhen	11:53:27
14	Mulinsen Technology Co., Ltd." Do you see that?	11:53:32
15	A. Yes.	11:53:34
16	Q. A company called Shenzhen Technology Co.,	11:53:34
17	Ltd., is claiming the copyright ownership of the	11:53:38
18	MLS web page. Right?	11:53:40
19	A. I don't -- is this an MLS web page? I	11:53:42
20	just see "MLS" at the top. I'm assuming it's an	11:53:46
21	MLS web page.	11:53:50
22	Q. But have you ever heard the name	11:53:51

1	"Mulinsen" before today?	11:53:53
2	A. I have heard it.	11:53:54
3	Q. What does it mean to you?	11:53:56
4	A. It's a corporate entity. I don't know --	11:53:58
5	well, it seems to be referring to it here as some	11:54:04
6	corporate entity in China.	11:54:07
7	Q. When you have heard it before, what was	11:54:08
8	the context?	11:54:10
9	A. This is -- I don't know that I actually	11:54:11
10	thought about it before, which company it's	11:54:19
11	referring to or if there's different companies. I	11:54:23
12	don't know.	11:54:26
13	Q. But you said you've heard the name	11:54:26
14	"Mulinsen" before today?	11:54:29
15	A. Yes, I have heard of Mulinsen.	11:54:30
16	Q. In what context?	11:54:34
17	A. Just a corporate entity in China. I don't	11:54:35
18	know. But oftentimes with various companies they	11:54:40
19	use the same name; just like adding a comma or	11:54:43
20	adding a "Co." changes the corporate entity.	11:54:48
21	Q. I guess what I'm asking is, when you have	11:54:50
22	previously heard the name "Mulinsen," why did you	11:54:54

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1	hear that name? Why did it come up?	11:54:57
2	A. I don't know -- prior to today, I don't	11:54:59
3	know specifically where I've seen it before, but	11:55:06
4	I'll acknowledge I have seen it before.	11:55:12
5	Q. Okay.	11:55:13
6	(Exhibits 2069 and 2070)	11:55:54
7	Q. Mr. Martin, I've just handed you two	11:55:54
8	documents, Exhibits 2069 and 2070. 2069 is a	11:55:56
9	Chinese-language document. 2070 is a certified	11:56:03
10	partial translation of Exhibit 2069. Do you have	11:56:09
11	those documents?	11:56:13
12	A. Yes.	11:56:14
13	MR. BROWN: I'll object to the partial	11:56:17
14	translation.	11:56:18
15	Q. The first page of Exhibit 2070, at the top	11:56:19
16	it reads, "Huatai United Securities Co., Ltd.,	11:56:50
17	Ping AN securities Co., Ltd., regarding Mulinsen	11:56:55
18	Co., Ltd." Do you see that?	11:57:00
19	A. Yes.	11:57:02
20	Q. And below that it says, "Issuance of	11:57:02
21	shares and payment of cash to purchase assets and	11:57:05
22	raising of supporting funds and related-party	11:57:08

1	transactions, independent financial adviser	11:57:12
2	report." Do you see that?	11:57:13
3	A. Yes.	11:57:15
4	Q. And below that it says, "Independent	11:57:15
5	financial advisers," and there are two logos, one	11:57:18
6	for Huatai United Securities and one for Ping An	11:57:21
7	Securities?	11:57:28
8	A. Yes.	11:57:28
9	Q. And then it says "Signing date:	11:57:28
10	September 2017"?	11:57:31
11	A. Yes.	11:57:32
12	Q. If you could turn, please, to page 13 of	11:57:32
13	26.	11:57:53
14	A. Okay.	11:58:04
15	Q. The top of this page there's a heading	11:58:04
16	that says "Basic Information." Do you see that?	11:58:08
17	A. Yes.	11:58:10
18	Q. Below that it says, "According to the	11:58:11
19	German lawyer's opinions in the explanatory letter	11:58:13
20	from Mingxin Optoelectronics, the basic	11:58:16
21	information of LEDVANCE GmbH is as follows."	11:58:20
22	Do you see that?	11:58:23

1	A. Yes.	11:58:24
2	Q. Do you know the name Mingxin	11:58:24
3	Optoelectronics?	11:58:28
4	A. No, I don't.	11:58:28
5	Q. At the bottom of the page there is a	11:58:28
6	heading that reads, "Equity Transfer." Do you see	11:58:41
7	that?	11:58:44
8	A. Yes.	11:58:44
9	Q. And the paragraph below that reads, "On	11:58:45
10	July 25th and 26th, 2016, all partners of Harmony	11:58:47
11	Mingxin and their representatives signed the sale	11:58:51
12	and purchase agreement for 100 percent of the	11:58:54
13	shares in LEDVANCE GmbH and 100 percent of	11:58:56
14	ownership interest in LEDVANCE LLC with Osram and	11:58:59
15	its representatives in Munich, Germany."	11:59:03
16	Did I read that correctly?	11:59:06
17	A. Yes.	11:59:07
18	Q. Does that refer to the sale and purchase	11:59:07
19	agreement that you said you saw after the	11:59:09
20	transaction was complete?	11:59:11
21	A. I believe so.	11:59:12
22	Q. And the next sentence reads, "Subject to	11:59:18

1	the satisfaction of the closing conditions set	11:59:22
2	forth in the agreement, Osram agreed to sell	11:59:24
3	100 percent of the equity interest in	11:59:26
4	LEDVANCE GmbH and 100 percent of the ownership	11:59:30
5	interest in LEDVANCE LLC to Mingxin	11:59:32
6	Optoelectronics, a subsidiary of Harmony Mingxin."	11:59:36
7	Do you see that?	11:59:39
8	A. Yes.	11:59:40
9	[REDACTED]	
		11:59:46
12	Q. Do you recall that the direct purchaser of	11:59:49
13	LEDVANCE GmbH was Mingxin Optoelectronics?	11:59:56
14	A. I'd have to go back and look.	12:00:00
15	Q. Do you have any reason to disagree with	12:00:03
16	that?	12:00:06
17	A. No.	12:00:06
18	Q. Could you turn to page 5 of 26, please.	12:00:07
19	There's a section here with the heading	12:00:46
20	"Intellectual Property Licensing Risks." Do you	12:00:50
21	see that?	12:00:53
22	A. Yes.	12:00:53

1	Q. And then there's a subheading that reads	12:00:53
2	"Risk of Decline in Performance Upon Expiry of	12:01:00
3	Intellectual Property Licenses." Do you see that?	12:01:03
4	A. Yes.	12:01:05
5	Q. And the paragraph below that begins, "To	12:01:05
6	ensure the smooth transition of the target	12:01:07
7	company's LEDVANCE business after the divestiture	12:01:10
8	of the general lighting business, Osram has	12:01:12
9	authorized LEDVANCE to continue to use its Osram	12:01:15
10	trademark and other related intellectual property	12:01:19
11	rights for a specified period." Do you see that?	12:01:21
12	A. Yes.	12:01:24
13	Q. Is that the allocation of IP that we	12:01:25
14	talked about earlier today?	12:01:27
15	A. I believe this specifically relates to the	12:01:28
16	Osram trademark.	12:01:35
17	Q. And LEDVANCE's ability to continue using	12:01:39
18	it. Right?	12:01:42
19	A. Correct.	12:01:43
20	Q. On the next page, there is a heading that	12:01:43
21	reads, "Nonexclusive Intellectual Property	12:01:47
22	Licensing Risk." Do you see that?	12:01:49

1	A. Yes.	12:01:51
2	Q. And then the paragraph below that begins,	12:01:53
3	"For the operation of LEDVANCE's general lighting	12:01:59
4	business, Osram has granted LEDVANCE a series of	12:02:01
5	intellectual property licenses." And then it goes	12:02:04
6	on to talk about the Osram trademark and Sylvania	12:02:07
7	trademark. Do you see that?	12:02:11
8	A. Yes.	12:02:12
9	Q. This is describing the ability of	12:02:13
10	LEDVANCE GmbH and its subsidiaries to use those	12:02:17
11	trademarks. Correct?	12:02:19
12	A. Correct.	12:02:20
13	Q. Below that there's a heading that reads,	12:02:24
14	"Risk of intellectual property license fees and	12:02:29
15	brand promotion expenses adversely affecting	12:02:32
16	future operating results." Do you see that?	12:02:35
17	A. Yes.	12:02:37
18	Q. And below that there's a paragraph that	12:02:38
19	begins, "To ensure the smooth transition of the	12:02:40
20	target company's LEDVANCE business after the	12:02:42
21	divestiture of the general lighting business,	12:02:45
22	LEDVANCE has entered into a series of agreements	12:02:48

1	with Osram, Cree and other parties for the	12:02:50
2	licensing of patents, trademarks, and other	12:02:53
3	intellectual property." Do you see that?	12:02:56
4	A. Yes.	12:02:58
5	Q. Are you familiar with a license agreement	12:02:58
6	between LEDVANCE and Cree?	12:03:01
7	A. Yes.	12:03:02
8	Q. Do you know why the purchaser of LEDVANCE	12:03:04
9	would have been interested in these IP issues?	12:03:19
10	MR. BROWN: Objection, misrepresents the	12:03:24
11	document.	12:03:26
12	A. Why they -- I don't fully know what this	12:03:36
13	document is, so I can't answer. I don't know	12:03:41
14	what -- why they put that.	12:03:48
15	Q. Can you go to page 7 of 26, please.	12:03:54
16	A. Okay.	12:04:03
17	Q. Do you see it? There's a heading at the	12:04:03
18	top of this page that reads, "Purpose of This	12:04:07
19	Transaction."	12:04:09
20	A. Yes.	12:04:09
21	Q. And then there's a subheading that reads,	12:04:10
22	"Integrating downstream resources through	12:04:12

1	M&A-driven external expansion to facilitate the	12:04:15
2	company's overseas market layout." Do you see	12:04:16
3	that?	12:04:19
4	A. Yes.	12:04:19
5	Q. And the paragraph below that begins, "This	12:04:20
6	transaction represents a key step in the company's	12:04:22
7	strategy to achieve global presence." Do you see	12:04:25
8	that?	12:04:28
9	A. Yes.	12:04:28
10	Q. The next sentence reads, "LEDVANCE's	12:04:28
11	existing global sales team will significantly	12:04:31
12	accelerate Mulinsen's expansion into overseas	12:04:34
13	markets." Do you see that?	12:04:38
14	A. Yes.	12:04:39
15	Q. Do you understand "Mulinsen" in that	12:04:39
16	sentence to mean MLS?	12:04:41
17	A. I'm assuming so.	12:04:42
18	Q. And "LEDVANCE" in that sentence refers to	12:04:43
19	LEDVANCE GmbH and all of the subsidiaries?	12:04:47
20	A. I believe so. I still don't know if	12:04:49
21	Mulinsen is MLS Ltd. Co. or what the corporate	12:04:53
22	arrangement is.	12:05:00

1	Q. Skipping the next sentence, there's a	12:05:02
2	sentence in kind of the middle of the paragraph	12:05:05
3	that begins on the right side of the page with the	12:05:07
4	words "In addition." Do you see that?	12:05:09
5	A. On the right side of the page?	12:05:11
6	Q. Actually, I'm sorry. Near the bottom of	12:05:20
7	this paragraph there's a sentence that begins with	12:05:25
8	the words, "This acquisition." Do you see that?	12:05:27
9	A. "Taking this acquisition as a starting	12:05:35
10	point"? Is that the sentence?	12:05:37
11	Q. The sentence right before that.	12:05:39
12	A. Okay.	12:05:40
13	Q. And that sentence reads --	12:05:41
14	A. Okay. "This acquisition"? Yes.	12:05:43
15	Q. It reads, "This acquisition will enable	12:05:45
16	the company to quickly enter the markets of	12:05:47
17	Europe, the Americas, and other Asian countries	12:05:49
18	and further diversify and globalize its business."	12:05:52
19	Do you see that?	12:05:56
20	A. Yes.	12:05:56
21	Q. Do you understand "the company" there to	12:05:57
22	be MLS?	12:05:59

1	A. It's whatever this company is,	12:05:59
2	Mulinsen Co., Ltd.	12:06:09
3	Q. Could you turn, please, to page 8 of 26.	12:06:10
4	A. Okay.	12:06:57
5	Q. At the top of this page, there's a	12:06:57
6	paragraph that begins, "In terms of operating	12:07:00
7	costs as the world's largest LED packaging company	12:07:02
8	by production volume, Mulinsen enjoys a cost	12:07:06
9	advantage in large-scale production." Do you see	12:07:09
10	that?	12:07:11
11	A. Yes.	12:07:11
12	Q. Do you know who the largest LED packaging	12:07:11
13	company by production volume is?	12:07:14
14	A. No.	12:07:15
15	Q. Do you know if it's MLS?	12:07:16
16	A. I don't.	12:07:19
17	Q. The next sentence reads, "Its low-cost	12:07:20
18	packaging business will substantially reduce the	12:07:26
19	procurement costs of LEDVANCE products."	12:07:27
20	And then it continues, "Upon completion of	12:07:30
21	this acquisition, the LED lamp beads required by	12:07:32
22	LEDVANCE products will be gradually packaged by	12:07:35

1	Mulinsen, and this cost synergy effect will help	12:07:37
2	improve the profit margins of LED products." Do	12:07:41
3	you see that?	12:07:44
4	A. Yes.	12:07:45
5	Q. I think you answered this before, but just	12:07:45
6	to be clear, do you know if LEDVANCE has	12:07:52
7	transitioned to using LED lamp beads packaged by	12:07:55
8	Mulinsen?	12:07:59
9	A. I don't believe we have transitioned this.	12:08:00
10	We may use their LED products. I don't know that	12:08:06
11	there was a transition.	12:08:12
12	Q. If you look to the third paragraph on this	12:08:13
13	page, it begins, "In terms of brand influence, due	12:08:19
14	to its relatively late start, Mulinsen's brand	12:08:23
15	influence currently needs to be strengthened. The	12:08:26
16	acquisition of LEDVANCE will greatly enhance its	12:08:28
17	brand awareness and influence." Do you see that?	12:08:31
18	A. Yes.	12:08:34
19	Q. How would the acquisition of LEDVANCE	12:08:34
20	greatly enhance brand awareness and influence?	12:08:41
21	A. I don't know. My understanding is MLS's	12:08:43
22	prior brands were mainly in China. So anything	12:08:55

1	outside of China would have been expanding its	12:09:04
2	brand.	12:09:06
3	Q. Can you turn to page 22 of 26, please.	12:09:20
4	A. Yes.	12:09:35
5	Q. Here we have an ownership chart. Do you	12:09:36
6	see it?	12:09:40
7	A. Yes.	12:09:40
8	Q. At the bottom is LEDVANCE LLC U.S.A.?	12:09:41
9	A. Yes.	12:09:45
10	Q. Immediately above that is LEDVANCE	12:09:45
11	Holding LLC?	12:09:49
12	A. Yes.	12:09:50
13	Q. And as you previously confirmed, LEDVANCE	12:09:50
14	Holding LLC owns 100 percent of LEDVANCE LLC.	12:09:52
15	Right?	12:09:55
16	A. Yes.	12:09:56
17	Q. Above that is LEDVANCE GmbH. Right?	12:09:56
18	A. Yes.	12:10:00
19	Q. And as you previously confirmed, LEDVANCE	12:10:00
20	GmbH owns 100 percent of Ledvance Holding LLC.	12:10:03
21	Right?	12:10:06
22	A. Yes.	12:10:07

1	Q. Above LEDVANCE GmbH is a company we have	12:10:07
2	not talked about called "Eurolight Luxembourg	12:10:11
3	Holdings Sarl." Do you see that?	12:10:14

4	A. Yes.	12:10:17
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5	Q. Do you know that company?	12:10:18
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6	A. No.	12:10:18
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7	Q. Do you know if that company owns	12:10:19
8	100 percent of LEDVANCE GmbH?	12:10:22

9	A. I don't.	12:10:24
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10	Q. Above the Eurolight company is a company	12:10:24
11	called Harmony Mingxin (Yiwu) Optoelectronic	12:10:30
12	Technology Co., Ltd. Do you see that?	12:10:35

13	A. Yes.	12:10:37
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14 [REDACTED]

12:10:58

1	Q. Do you know if there is a company called	12:10:59
2	Harmony Mingxin Yiwu Optoelectronic Technology	12:11:02
3	Co., Ltd., that indirectly owns 100 percent of	12:11:06
4	LEDVANCE GmbH?	12:11:11
5	A. I don't know.	12:11:11
6	Q. Up in the top left, there is another box	12:11:12
7	that includes the name "Yiwu Harmony Mingxin	12:11:20
8	Equity Investment Limited Partnership." Do you	12:11:24
9	see that?	12:11:26
10	A. Yes.	12:11:26
11	Q. Do you know that company name?	12:11:26
12	A. No.	12:11:28
13	Q. Can you turn to the next page, please.	12:11:30
14	At the bottom of the page there's a	12:11:46
15	heading that reads "Subsequent Matters of This	12:11:48
16	Acquisition." Do you see that?	12:11:50
17	A. Yes.	12:11:51
18	Q. And then there is a subheading that reads	12:11:51
19	"Reorganization of the board of directors and	12:11:53
20	board of supervisors of the target company." Do	12:11:55
21	you see that?	12:11:58
22	A. Yes.	12:11:58

1	Q. And then the text starting on this page	12:11:58
2	and continuing to page 24 of 26 reads, "Upon	12:12:01
3	completion of this acquisition, Mulinsen will	12:12:08
4	reorganize the board of directors and the	12:12:11
5	supervisory board of the target company, and all	12:12:14
6	members of the board of directors and the	12:12:18
7	supervisory board of the target company shall be	12:12:21
8	nominated exclusively by Mulinsen.	12:12:23
9	"Harmony Mingxin and Zhuorui Investment	12:12:26
10	shall cooperate with Mulinsen in the	12:12:31
11	reorganization of the board of directors and the	12:12:33
12	supervisory board of the entire company and shall,	12:12:35
13	at Mulinsen's request, cause the existing	12:12:37
14	directors and supervisors of the target company to	12:12:39
15	promptly submit their written resignations."	12:12:41
16	Did I read that correctly?	12:12:49
17	A. Yes.	12:12:50
18	Q. Do you know if MLS caused any existing	12:12:50
19	directors or supervisors of LEDVANCE GmbH to	12:12:55
20	resign?	12:12:58
21	MR. BROWN: Objection. I'm going to	12:13:00
22	object generally to this line of questioning. I'm	12:13:01

1	presuming that you had these documents earlier,	12:13:05
2	given the relationship to the discovery request.	12:13:07
3	Asking him questions based on a partial	12:13:11
4	English translation where it is unclear what a	12:13:14
5	target company is, what LEDVANCE GmbH is, what	12:13:17
6	LEDVANCE is, I think is improper.	12:13:20
7	MR. MCMAHON: Andy, your speaking	12:13:23
8	objections are way out of line. I'll object to	12:13:24
9	that.	12:13:27
10	MR. BROWN: That was my first speaking	12:13:27
11	objection. I'm just trying to help you out,	12:13:29
12	unless you're trying to confuse him, in which case	12:13:31
13	go ahead.	12:13:33
14	MR. MCMAHON: Look, we've been in reverse	12:13:35
15	roles before and you've been very strict about my	12:13:37
16	use of objections. You know the rules of the	12:13:39
17	PTAB. I expect you to follow them.	12:13:42
18	BY MR. MCMAHON:	12:13:46
19	Q. Mr. Martin, the next subheading reads	12:13:46
20	"Replacement of Senior Management." Do you see	12:13:49
21	that?	12:13:51
22	A. Yes.	12:13:51

1	Q. And the text below that reads, "Upon	12:13:51
2	completion of the acquisition, the general	12:13:54
3	manager, deputy general manager, chief financial	12:13:57
4	officer, and other senior management members of	12:14:00
5	the target company shall be appointed by the	12:14:02
6	reorganized board of directors separately.	12:14:04
7	"Harmony Mingxin and Zhuorui Investment	12:14:07
8	shall cooperate with Mulinsen in replacement of	12:14:10
9	senior management of the target company and shall,	12:14:13
10	at Mulinsen's request, cause the existing senior	12:14:15
11	management members of the target company to	12:14:18
12	promptly submit their written resignations."	12:14:20
13	Did I read that correctly?	12:14:23
14	A. Yes.	12:14:24
15	Q. Do you know if MLS caused any executive	12:14:25
16	leaders at LEDVANCE GmbH to resign?	12:14:30
17	MR. BROWN: Objection, misrepresents the	12:14:35
18	document.	12:14:36
19	A. I don't know.	12:14:37
20	Q. Okay. Do you know if MLS --	12:14:38
21	A. I do know some of the directors remained	12:14:42
22	that were original. So I -- but I don't know if	12:14:45

1	others were forced to.	12:14:50
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2	Q. Do you know if MLS placed any of its	12:14:51
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3	officers or directors in leadership roles at	12:14:54
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4	LEDVANCE GmbH?	12:14:58
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5	A. Other than Mr. Sun, no, I don't.	12:14:58
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6	MR. MCMAHON: The next document is going	12:15:37
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7	to take some time. Why don't we break now for	12:15:38
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8	lunch.	12:15:43
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9	(Lunch recess, 12:16 p.m. to 1:04 p.m.)	12:16:00
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1	A F T E R N O O N S E S S I O N	
2	(Exhibits 2071 and 2072)	13:04:28
3	BY MR. MCMAHON:	13:04:28
4	Q. Mr. Martin, welcome back. I've just	13:04:35
5	handed you two documents, Exhibits 2071 and 2072.	13:04:37
6	2071 is a Chinese-language document public filing	13:04:45
7	from MLS. Exhibit 2072 is a partial translation	13:04:50
8	of Exhibit 2071. Do you have both documents in	13:04:56
9	front of you?	13:05:01
10	A. Yes, I do.	13:05:01
11	MR. BROWN: Object to the partial	13:05:03
12	translation.	13:05:05
13	Q. Mr. Martin, if you could turn, please, to	13:05:05
14	page 4 of 10. Do you see here at the bottom of	13:05:28
15	the page there is a heading that reads "Directors,	13:05:40
16	Supervisors, and Senior Management"?	13:05:43
17	A. Yes.	13:05:45
18	Q. And then a subheading that reads "Basic	13:05:45
19	Information"?	13:05:48
20	A. Yes.	13:05:49
21	Q. And then there's a table that begins on	13:05:51
22	page 4 of 10 and continues into page 5 of 10. Do	13:05:56

1	you see that?	13:05:59
2	A. Yes.	13:05:59
3	Q. And that table lists basic information	13:06:00
4	about certain individuals. Do you see that?	13:06:03
5	A. Yes.	13:06:06
6	Q. So the first one is Sun Qinghuan. Right?	13:06:06
7	A. Yes.	13:06:11
8	Q. And that's the same Mr. Sun that we've	13:06:12
9	been talking about earlier today?	13:06:14
10	A. I'd assume so.	13:06:16
11	Q. His position in the company is chairman of	13:06:17
12	the board of directors and general manager.	13:06:21
13	That's what's listed here on page 4 of 10. Right?	13:06:24
14	A. Yes.	13:06:26
15	Q. Mr. Sun is the chairman of the board of	13:06:27
16	directors and general manager of MLS. Correct?	13:06:32
17	A. I don't know.	13:06:35
18	Q. On page 5, there are a few other names I'd	13:06:40
19	like to direct your attention to. The first one	13:06:43
20	is in the top row. It's Zhou Lihong. Do you see	13:06:46
21	that?	13:06:50
22	A. Yes.	13:06:50

[REDACTED]
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1	Q. Do you know that name?	13:06:50
2	A. No.	13:06:51
3	Q. How about the third row, Li Guanqun?	13:06:52
4	A. No.	13:06:56
5	Q. I may have mispronounced that.	13:06:58
6	You don't know that name, whether I	13:07:03
7	pronounced it correctly or incorrectly?	13:07:05
8	A. Correct.	13:07:07
9	Q. Below that name is Luo Yan. Do you see	13:07:07
10	that?	13:07:13
11	A. Yes.	13:07:13
12	Q. Are you familiar with that person?	13:07:14
13	A. No.	13:07:16
14	Q. What about Yan Ling?	13:07:17
15	A. No.	13:07:22
16	Q. And then second from the bottom, Tang	13:07:23
17	Guoqing?	13:07:35
18	A. I'm not familiar with those individuals.	13:07:35
19	Q. Would you agree in this document they're	13:07:47
20	being presented as executives of the company	13:07:49
21	Mulinsen Co., Ltd.?	13:07:52
22	A. Either directors, supervisors, or senior	13:07:54

1	management is what the title says.	13:08:00
2	Q. Okay. And from our conversation this	13:08:02
3	morning, you don't know whether Mulinsen Company,	13:08:05
4	Ltd., is the same thing as MLS?	13:08:07
5	A. I believe it is, but I'm not certain.	13:08:10
6	Q. Okay. On page 6 of 10 there are some	13:08:12
7	paragraphs under the subheading "Directors." Do	13:08:19
8	you see that?	13:08:25
9	A. Yes.	13:08:25
10	Q. And we see some of the same names, the top	13:08:25
11	four paragraphs are -- first paragraph is Mr. Sun.	13:08:28
12	Do you see that?	13:08:31
13	A. Yes.	13:08:32
14	Q. And then Mr. Zhou, the second paragraph?	13:08:32
15	A. Yes.	13:08:36
16	Q. Mr. Li in the third paragraph?	13:08:37
17	A. Yes.	13:08:39
18	Q. Ms. Luo in the fourth paragraph?	13:08:39
19	A. Yes.	13:08:41
20	Q. And continuing on to page 7 of 10, the	13:08:42
21	paragraphs continue. And we see two of the same	13:08:52
22	names we talked about a moment ago.	13:08:54

1	At the top is Ms. Yan Ling. Do you see	13:08:57
2	that?	13:08:59
3	A. Yes.	13:09:00
4	Q. And then about four paragraphs below her	13:09:00
5	entry, we see Mr. Tang Guoqing. Do you see that?	13:09:02
6	A. Yes, under "Senior Management."	13:09:06
7	Q. Yes. So all of these individuals are	13:09:08
8	being represented as -- as you said, they are	13:09:12
9	either directors, supervisors, or senior	13:09:18
10	management for Mulinsen Company, Ltd. Right?	13:09:20
11	A. Yes.	13:09:24
12	Q. Now, at the bottom of page 7 of 10 there's	13:09:24
13	another table. Do you see that?	13:09:28
14	A. Yes.	13:09:29
15	Q. And this table lists positions that	13:09:29
16	certain people have in other companies. Do you	13:09:33
17	see that?	13:09:38
18	A. Yes.	13:09:40
19	Q. So the first column has a heading that	13:09:41
20	reads "Name of Person Holding the Position." Do	13:09:44
21	you see that?	13:09:46
22	A. Yes.	13:09:47

1	Q. The second column has a heading that	13:09:47
2	reads, "Name of Other Entity." Do you see that?	13:09:50
3	A. Yes.	13:09:52
4	Q. And the third column has "Position Held in	13:09:52
5	Other Entity." Right?	13:09:55
6	A. Yes.	13:09:57
7	Q. So the first one I'd like to draw your	13:09:57
8	attention to is the fifth row, the last row on	13:09:59
9	page 7 of 10, which describes Mr. Sun and	13:10:05
10	indicates that Mr. Sun is the legal	13:10:14
11	representative, executive director, and general	13:10:16
12	manager of a company called LEDVANCE (Shenzhen)	13:10:18
13	Technology Co., Ltd. Do you see that?	13:10:24
14	A. Yes.	13:10:26
15	Q. Are you familiar with that company?	13:10:27
16	A. Yes.	13:10:28
17	Q. What is that company?	13:10:29
18	A. I think it's a Chinese subsidiary of	13:10:31
19	LEDVANCE GmbH.	13:10:37
20	Q. Do you agree Mr. Sun is the legal	13:10:42
21	representative, executive director, and general	13:10:50
22	manager of that subsidiary?	13:10:52

[REDACTED]

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1	A. I don't know.	13:10:54
2	Q. On page 8 of 10, there are -- the entries	13:10:55
3	for Mr. Sun continue. I'd like to focus on the	13:11:03
4	third one. The company there is LEDVANCE Lighting	13:11:07
5	(Shenzhen) Co., Ltd. Do you see that?	13:11:12
6	A. Yes.	13:11:17
7	Q. And the title there is legal	13:11:17
8	representative, chairman of the board of	13:11:20
9	directors.	13:11:22
10	A. Yes.	13:11:23
11	Q. Are you familiar with that company,	13:11:23
12	LEDVANCE Lighting Technology, Shenzhen Co., Ltd?	13:11:25
13	A. I may have them confused. What's the	13:11:30
14	first one? Is that the same? LEDVANCE Lighting	13:11:32
15	Technology, Shenzhen.	13:11:41
16	Isn't that the same?	13:11:47
17	Q. The names are similar. And maybe they are	13:11:48
18	the same company, but the words in these rows are	13:11:52
19	slightly different.	13:11:55
20	A. I don't see a difference. It seems like	13:12:13
21	the same --	13:12:15
22	Q. Same entity?	13:12:16

1	A. The name of the other entity seems to be	13:12:17
2	the same.	13:12:19
3	Q. Okay.	13:12:20
4	A. I don't know if the date is different.	13:12:22
5	Q. Okay. So that may be the local subsidiary	13:12:28
6	of LEDVANCE that you mentioned before?	13:12:31
7	A. I believe it is.	13:12:33
8	Q. Okay. Can you look two rows down from	13:12:35
9	that. The entity name -- we're still talking	13:12:38
10	about Mr. Sun.	13:12:42
11	A. Yes.	13:12:43
12	Q. The entity name is LEDVANCE New Energy	13:12:43
13	Co., Ltd. Do you see that?	13:12:47
14	A. Yes.	13:12:48
15	Q. Are you familiar with that company?	13:12:48
16	A. No.	13:12:50
17	Q. This lists Mr. Sun as the legal	13:12:50
18	representative, executive director, and manager of	13:12:52
19	that entity.	13:12:55
20	But you have no familiarity with it?	13:12:57
21	A. No.	13:13:01
22	Q. The next one I think you do know. And in	13:13:01

1	the sixth row from the top on page 8 of 10 we see	13:13:07
2	LEDVANCE GmbH.	13:13:15
3	A. Yes.	13:13:15
4	Q. And Mr. Sun is listed as director of	13:13:15
5	LEDVANCE GmbH. Do you see that?	13:13:22
6	A. I see the -- this is six rows down?	13:13:23
7	Q. Yes.	13:13:31
8	A. Yes.	13:13:31
9	Q. And do you agree that Mr. Sun is the	13:13:32
10	director of LEDVANCE GmbH?	13:13:34
11	A. He is a director.	13:13:37
12	Q. Two rows below that, still referring to	13:13:38
13	Mr. Sun, there's another entity, LEDVANCE	13:13:42
14	Operation Management (Shenzhen) Co., Ltd. Do you	13:13:46
15	see that?	13:13:50
16	A. Yes.	13:13:51
17	Q. Is that name familiar to you?	13:13:51
18	A. I'm not sure if I've seen that.	13:13:53
19	Q. Okay. Here -- sorry. Go ahead.	13:14:01
20	A. Possibly.	13:14:05
21	Q. Here Mr. Sun is listed as the legal	13:14:05
22	representative, chairman of the board of	13:14:07

1	directors, and general manager of that entity. Do	13:14:09
2	you see that?	13:14:11
3	A. Yes.	13:14:12
4	Q. Do you know anything about that -- his	13:14:12
5	position in that company?	13:14:14
6	A. No, I don't.	13:14:15
7	Q. In the next row, again Mr. Sun is listed	13:14:15
8	as being the person in charge for Voshan branch of	13:14:20
9	LEDVANCE Operation Management (Shenzhen) Co., Ltd.	13:14:25
10	Do you see that?	13:14:31
11	A. Yes.	13:14:31
12	Q. Is that company familiar to you?	13:14:32
13	A. No.	13:14:33
14	Q. Okay. Do you think that is another	13:14:35
15	subsidiary of LEDVANCE GmbH?	13:14:38
16	A. Probably.	13:14:42
17	Q. That's all the rows that I wanted to ask	13:14:42
18	you about with respect to Mr. Sun, but there are	13:14:47
19	some others with respect to the other individuals.	13:14:49
20	Do you see there's an entry slightly below	13:14:53
21	that? There are three entries under the name Li	13:14:57
22	Guanqun?	13:15:02

1	A. Okay.	13:15:02
2	Q. And the second entry is for a company	13:15:02
3	called LEDVANCE Lighting Technology (Shenzhen)	13:15:06
4	Co., Ltd. Do you see that?	13:15:11
5	A. Yes.	13:15:12
6	Q. And I think you've said you're not sure if	13:15:13
7	you're familiar with that company. Is that	13:15:16
8	correct?	13:15:17
9	A. Correct.	13:15:17
10	Q. But it may be a subsidiary of	13:15:18
11	LEDVANCE GmbH?	13:15:21
12	A. Correct.	13:15:21
13	Q. And then the next one is LEDVANCE GmbH,	13:15:22
14	again from Mr. Li, who is listed as the supervisor	13:15:27
15	for LEDVANCE GmbH. Do you see that?	13:15:30
16	A. Yes, I see it.	13:15:33
17	Q. Are you aware of a Mr. Li who is a	13:15:34
18	supervisor of LEDVANCE GmbH?	13:15:38
19	A. No, I'm not.	13:15:40
20	Q. Two rows below that we see the name Lihong	13:15:41
21	Zhou, who is listed as a director of LEDVANCE	13:15:48
22	Lighting Technology, Shenzhen Co., Ltd.	13:15:50

1	I think you already addressed that	13:15:53
2	company. Not necessarily familiar with it, but	13:15:56
3	maybe a subsidiary of LEDVANCE GmbH. Right?	13:15:57
4	A. Right.	13:16:00
5	Q. That's it for page 8.	13:16:00
6	On page 9, the first entry, the first row	13:16:06
7	is Yan Luo or Luo, who is listed as the chair of	13:16:14
8	the board of supervisors for LEDVANCE GmbH. Do	13:16:18
9	you see that?	13:16:21
10	A. Yes.	13:16:22
11	Q. I know you're familiar with LEDVANCE GmbH.	13:16:22
12	Are you familiar with a Mr. Luo being the chair of	13:16:25
13	the board of supervisors?	13:16:28
14	A. No, I'm not.	13:16:29
15	Q. Are you familiar with the board of	13:16:30
16	supervisors for LEDVANCE GmbH?	13:16:33
17	A. No, I'm not.	13:16:36
18	Q. Two rows below that, another entry for Yan	13:16:37
19	Luo for LEDVANCE operation management, Shenzhen	13:16:45
20	Co., Ltd., listed as a supervisor.	13:16:47
21	And I think that's one of the entities we	13:16:50
22	talked about. Correct me if I'm wrong, but you're	13:16:52

1	not necessarily familiar with it, but it may be a	13:16:56
2	subsidiary of --	13:16:58
3	A. Yes.	13:16:59
4	Q. -- LEDVANCE GmbH. Right?	13:17:04
5	A. Correct.	13:17:06
6	Q. Five rows below that, there is an entry	13:17:06
7	for Guoqing Tang, who is listed as the legal	13:17:09
8	representative, executive director, and chief	13:17:13
9	financial officer of LEDVANCE Digital Technology	13:17:16
10	(Shanghai) Co., Ltd. Are you familiar with that	13:17:21
11	company?	13:17:25
12	A. No, I'm not.	13:17:25
13	Q. Could it be a subsidiary of LEDVANCE GmbH?	13:17:26
14	A. It could be because LEDVANCE is the name,	13:17:29
15	but that's all I'm assuming.	13:17:34
16	Q. And then the very last row of this table	13:17:36
17	is for Ling Yan, who is listed as a director of	13:17:38
18	LEDVANCE Operation Management (Shenzhen) Co., Ltd.	13:17:43
19	Do you see that?	13:17:46
20	A. Yes.	13:17:46
21	Q. And I think that's one of the LEDVANCE	13:17:47
22	companies we talked about before. You're not	13:17:49

1	familiar with it, but it may be a subsidiary of	13:17:51
2	GmbH?	13:17:55
3	A. Yes.	13:17:56
4	Q. Could you turn back to page 6, please, of	13:17:56
5	10. We talked about these paragraphs before. In	13:18:29
6	about the -- near the top of the page under the	13:18:52
7	heading "Directors," there is a paragraph that	13:18:55
8	describes Mr. Sun. Do you see that?	13:18:58
9	A. Yes.	13:19:00
10	Q. I'd like to focus your attention on the	13:19:00
11	last sentence of that paragraph, which reads,	13:19:13
12	"Mr. Sun also formerly served as a deputy to the	13:19:15
13	14th Zhongshan Municipal People's Congress." Do	13:19:19
14	you see that?	13:19:23
15	A. Yes.	13:19:23
16	Q. Did you know that about Mr. Sun?	13:19:23
17	A. No.	13:19:27
18	(Exhibit 2081)	13:20:22
19	Q. I've just handed you a document marked as	13:20:22
20	Exhibit 2081. This one, I apologize, also has	13:20:25
21	some small text. Are you able to read it?	13:20:28
22	A. Yes.	13:20:30

1	Q. This is a recent press release, relatively	13:20:30
2	speaking, dated February 11th, 2026. Right?	13:20:36
3	A. Yes.	13:20:39
4	Q. And this is a -- the title is "LEDVANCE	13:20:39
5	Appoints Eric Liu as CEO, LEDVANCE Canada." Do	13:20:49
6	you see that?	13:20:53
7	A. Yes.	13:20:53
8	Q. What is LEDVANCE Canada?	13:20:54
9	A. LEDVANCE Canada is that LEDVANCE LTD.	13:20:55
10	Q. And you just referenced the name on the	13:21:05
11	packaging of the bulbs?	13:21:07
12	A. On this bulb here, this lamp.	13:21:09
13	Q. Mr. Martin, in the heading that reads	13:21:21
14	"LEDVANCE Appoints Eric Liu as CEO, LEDVANCE	13:21:29
15	Canada," who is the first LEDVANCE in that	13:21:32
16	sentence?	13:21:36
17	A. LEDVANCE GmbH.	13:21:36
18	Q. So LEDVANCE GmbH appointed the CEO of	13:21:38
19	LEDVANCE Canada?	13:21:43
20	A. That's what this says.	13:21:44
21	Q. Okay. Down below, there is a photo of	13:21:46
22	Mr. Liu on this page. Right?	13:22:20

1	A. Yes.	13:22:22
2	Q. And then below that there's some text, and	13:22:22
3	in the third paragraph there is a quote from	13:22:26
4	Mr. Sun. Right?	13:22:30
5	A. Yes.	13:22:31
6	Q. And Mr. Sun is described here as the	13:22:33
7	global chief executive officer for LEDVANCE?	13:22:37
8	A. Yes.	13:22:40
9	Q. And then in the next paragraph there is a	13:22:41
10	quote from Jonathan Lubeck. Right?	13:22:47
11	A. That's correct.	13:22:50
12	Q. And Mr. Lubeck is the CEO -- listed here	13:22:51
13	as the CEO of LEDVANCE U.S.?	13:22:55
14	A. Correct.	13:22:57
15	Q. And LEDVANCE U.S. is LEDVANCE LLC?	13:22:57
16	A. Correct.	13:23:01
17	Q. I assume you know Mr. Lubeck?	13:23:01
18	A. Yes.	13:23:04
19	Q. Is it typical for -- Mr. Sun is not	13:23:04
20	employed by LEDVANCE Canada. Correct?	13:23:14
21	A. Correct.	13:23:16
22	Q. And Mr. Lubeck is not employed by LEDVANCE	13:23:18

1	Canada?	13:23:20
2	A. So LEDVANCE Canada used to work closely	13:23:21
3	with LEDVANCE LLC because the products were the	13:23:36
4	same. And in the past the CEO for LEDVANCE LLC	13:23:41
5	has also been CEO for LEDVANCE LTD.	13:23:45
6	This is a change to Eric Liu is now CEO of	13:23:51
7	LEDVANCE Canada. And LEDVANCE Canada is -- no	13:23:57
8	longer has the same CEO.	13:24:01
9	Q. I see.	13:24:02
10	A. This is a recent change.	13:24:06
11	Q. I see. Is that why both Mr. Sun and	13:24:08
12	Mr. Lubeck are commenting on the hire of Mr. Liu	13:24:10
13	as the CEO of LEDVANCE Canada?	13:24:13
14	A. Yes. Because many of the customers would	13:24:16
15	have been working with Mr. Lubeck in the past,	13:24:19
16	many of the customers are the same, U.S. and	13:24:28
17	Canadian customers.	13:24:32
18	Q. Are you familiar with Mr. Liu?	13:24:33
19	A. Yes.	13:24:36
20	Q. In the last paragraph . . .	13:24:38
21	Were you familiar with Mr. Liu before he	13:25:49
22	was appointed as CEO of LEDVANCE Canada?	13:25:50

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1	A. No.	13:25:52
2	Q. Do you know what role he had before that?	13:25:53
3	A. I believe he was CEO of an Asian region,	13:25:56
4	several Asian regions. I'm not sure of the	13:26:02
5	specific ones. Singapore, South Korea, Japan.	13:26:05
6	Q. Do you know if Mr. Liu previously served	13:26:23
7	as a general manager at MLS?	13:26:57
8	A. I don't know.	13:26:59
9	Q. Or as chairman of the LEDVANCE supervisory	13:27:00
10	board?	13:27:04
11	A. I don't know.	13:27:04
12	Q. Could you go back to one of the exhibits	13:27:04
13	we talked about before lunch. It's Number 2085.	13:27:40
14	A. Okay.	13:27:55
15	Q. This is the BaiduWiki entry for MLS Co.,	13:27:55
16	Ltd.	13:28:10
17	In the second paragraph, the first	13:28:10
18	sentence begins with the words, "The company	13:28:15
19	completed the acquisition of the global general	13:28:17
20	lighting brand LEDVANCE in 2018." Do you see	13:28:19
21	that?	13:28:23
22	A. Yes.	13:28:23

1	Q. And then in the middle of the paragraph	13:28:24
2	there's reference to the same 140 countries and	13:28:33
3	regions that we talked about before. Right?	13:28:36
4	A. Network covering more than 140 countries	13:28:38
5	and regions.	13:28:43
6	Q. And that's -- that number comes from the	13:28:44
7	entire footprint of MLS and its subsidiaries.	13:28:47
8	Right?	13:28:52
9	A. I'd assume that's what this is saying.	13:28:52
10	Q. Right after that, the text reads, "It has	13:28:54
11	established five major production bases in	13:28:58
12	Zhongshan, Foshan, Ji'an, Xinyu, and Yiwu." Do	13:29:03
13	you see that?	13:29:10
14	A. Yes.	13:29:10
15	Q. Are you familiar with those major	13:29:11
16	production bases?	13:29:13
17	A. I'm familiar with those cities as being	13:29:14
18	production -- LED places of production.	13:29:23
19	Q. Were you -- prior to today, were you aware	13:29:26
20	that MLS had production facilities in each of	13:29:30
21	those cities?	13:29:33
22	A. No, I wasn't aware.	13:29:34

1	Q. Were you aware of any of them?	13:29:36
2	A. Foshan.	13:29:38
3	Q. What about Yiwu?	13:29:41
4	A. I wasn't aware.	13:29:50
5	Q. In the last paragraph on this page -- I	13:29:50
6	apologize. We may have talked about this before.	13:29:59
7	I don't recall.	13:30:01
8	There is -- the paragraph begins "MLS Co.,	13:30:02
9	Ltd., holds the qualification of a national	13:30:06
10	enterprise technology center and is recognized as	13:30:08
11	a national intellectual property advantage	13:30:11
12	enterprise."	13:30:14
13	A. Yes.	13:30:18
14	Q. And then it continues with another	13:30:18
15	sentence. And then the sentence after that reads,	13:30:21
16	"Its brands include MLS, Mulinsen, LEDVANCE, and	13:30:23
17	LightSource families." Do you see that?	13:30:27
18	A. Yes.	13:30:29
19	Q. And Mulinsen is the name that we were	13:30:29
20	talking about this morning. Right?	13:30:35
21	A. Yes. And I don't know how, corporatewise,	13:30:36
22	it's related.	13:30:39

1	Q. Do you believe it is related?	13:30:40
2	A. I do, because it's referenced throughout	13:30:41
3	these documents. But as I said before, I don't	13:30:44
4	believe there -- I believe LEDVANCE is not their	13:30:58
5	brand. It's LEDVANCE GmbH's brand.	13:31:02
6	Q. On the second page there's a photo at the	13:31:05
7	top of the page and then a paragraph attached. Do	13:31:24
8	you see that?	13:31:27
9	A. Yes.	13:31:27
10	Q. In the third line from the bottom of that	13:31:27
11	paragraph, three words in from the left, there's a	13:31:43
12	sentence that begins -- that reads, "Mulinsen's	13:31:46
13	total output ranks first in the Chinese LED	13:31:50
14	market." Do you see that?	13:31:54
15	A. Yes. I'm just trying to -- okay. Yes, I	13:31:55
16	see that sentence.	13:32:01
17	Q. Do you know which LED maker makes the most	13:32:02
18	LEDs in China?	13:32:07
19	A. No, I don't.	13:32:08
20	Q. Could you continue on, please, to page 3	13:32:09
21	of 7. And there's a heading here that says,	13:32:20
22	"Development History." Do you see that?	13:32:24

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1	A. Yes.	13:32:25
2	Q. And then there's a timeline beginning in	13:32:25
3	1997. Do you see that?	13:32:28
4	A. Yes.	13:32:29
5	Q. In 2010, there's an entry that says	13:32:29
6	"Renamed to MLS Co., Ltd." Do you see that?	13:32:41
7	A. Yes.	13:32:44
8	Q. Are you familiar with a renaming of the	13:32:44
9	company?	13:32:48
10	A. No, I'm not.	13:32:48
11	Q. In 2015 it's listed as being on the	13:32:49
12	Shenzhen Stock Exchange under the stock code	13:32:57
13	002745. Do you see that?	13:33:02
14	A. Yes.	13:33:03
15	Q. Do you know if that's correct?	13:33:03
16	A. I believe it is.	13:33:04
17	Q. The next entry is from 2016, invested in	13:33:05
18	and constructed the Yiwu production base with a	13:33:12
19	total floor area of 510,000 square meters. Do you	13:33:15
20	see that?	13:33:20
21	A. Yes.	13:33:20
22	Q. And then in 2022 -- actually, before we	13:33:20

1	get to that, do you know if that Yiwu production	13:33:26
2	base is where LEDVANCE's white-filament LED bulbs	13:33:30
3	are manufactured?	13:33:33
4	A. No, I don't.	13:33:35
5	Q. Two entries below that, it reads, "2022,	13:33:36
6	LEDVANCE closed its factories, completing a	13:33:42
7	strategic restructuring."	13:33:45
8	Do you know what that's referring to?	13:33:46
9	A. I'm not -- I'm not sure. Yeah. I don't	13:33:47
10	know what was produced at that factory. It could	13:33:56
11	have been fluorescent lamps. I don't know.	13:33:59
12	Q. It says, "factories" in the plural. Do	13:34:01
13	you see that?	13:34:06
14	A. Yes. But I don't know what those	13:34:06
15	factories produced.	13:34:08
16	Q. Are you familiar with any LEDVANCE	13:34:09
17	factories that were closed in or before 2022?	13:34:11
18	A. Yes.	13:34:14
19	Q. Where?	13:34:18
20	A. LEDVANCE LLC closed factories.	13:34:18
21	Q. In St. Mary's, Pennsylvania?	13:34:22
22	A. Yes.	13:34:24

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1	Q. Any others?	13:34:25
2	A. Versailles, Kentucky. Dating back even	13:34:25
3	farther in the Osram days, Fall River,	13:34:31
4	Massachusetts; Danvers, Massachusetts; Exeter,	13:34:36
5	New Hampshire, is pretty much closed; Waterboro,	13:34:46
6	Maine. There's another one in Maine. I can't	13:34:57
7	remember the name or the town. And then I know	13:35:07
8	there's another one in Connecticut. I can't	13:35:10
9	remember the name.	13:35:16
10	Q. Which of those factories were in operation	13:35:16
11	when LEDVANCE LLC was formed?	13:35:20
12	A. Only two of them.	13:35:22
13	Q. Which ones?	13:35:24
14	A. That would be St. Mary's, Pennsylvania,	13:35:25
15	and Versailles, Kentucky.	13:35:27
16	Q. When were those two closed?	13:35:29
17	A. I'm not sure of the exact dates. I want	13:35:31
18	to say it was around 2018, 2019.	13:35:35
19	Q. Before 2022?	13:35:39
20	A. I believe so. Yes. But this wouldn't	13:35:40
21	have been a LEDVANCE LLC factory.	13:35:52
22	Q. How do you know that?	13:35:55

1	A. Because I would know if it was a LEDVANCE	13:35:57
2	LLC factory.	13:35:59
3	Q. Oh, you mean -- you're saying no LEDVANCE	13:36:00
4	LLC factories closed in 2022?	13:36:04
5	A. Or in China.	13:36:06
6	Q. Where does it say in China?	13:36:07
7	A. Oh, okay. Yes. It doesn't. Correct.	13:36:10
8	Q. Okay. So as far as you know, could that	13:36:13
9	refer to --	13:36:17
10	A. I don't know what that's referring to, but	13:36:18
11	that -- not the Versailles, Kentucky. I don't	13:36:20
12	believe it is, unless that date is just off.	13:36:25
13	Q. On the next page there is a heading	13:36:30
14	labeled "Subsidiary Brands." Do you see that?	13:36:33
15	A. Yes, I do.	13:36:36
16	Q. And the first three are MLS, Mulinsen, and	13:36:39
17	LEDVANCE. Right?	13:36:43
18	A. Yes.	13:36:43
19	Q. If you'd go to the next page, page 5 of 7,	13:36:43
20	in the middle of the page there is a heading that	13:36:56
21	reads "R&D and Production Bases." Do you see	13:36:58
22	that?	13:37:01

1	A. Yes.	13:37:01
2	Q. And there are five entries here. Do you	13:37:01
3	see that?	13:37:05
4	A. Yes.	13:37:05
5	Q. And these have the same city names that we	13:37:05
6	talked about before, I think.	13:37:08
7	A. Yes.	13:37:09
8	Q. Zhongshan, Geon, Shinyui, Yiwu, and	13:37:09
9	Foshan.	13:37:15
10	A. Yes.	13:37:15
11	Q. The Yiwu -- each of these entries is	13:37:16
12	followed by a list of product categories that are	13:37:22
13	manufactured there. Right?	13:37:27
14	A. Yes.	13:37:27
15	Q. And the product -- the first product	13:37:28
16	category in the Yiwu entry is filament bulb lamps?	13:37:30
17	A. Yes.	13:37:34
18	Q. Okay. You can put that one aside.	13:37:35
19	(Exhibits 2098 and 2099)	13:39:27
20	Q. Mr. Martin, I've just handed you two	13:39:33
21	documents marked as Exhibits 2098 and 2099. 2098	13:39:35
22	is a printout from the MLS Chinese website. 2099	13:39:42

1	is a translation of that printout from the Chinese	13:39:48
2	website. Do you have both documents?	13:39:53
3	A. Yes.	13:39:55
4	Q. Okay. We're not going to spend much time	13:39:56
5	on this, but would you look first at the Chinese	13:39:58
6	version. And do you see along the bottom there	13:40:02
7	are a series of entries for years?	13:40:04
8	A. Yes.	13:40:09
9	Q. It looks a little bit like a timeline?	13:40:09
10	A. Yes.	13:40:11
11	Q. And if you scroll -- not scroll. If you	13:40:12
12	flip through a few pages, eventually you will see	13:40:14
13	there is an entry for 2022.	13:40:17
14	A. Okay.	13:40:34
15	Q. Now if you'd turn to the second exhibit,	13:40:35
16	2099, and find the corresponding entry for 2022.	13:40:41
17	A. In the chart or the list?	13:40:52
18	Q. In the list.	13:40:57
19	A. Okay.	13:41:03
20	Q. Bear with me just a moment. I think it	13:41:03
21	didn't matter whether it was in the chart or in	13:41:28
22	the list. I think it's the same content. I'm	13:41:30

1	focused just on the 2022 entry.	13:41:33
2	Do you see at the top of page 2 of 5	13:41:35
3	there's a table, and in the top row there is an	13:41:39
4	entry for 2022?	13:41:41
5	A. Okay.	13:41:45
6	Q. And I'm just referring to page 2 of 5 of	13:41:50
7	Exhibit 2099.	13:41:52
8	A. 2 of 5. I'm sorry. I'm on page 2 of	13:41:59
9	Exhibit 2099.	13:42:02
10	Q. Yes. And there's a table there. And in	13:42:04
11	the first row, third column, there is an entry for	13:42:08
12	2022. Do you see that?	13:42:11
13	A. Yes.	13:42:12
14	Q. And the text there reads, "LEDVANCE	13:42:13
15	completed factory closures and finalized strategic	13:42:16
16	restructuring." Do you see that?	13:42:20
17	A. Yes.	13:42:21
18	Q. And then it says the same thing down below	13:42:21
19	the table in an entry also labeled "2022" in the	13:42:24
20	list.	13:42:28
21	A. Yes.	13:42:29
22	Q. Do you know why MLS is reporting on	13:42:30

1	LEDVANCE factory closures on its website?	13:42:36
2	A. No idea.	13:42:39
3	Q. That entry referred to finalizing	13:42:39
4	strategic restructuring. Do you know what that	13:42:43
5	restructuring was?	13:42:46
6	A. No idea.	13:42:47
7	Q. Do you know whether LEDVANCE LLC went	13:42:49
8	through any kind of restructuring after the	13:42:54
9	acquisition by MLS?	13:42:56
10	A. I would say we're -- like any company,	13:42:58
11	we're continually restructuring.	13:43:05
12	Q. What about LEDVANCE GmbH?	13:43:06
13	A. I'm assuming just like any company they	13:43:09
14	would be continually restructuring and opening and	13:43:13
15	closing.	13:43:17
16	Q. Has LEDVANCE closed any -- sorry.	13:43:21
17	Has LEDVANCE LLC closed any factories	13:43:25
18	since 2022?	13:43:27
19	A. No factories.	13:43:28
20	Q. Does LEDVANCE LLC still maintain factories	13:43:34
21	in the United States?	13:43:38
22	A. No, it doesn't. Well, some made-to-order	13:43:38

1	products which are assembled.	13:43:44
2	Q. Okay. But the last two to close were the	13:43:47
3	ones you mentioned previously in Pennsylvania and	13:43:52
4	Kentucky?	13:43:54
5	A. That's correct.	13:43:55
6	Q. I may already know the answer to this	13:43:55
7	based on what you said, but do you know whose	13:44:01
8	strategy is referred to in that entry under 2022?	13:44:04
9	A. I don't know.	13:44:07
10	Q. You can put that one aside.	13:44:07
11	(Exhibit 2084)	13:44:34
12	Q. Mr. Martin, I've just handed you a	13:44:34
13	document marked as Exhibit 2084, which is a	13:44:37
14	printout from the English language version of the	13:44:41
15	MLS website. Do you see that?	13:44:44
16	A. Yes.	13:44:45
17	Q. At the top of the page there's an orange	13:44:46
18	bar, like a menu bar, and then there's a wide	13:45:02
19	photo right below that. Do you see that?	13:45:06
20	A. Yes.	13:45:08
21	Q. And then on the left side below that	13:45:08
22	there's text that reads, "We have built five	13:45:13

1	production bases in Zhongshan, Foshan, Yiwu,	13:45:16
2	Ji'an, and Xinyu. Total construction area is more	13:45:23
3	than 3 million square meters." Do you see that?	13:45:25
4	A. Yes.	13:45:27
5	Q. And then below that there are five ovals,	13:45:28
6	and each oval contains the name of one of those	13:45:34
7	production bases. Right?	13:45:36
8	A. Yes.	13:45:39
9	Q. The one on the right is the Yiwu	13:45:39
10	production base. Right?	13:45:42
11	A. The one on the right? I don't know what	13:45:44
12	you mean by "on the right."	13:45:56
13	Q. Sorry. Fair enough. That's the R&D	13:46:00
14	laboratories that you're pointing at, at the	13:46:03
15	bottom of the page. I'm talking about the five	13:46:05
16	ovals right above that.	13:46:07
17	A. Yes, I do see -- I don't see ovals, but	13:46:08
18	yes, I see the wording.	13:46:11
19	Q. Sorry.	13:46:13
20	A. Yiwu production base.	13:46:16
21	Q. They appear as ovals on the screen but not	13:46:18
22	on the page. That's okay. That's my fault.	13:46:20

1	In the middle of the page, ovals or not,	13:46:23
2	there is a white section of the page that has	13:46:27
3	entries for each of those five production bases.	13:46:28
4	Right?	13:46:31
5	A. Yes.	13:46:31
6	Q. And the one on the right is the Yiwu	13:46:31
7	production base?	13:46:35
8	A. Yes.	13:46:36
9	Q. And it lists products that it specializes	13:46:36
10	in the production. Right?	13:46:39
11	A. Specializing in production. Yes.	13:46:40
12	Q. And one of those products is LED filament	13:46:45
13	lamps. Right?	13:46:47
14	A. Yes. Where it says, "LED lighting	13:46:48
15	filament" and "LED" -- I can't read that word. Is	13:46:54
16	that "filament"?	13:47:02
17	Q. Give me just a minute and I can give you	13:47:03
18	the electronic version.	13:47:08
19	Feel free to zoom in. On the electronic	13:47:27
20	version you can see the ovals.	13:47:30
21	A. I do see the ovals now.	13:47:32
22	Q. So on the right, the Yiwu production base,	13:47:33

1	one of the products that is listed as that	13:47:36
2	production base specializing in producing is LED	13:47:39
3	filament lamps. Right?	13:47:41
4	A. Correct.	13:47:44
5	Q. And I think we talked about this earlier,	13:47:44
6	but do you know if that's where LEDVANCE's	13:47:56
7	white-filament LED bulbs are made?	13:47:59
8	A. I don't know.	13:48:02
9	Q. Mr. Martin, are you familiar with	13:48:04
10	importation records, like bills of lading?	13:50:49
11	A. Not really.	13:50:53
12	Q. Do you encounter them in your job as	13:50:54
13	general counsel?	13:50:58
14	A. I don't think I ever have.	13:50:59
15	(Exhibit 2109)	13:52:45
16	Q. I've just handed you a document we've	13:52:45
17	marked as Exhibit 2109. Do you see that?	13:52:49
18	A. Yes.	13:52:52
19	Q. This is titled a "Bill of Lading." Do you	13:52:57
20	see that?	13:53:00
21	A. Yeah, bill of lading.	13:53:01
22	Q. If you'd go to the bottom of page 2 of 4,	13:53:02

1	do you see the consignee information at the bottom	13:53:18
2	of that page?	13:53:21
3	A. Yes.	13:53:21
4	Q. And the consignee name is LEDVANCE LLC.	13:53:22
5	Right?	13:53:25
6	A. Yes.	13:53:25
7	Q. And there's an address there, LEDVANCE	13:53:25
8	LLC, EDC, in Easton, Pennsylvania. Do you see	13:53:30
9	that?	13:53:33
10	A. Yes.	13:53:33
11	Q. Do you recognize that address?	13:53:34
12	A. Yes.	13:53:35
13	Q. What is that facility?	13:53:35
14	A. That's our Eastern distribution center.	13:53:37
15	Q. At the top of the page there's a gray box	13:53:50
16	with maybe 20-ish rows of text in it. Do you see	13:53:56
17	that?	13:53:59
18	A. Yes.	13:54:00
19	Q. Do you recognize any of the entries in	13:54:02
20	that gray box?	13:54:05
21	A. I don't.	13:54:06
22	Q. Do they look like they could be product	13:54:12

1	identifiers for LEDVANCE LLC products?	13:54:14
2	A. Yes, they do. I don't know how to	13:54:18
3	determine if they're not.	13:54:24
4	Q. I'd like to focus on the fifth one from	13:54:29
5	the top, which reads, "LED 5.5A 15DIM850FILWHRP2."	13:54:37
6	Did I read that correctly?	13:54:57
7	A. Yes.	13:54:58
8	Q. Okay. Can you grab the box of light bulbs	13:54:59
9	right in front of you? And if you look on the	13:55:05
10	printout. It's Exhibit 2095, if that helps.	13:55:17
11	Your approach to this is much better than	13:56:03
12	mine. You should have in front of you now two	13:56:05
13	documents. The first is the bill of lading we	13:56:08
14	were just looking at. That is Exhibit 2109.	13:56:10
15	Correct?	13:56:15
16	A. Correct.	13:56:16
17	Q. And the other is Exhibit 2095, which is a	13:56:17
18	collection of photos of the six sides of the box,	13:56:24
19	the packaging, for certain Sylvania white-filament	13:56:29
20	LED bulbs. Right?	13:56:34
21	A. Yes.	13:56:35
22	Q. So what I'd like you to compare is the	13:56:35

1	number that I just read in the fifth row of the	13:56:38
2	bill of lading, Exhibit 2109, page 2, against the	13:56:41
3	numbers -- the letters and numbers that appear at	13:56:49
4	the top of the UPC code on page 5 of Exhibit 2095.	13:56:52
5	Do you see that?	13:56:58
6	A. Yes.	13:56:59
7	Q. Can you tell me if those numbers match?	13:56:59
8	A. The one on the SKU has a 0184 at the end	13:57:02
9	of it. But otherwise, yes, that number matches.	13:57:09
10	Q. And I think -- sorry. Bear with me. Yes.	13:57:13
11	Okay. So the number on the packaging that we see	13:57:22
12	in Exhibit 2095 is the same except that it	13:57:28
13	contains four extra digits at the end.	13:57:32
14	A. Correct.	13:57:34
15	Q. Do you know -- to you, does that mean that	13:57:34
16	the entry in Exhibit 2109 indicates that this	13:57:40
17	shipment that corresponds to the bill of lading	13:57:46
18	included at least some of that model of light	13:57:48
19	bulb?	13:57:52
20	A. Perhaps. I guess. I don't know.	13:57:53
21	Q. Okay. Going back to Exhibit 2109, again,	13:58:00
22	the fifth row in that gray box at the top, after	13:58:06

1	the product number there's some additional text	13:58:09
2	that reads "12 CS 2 SKU."	13:58:12
3	Do you know what those numbers and letters	13:58:19
4	mean?	13:58:21
5	A. I don't.	13:58:21
6	Q. Could "12 CS" mean 12 cases?	13:58:21
7	A. It could. I don't know what "2 SKU"	13:58:26
8	means.	13:58:36
9	Q. Okay. Staying on page 2 of Exhibit 2109,	13:58:36
10	a little bit further down the page there is a	13:58:47
11	heading that reads "Shipper." Do you see that?	13:58:49
12	A. "Shipper," yes.	13:58:53
13	Q. The shipper name is listed as Yiwu Harmony	13:58:55
14	Core Lighting Co., Ltd. Do you see that?	13:59:00
15	A. Yes.	13:59:03
16	[REDACTED]	
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	13:59:20
21	Q. And the address for that company listed in	13:59:20
22	Exhibit 2109 is 901 Longqi Road, Suxi Town,	13:59:24

1	Zhejian.	13:59:33
2	That's the first line of the address.	13:59:34
3	The second line of the address is 322000	13:59:35
4	Yiwu City, China. And then it's listed as being	13:59:39
5	in Yiwu City. Do you see that?	13:59:43
6	A. Yes.	13:59:46
7	Q. Do you know if that is the Yiwu production	13:59:46
8	base that we saw in other MLS documents?	13:59:50
9	A. I don't know.	13:59:54
10	(Exhibit 2104)	14:00:43
11	Q. Mr. Martin, I've just handed you an	14:00:43
12	exhibit marked 2104. Do you see that?	14:00:46
13	A. Yes.	14:00:50
14	Q. This is a shipper summary page from the	14:00:50
15	import info service for the shipper Yiwu Harmony	14:01:00
16	Core Lighting Co., Ltd. Do you see that?	14:01:06
17	A. Yes.	14:01:09
18	Q. And right below that text at the top of	14:01:09
19	the page there is an address that I believe is the	14:01:11
20	same address we just saw on the bill of lading.	14:01:14
21	Right?	14:01:16
22	A. Yes.	14:01:17

1	Q. And if you go to the second page --	14:01:19
2	actually, the bottom of the first page and then	14:01:32
3	continuing into the second page, there is a Sankey	14:01:34
4	diagram of associated companies. Do you see that?	14:01:38
5	A. Yes.	14:01:40
6	Q. Are you familiar with Sankey diagrams?	14:01:40
7	A. No, I'm not.	14:01:43
8	Q. If you look at -- the diagram I think is	14:01:44
9	somewhat self-explanatory.	14:01:46
10	If you look at the diagram which begins at	14:01:48
11	the bottom of page 1 and continues on to page 2,	14:01:50
12	on the left side you have Yiwu Harmony Core	14:01:54
13	Lighting Co., Ltd. On the left side you have	14:01:57
14	LEDVANCE LLC.	14:02:02
15	And this diagram appears to indicate that	14:02:04
16	all shipments that have come into the United	14:02:07
17	States from Yiwu Harmony Core Lighting Co., Ltd.,	14:02:10
18	have gone to LEDVANCE LLC.	14:02:14
19	Do you understand the diagram the same	14:02:22
20	way?	14:02:23
21	A. No. But if that's what you tell me.	14:02:23
22	Q. And below that Sankey diagram there is a	14:02:25

1	heading that says "Associated Companies." And	14:02:31
2	there's just one listed; it's LEDVANCE LLC.	14:02:34
3	Do you see that?	14:02:38
4	A. Yes.	14:02:38
5	(Exhibit 2105)	14:03:10
6	Q. I've just handed you a document marked as	14:03:10
7	Exhibit 2105. Do you see that?	14:03:12
8	A. Yes.	14:03:14
9	Q. This is another shipper summary page from	14:03:14
10	the import info service, but this one is for a	14:03:18
11	different shipper. At the top of the page there	14:03:25
12	is a company named Harmony Core Yiwu Photoelectric	14:03:31
13	Technology Co., Ltd. Do you see that?	14:03:34
14	A. Yes.	14:03:36
15	Q. Right below that is an address that	14:03:36
16	appears to be the same address that we saw before	14:03:40
17	on the last exhibit. Right?	14:03:45
18	A. It seems different, but I don't know if	14:03:46
19	that difference matters.	14:04:07
20	Q. At least the first half of it is the same.	14:04:08
21	Right?	14:04:12
22	A. The road is the same, the town is the	14:04:13

1	same, and then after the province it looks like it	14:04:17
2	adds more here.	14:04:21
3	Q. Are you familiar with that --	14:04:22
4	A. And it has a different ZIP Code, I guess,	14:04:27
5	for lack of a better term.	14:04:30
6	Q. Where do you see that?	14:04:32
7	A. So this one says 322009 and this one says	14:04:34
8	322000.	14:04:38
9	Q. So the one for Yiwu Harmony Core Lighting	14:04:41
10	Co., Ltd., says 322000 right below the word	14:04:44
11	"lighting." Right?	14:04:50
12	A. So I have the Yiwu Harmony Core Lighting	14:04:51
13	Co., Ltd. And that has the 009 CN at the end of	14:04:54
14	the address.	14:04:59
15	Q. Right. It actually has two ZIP codes.	14:05:00
16	Right? There's the one at the end and --	14:05:03
17	A. Yes, yes. There is a 3200 and then it's	14:05:05
18	Yiwu City, China, Yiwu City 322009 CN.	14:05:09
19	Q. Right. I apologize. I can't remember if	14:05:17
20	I asked you this.	14:05:20
21	Are you familiar with a company called	14:05:21
22	Harmony Core Yiwu Photoelectric Technology Co.,	14:05:23

1	Ltd.?	14:05:28
2	A. I'm familiar with a company called Harmony	14:05:28
3	Core, but there's several entities that have	14:05:30
4	"Harmony Core" in them.	14:05:33
5	Q. Okay.	14:05:34
6	A. Or have the title of the province of	14:05:39
7	the -- that the manufacturer is located in.	14:05:43
8	Q. If you go down to the bottom of page 1, we	14:05:46
9	have another Sankey diagram that continues on to	14:05:48
10	page 2. On the left side we see -- and again, I'm	14:05:51
11	on Exhibit 2105 now.	14:05:56
12	A. Yes.	14:05:57
13	Q. On the left side we see Harmony Core Yiwu	14:05:58
14	Photoelectric Technology Co., Ltd. And this time	14:06:02
15	we have more than one entry. At the top is	14:06:06
16	LEDVANCE LLC.	14:06:08
17	Right below that is a company called	14:06:09
18	Global Value Lighting LLC. Are you familiar with	14:06:12
19	that company?	14:06:14
20	A. Yes.	14:06:14
21	Q. What's Global Value Lighting LLC?	14:06:15
22	A. I believe it's a part of the old Lighting	14:06:18

1	Science Group, a remnant from that.	14:06:24
2	Q. Is it associated with MLS?	14:06:26
3	A. I don't -- I mean, other than it had	14:06:28
4	relations with MLS, I don't know more than that.	14:06:32
5	I believe it's a customer of MLS.	14:06:41
6	(Exhibit 2107)	14:07:10
7	Q. I've just handed you an exhibit marked	14:07:10
8	2107. Do you see that one?	14:07:13
9	A. Yes.	14:07:20
10	Q. This is another shipper summary page from	14:07:21
11	import info, this one for a company called Yiwu	14:07:23
12	MLS Smart Optoelectronics. Do you see that?	14:07:27
13	A. Yes.	14:07:29
14	Q. And this one appears to have the same	14:07:29
15	address on 901 Longqi Road in Suxi Town. Right?	14:07:32
16	A. Correct.	14:07:38
17	Q. And also in Yiwu?	14:07:39
18	A. Yes.	14:07:41
19	Q. Do you know if LEDVANCE LLC has received	14:07:42
20	shipments from this company?	14:07:50
21	A. I don't.	14:07:51
22	Q. The Sankey diagram at the bottom of page 1	14:07:52

1	is split. It continues into page 2.	14:07:57
2	It lists Yiwu MLS Smart Optoelectronics on	14:08:00
3	the left. And I think three companies on the	14:08:03
4	right, the biggest is LEDVANCE LLC. Do you see	14:08:06
5	that?	14:08:10
6	A. Yes. Max Light and American Quality	14:08:10
7	Assurance Council.	14:08:14
8	Q. Those are the other two. Okay. You can	14:08:15
9	put that aside.	14:08:30
10	MR. MCMAHON: We've been going for about	14:08:31
11	an hour. Let's take a break.	14:08:32
12	(Recess, 2:08 p.m. to 2:18 p.m.)	14:08:34
13	(Exhibits 2102 and 2103)	14:17:58
14	BY MR. MCMAHON:	14:18:16
15	Q. Mr. Martin, I've just handed you two	14:18:16
16	documents, Exhibits 2102 and 2103. 2102 is a	14:18:19
17	Chinese language public filing from MLS Co., Ltd.	14:18:25
18	2103 is a certified partial translation of	14:18:31
19	that document.	14:18:34
20	MR. BROWN: I may only have one of the	14:18:40
21	two.	14:18:42
22	MR. MCMAHON: Sorry. I only have one copy	14:18:43

1	of the Chinese version.	14:18:45
2	MR. BROWN: I get it.	14:18:46
3	MR. MCMAHON: I can get you an electronic	14:18:46
4	copy, but I didn't think any of us were going to	14:18:48
5	spend much time reading the Chinese today.	14:18:51
6	MR. BROWN: Right.	14:18:54
7	Q. Mr. Martin, do you have the two documents	14:18:55
8	in front of you?	14:18:56
9	A. Yes.	14:18:57
10	Q. The first page -- I'd like to focus on the	14:18:57
11	English translation, Exhibit 2103.	14:19:09
12	Page 1 of 40, the title reads "MLS Co.,	14:19:12
13	Ltd., reply to feedback on the application for	14:19:16
14	public issuance of convertible corporate bonds	14:19:18
15	(2nd revised draft)." Do you see that?	14:19:23
16	A. Yes.	14:19:25
17	Q. And then below that there's a notice that	14:19:26
18	this is being submitted into the China securities	14:19:29
19	regulatory commission. Do you see that?	14:19:33
20	A. I see Chinese security regulatory	14:19:34
21	commission. I've never seen it. I don't know.	14:19:43
22	Q. Okay. If you flip to page 2 of 40,	14:19:47

1	there's a heading that reads, "3.Yiwu LED lighting	14:19:58
2	application products automated production	14:20:03
3	project." Do you see that?	14:20:06
4	A. Yes.	14:20:07
5	Q. And then a heading that reads	14:20:07
6	"Construction Content." Do you see that?	14:20:09
7	A. Yes.	14:20:11
8	Q. And then a paragraph that reads, "This	14:20:11
9	project plans to construct automated production	14:20:14
10	lines and ancillary facilities for LED lighting	14:20:16
11	application products (including LED filament	14:20:20
12	lights, LED bulbs, LED tubes, LED panel lights,	14:20:24
13	et cetera). Upon reaching full production	14:20:29
14	capacity, the project will be capable of producing	14:20:33
15	278.85 million LED lighting application products	14:20:36
16	annually."	14:20:41
17	Did I read that correctly?	14:20:42
18	A. Yes.	14:20:43
19	Q. And again, LED filament lights, that's the	14:20:44
20	category that would include the white-filament LED	14:20:51
21	bulbs that we've talked about today. Right?	14:20:54
22	A. As well as yellow, yes, or whatever color.	14:20:56

1	Q. If you could turn, please, to page 5	14:21:02
2	of 40.	14:21:28
3	A. Okay.	14:21:34
4	Q. The paragraph at the top of the page	14:21:35
5	begins, "This project will complete civil	14:21:36
6	engineering works, factory remodeling, and	14:21:38
7	equipment procurement and	14:21:41
8	installation/commissioning on the company's	14:21:44
9	existing land." Do you see that?	14:21:45
10	A. Yes.	14:21:48
11	Q. And "the company" here is MLS Co., Ltd.	14:21:48
12	Right?	14:21:52
13	A. I don't know if -- I mean, the title of	14:21:52
14	the document says MLS Co., Ltd., but I don't know	14:22:12
15	if that equates to this portion.	14:22:17
16	Q. The second sentence back on page 5 of 40,	14:22:19
17	the second sentence reads, "Taking into account	14:22:25
18	the extended time required for self-built factory	14:22:28
19	construction" --	14:22:33
20	Sorry. Do you want me to start over?	14:22:33
21	A. Yes, please.	14:22:34
22	Q. Back on page 5 of 40, the second sentence	14:22:36

1	begins -- reads, "Taking into account the extended	14:22:39
2	time required for self-built factory construction	14:22:42
3	and the cautious consideration of the integration	14:22:48
4	timeline between MLS's headquarters and LEDVANCE's	14:22:51
5	LED application business, this project is designed	14:22:56
6	with a 24-month construction period (of which	14:22:59
7	civil engineering construction is 18 months)."	14:23:03
8	Did I read that correctly?	14:23:06
9	A. Yes.	14:23:07
10	Q. Are you familiar with an MLS project to	14:23:08
11	build a facility to supply LEDs to LEDVANCE?	14:23:13
12	A. No, I'm not.	14:23:16
13	Q. Skipping the next sentence, the sentence	14:23:17
14	after that reads, "The LED lighting application	14:23:28
15	products represent a capacity expansion of LED	14:23:31
16	application products aimed at strengthening	14:23:34
17	technological and product synergies with	14:23:39
18	LEDVANCE." Do you see that?	14:23:41
19	A. Yes.	14:23:42
20	Q. Are you familiar with a project at MLS to	14:23:43
21	accomplish that?	14:23:49
22	A. No.	14:23:49

1	Q. The next paragraph is just one sentence	14:23:50
2	and reads, "The project has been thoroughly	14:23:56
3	discussed and planned by the company's management,	14:23:58
4	and the schedule for the use of raised funds and	14:24:01
5	project construction has proven unreasonable." Do	14:24:04
6	you see that?	14:24:07
7	A. Yes.	14:24:07
8	Q. Are you aware of those discussions?	14:24:07
9	A. Nope.	14:24:09
10	Q. If you'd skip ahead, please, to page 9	14:24:09
11	of 40. There's a table here. And at the top	14:24:39
12	there is a row with the number 3 in parentheses.	14:24:49
13	Do you see that?	14:24:55
14	A. Yes.	14:24:56
15	Q. And the text that follows that reads,	14:24:56
16	"Product technology and application overview of	14:24:59
17	the Yiwu LED lighting application products	14:25:02
18	automated production project."	14:25:06
19	Did I read that correctly?	14:25:09
20	A. Yes.	14:25:10
21	Q. Are you familiar with a Yiwu LED lighting	14:25:10
22	application products automated production project?	14:25:16

1	A. No.	14:25:21
2	Q. The next row in the first column has a	14:25:21
3	heading that reads, "Products of the Fund-Raising	14:25:24
4	Investment Project." Do you see that?	14:25:26
5	A. Yes.	14:25:28
6	Q. And the first entry under that is	14:25:28
7	"filament bulb."	14:25:30
8	A. Yes.	14:25:32
9	Q. Do you understand that to mean the type of	14:25:32
10	bulb that LEDVANCE sells as white-filament LED	14:25:35
11	bulbs?	14:25:40
12	A. No.	14:25:41
13	Q. Why not?	14:25:43
14	A. I mean, it could be yellow-filament bulbs.	14:25:43
15	Q. So you're saying it could include white	14:25:49
16	filament but it's not necessarily limited to white	14:25:53
17	filament?	14:25:55
18	A. I don't know that it includes white	14:25:55
19	filament, is what I'm saying.	14:25:57
20	Q. Okay. The next column in that same row	14:25:59
21	reads, "The product complies with the	14:26:00
22	certification standards for switching power	14:26:02

1	supplies in the European Union, United Kingdom,	14:26:05
2	Australia, and the United States. It incorporates	14:26:08
3	innovative LED 'filament' technology, is mercury	14:26:11
4	free, offers a wide beam angle of up to	14:26:18
5	360 degrees, and has a long service life." Did I	14:26:20
6	read that correctly?	14:26:25
7	A. Yes.	14:26:25
8	Q. Of everything I just read in that text, is	14:26:26
9	there any part of that that is not true for	14:26:29
10	LEDVANCE's white-filament LED bulbs?	14:26:34
11	A. Anything that --	14:26:36
12	Q. I can clarify.	14:26:41
13	A. A lot of this is opinion.	14:26:42
14	Q. Okay. So let me try to break it down. Do	14:26:44
15	LEDVANCE's white-filament LED bulbs incorporate	14:26:49
16	innovative LED filament technology?	14:26:53
17	A. I don't know what innovative LED filament	14:26:55
18	technology is in this case.	14:27:00
19	Q. Okay. Are LEDVANCE's LED filament bulbs	14:27:01
20	mercury free?	14:27:06
21	A. Yes.	14:27:07
22	Q. Do LEDVANCE's filament LED bulbs offer a	14:27:09

1	wide beam angle of up to 360 degrees?	14:27:14
2	A. I'm assuming if they're this form factor,	14:27:17
3	then yes.	14:27:20
4	Q. Do they have a long service life?	14:27:20
5	A. I'm assuming if you consider -- I think	14:27:22
6	this is 13 years -- then yes.	14:27:24
7	Q. The next column reads, "Extremely low	14:27:26
8	energy consumption; no ultraviolet or	14:27:36
9	near-infrared radiation in the light beam; instant	14:27:40
10	startup with no warmup time required; low heat	14:27:45
11	output; energy savings of up to 50 percent	14:27:48
12	compared to CFL luminaires; and easy	14:27:51
13	installation."	14:27:56
14	Did I read that correctly?	14:27:56
15	A. Yes.	14:27:58
16	Q. Are those things all true as a description	14:27:58
17	of LEDVANCE's white-filament LED bulbs?	14:28:02
18	A. Again, it's all relative, but I'm sure	14:28:04
19	somebody could make an argument that it is.	14:28:07
20	Q. In the last column of this row, the text	14:28:09
21	reads, "Suitable for indoor lighting as	14:28:13
22	replacement for energy-saving lamps, incandescent	14:28:16

1	bulbs, or halogen lamps; ideal for decorative	14:28:20
2	arrangements."	14:28:23
3	Does that text describe LEDVANCE's	14:28:25
4	white-filament LED bulbs?	14:28:28
5	A. It could. Again, it's mostly opinion-	14:28:30
6	based here.	14:28:38
7	Q. Okay. Skip ahead, please, to page 12	14:28:42
8	of 40. The first sentence at the top of page 12	14:28:53
9	of 40 reads, "The Yiwu LED lighting application	14:29:03
10	products automated production project primarily	14:29:06
11	produces LED filament lights, LED bulbs, LED	14:29:10
12	tubes, LED panel lights, et cetera." Do you see	14:29:15
13	that?	14:29:18
14	A. Yes.	14:29:19
15	Q. And again, LED filament lights is a	14:29:19
16	category that includes LEDVANCE's white-filament	14:29:22
17	LED bulbs. Right?	14:29:27
18	A. I don't know. I'm guessing.	14:29:28
19	Q. The second sentence reads, "The	14:29:31
20	construction of this project represents an	14:29:38
21	expansion of existing LED lighting application	14:29:41
22	product capacity and an enrichment of product	14:29:43

1	types."	14:29:47
2	And then the third sentence continues,	14:29:48
3	"The company plans to establish Yiwu as a future	14:29:50
4	LED application production base, collaborating	14:29:53
5	with LEDVANCE, acquired in 2018, to produce and	14:29:57
6	sell LED application products."	14:30:01
7	Did I read that correctly?	14:30:04
8	A. Yes.	14:30:05
9	Q. Are you familiar with that collaboration?	14:30:05
10	A. No. It could be, in a general sense, that	14:30:07
11	it's collaborating with one of its customers,	14:30:14
12	which we would be a customer.	14:30:17
13	Q. But you're not familiar with it?	14:30:18
14	A. I'm not familiar with a project like this.	14:30:22
15	Q. The next sentence reads, "By integrating	14:30:24
16	LEDVANCE's technological brand and channel	14:30:27
17	advantages with the company's manufacturing and	14:30:29
18	cost-control strengths, the aim is to maximize	14:30:32
19	benefits.	14:30:35
20	"Therefore, the Yiwu LED lighting	14:30:36
21	application products automated production project	14:30:39
22	represents a further expansion of the company's	14:30:43

1	presence in the LED lighting application sector,	14:30:45
2	aimed at continuously improving the company's	14:30:48
3	overall production technology level, enhancing the	14:30:52
4	market competitiveness of LED lighting application	14:30:55
5	products, consolidating its position in the	14:30:57
6	downstream application market."	14:30:59
7	Did I read that correctly?	14:31:02
8	A. Yes.	14:31:03
9	Q. Does any of that ring a bell as to	14:31:03
10	familiarity with this project?	14:31:05
11	A. No.	14:31:06
12	Q. Could you turn to page 15 of 40, please.	14:31:06
13	There's a heading here that starts with the number	14:32:00
14	4 in parentheses and then continues, "Improving	14:32:04
15	LED industrial chain layout and expanding the	14:32:08
16	downstream application market."	14:32:10
17	Do you see that?	14:32:12
18	A. Yes.	14:32:13
19	Q. In the middle of that paragraph there's a	14:32:13
20	sentence that begins with the words "In recent	14:32:15
21	years." Do you see that?	14:32:17
22	A. Yes.	14:32:19

1	Q. And it continues, "In recent years the	14:32:19
2	company has progressively increased its investment	14:32:22
3	in and output of LED lighting application	14:32:25
4	products, and LED application lighting has	14:32:27
5	gradually become a new profit growth driver for	14:32:30
6	the company." Do you see that?	14:32:33
7	A. Yes.	14:32:35
8	Q. "Additionally, in 2018, the company	14:32:36
9	completed its acquisition of LEDVANCE, a general	14:32:39
10	lighting enterprise, spun off from overseas	14:32:43
11	lighting giant Osram. LEDVANCE is now a wholly	14:32:46
12	owned subsidiary of the company."	14:32:49
13	The company here is MLS. Right?	14:32:53
14	A. I'm guessing. I haven't reviewed this	14:32:55
15	whole document.	14:33:01
16	Q. Could you go to the next page, page 16	14:33:01
17	of 40. Near the bottom of the page there's a	14:33:18
18	heading that begins with the number 3 in	14:33:24
19	parentheses and then continues, "The company has a	14:33:26
20	well-developed marketing network and professional	14:33:29
21	service team."	14:33:32
22	Do you see that?	14:33:32

1	A. Yes.	14:33:33
2	Q. In the paragraph that is right below that,	14:33:33
3	there's a sentence about two-thirds of the way	14:33:38
4	down that begins near the right margin with the	14:33:40
5	word "Additionally." Do you see that?	14:33:43
6	A. Yes.	14:33:45
7	Q. The sentence reads, "Additionally, the	14:33:45
8	company can leverage LEDVANCE's global sales	14:33:47
9	network to internationalize MLS products. A	14:33:50
10	well-developed sales channel and high-quality	14:33:55
11	customer service will lay a solid foundation for	14:33:58
12	the company to further expand its market and grow	14:34:00
13	its market share." Do you see that?	14:34:02
14	A. Yes.	14:34:04
15	Q. Are you familiar with MLS using LEDVANCE's	14:34:04
16	global sales network to internationalize MLS	14:34:11
17	products?	14:34:15
18	A. We are a customer of theirs.	14:34:16
19	Q. Are MLS components used in LEDVANCE's	14:34:18
20	white-filament LED bulbs?	14:34:26
21	A. I don't know.	14:34:28
22	Q. What other MLS products does LEDVANCE buy?	14:34:29

1	MR. BROWN: Objection.	14:34:57
2	A. I don't know. I don't know the specifics.	14:34:57
3	I didn't prepare for that.	14:35:01
4	Q. How do you know you're a customer -- I'm	14:35:04
5	sorry.	14:35:06
6	How do you know LEDVANCE is a customer of	14:35:06
7	MLS?	14:35:09
8	A. I know, for example, the documents you've	14:35:09
9	been submitting shows shipper information. And I	14:35:12
10	know we've bought -- some of our products are	14:35:20
11	sourced through MLS subsidiaries.	14:35:23
12	Q. Could you turn to page 18 of 40, please.	14:35:27
13	At the top of the page there's a Heading 2 that	14:35:37
14	reads, "Selling through the company's existing	14:35:40
15	sales channels and the integrated LEDVANCE sales	14:35:42
16	channels." Do you see that?	14:35:46
17	A. Yes.	14:35:47
18	Q. And the first sentence reads, "The	14:35:47
19	products produced by this project include filament	14:35:50
20	lights, bulbs, tubes, panel lights, among others,	14:35:54
21	which are primarily targeted at the home lighting	14:35:58
22	sector."	14:36:01

1	I've stopped reading now.	14:36:02
2	The next question is, LEDVANCE's	14:36:05
3	white-filament LED bulbs are filament lights	14:36:07
4	primarily targeted at the home lighting sector.	14:36:10
5	Correct?	14:36:13
6	A. Retail, yes.	14:36:13
7	Q. Further down in this paragraph, about	14:36:16
8	halfway there's a sentence that begins with the	14:36:28
9	word "Internationally." Do you see that?	14:36:32
10	A. Yes.	14:36:34
11	Q. The sentence reads, "Internationally,	14:36:34
12	following the completion of the acquisition of	14:36:37
13	LEDVANCE in 2018, the company will gradually	14:36:38
14	integrate LEDVANCE's sales network of traders and	14:36:41
15	large supermarkets distributed globally,	14:36:44
16	continuously improving the international market	14:36:47
17	sales channels. Currently most of LEDVANCE's LED	14:36:49
18	lighting" -- let me stop there.	14:36:54
19	Are you aware that MLS has integrated	14:36:56
20	LEDVANCE's sales network?	14:37:09
21	A. I'm not.	14:37:11
22	Q. The next sentence reads, "Currently most	14:37:11

1	of LEDVANCE's LED lighting products are	14:37:16
2	manufactured through OEM production. Upon the	14:37:18
3	completion of this fund-raising investment	14:37:21
4	project, a portion of products will be	14:37:24
5	self-produced. Therefore, the products from the	14:37:26
6	Yiwu LED lighting application products automated	14:37:29
7	production project can be sold through the	14:37:33
8	company's existing sales channels and the	14:37:36
9	integrated LEDVANCE sales channels."	14:37:38
10	Do you see that?	14:37:42
11	A. Yes.	14:37:42
12	Q. Does that include LEDVANCE's	14:37:43
13	white-filament LED bulbs?	14:37:49
14	A. It could if we were to purchase them	14:37:51
15	through the MLS here or whoever the company is	14:37:54
16	that they're defining.	14:38:04
17	Q. If you'd turn to page 19 of 40, please.	14:38:05
18	There's a single paragraph on this page. And	14:38:14
19	about halfway down, there's a sentence -- there	14:38:16
20	are two sentences that begin with the words "The	14:38:24
21	company's" in the right margin. Do you see that?	14:38:26
22	A. Yes.	14:38:29

1	Q. I want to focus on the second sentence	14:38:30
2	that begins with the words "The company's." Do	14:38:32
3	you see that?	14:38:34
4	A. Okay.	14:38:35
5	Q. It reads, "The company's business volume	14:38:35
6	is large and growing rapidly. Following the	14:38:37
7	integration of LEDVANCE into the company, the	14:38:40
8	company will strengthen the business integration	14:38:44
9	between MLS headquarters and LEDVANCE, enhancing	14:38:46
10	overseas expansion of MLS products and domestic	14:38:51
11	penetration of LEDVANCE products."	14:38:54
12	Do you agree that the company has	14:38:56
13	integrated LEDVANCE?	14:38:58
14	A. No. I think that's poorly written.	14:38:59
15	Q. So you disagree with MLS?	14:39:03
16	A. I disagree with that statement. There may	14:39:05
17	be a translation issue or . . .	14:39:10
18	Q. Do you agree that the company -- that MLS	14:39:16
19	has strengthened its business integration between	14:39:18
20	MLS headquarters and LEDVANCE?	14:39:20
21	A. I wouldn't say business integration, no.	14:39:22
22	We work closely with MLS to develop contract	14:39:36

1	manufacturing ties.	14:39:40
2	Q. If you'd turn to page 21 of 40. The top	14:39:41
3	of the page, the text begins, "On March 28, 2018,	14:39:59
4	the company completed the acquisition of Hexie	14:40:04
5	Mingxin (Yiwu) Optoelectronics Technology Co.,	14:40:09
6	Ltd., hereinafter referred to as Mingxin	14:40:13
7	Optoelectronics."	14:40:16
8	Do you understand that to refer to the	14:40:17
9	second transaction that we talked about	14:40:19
10	previously?	14:40:22
11	A. No, I don't.	14:40:22
12	Q. Okay. The paragraph continues, "Pursuant	14:40:27
13	to the provisions of the accounting standards for	14:40:33
14	business enterprises, the company incorporated	14:40:35
15	Mingxin Optoelectronics into its consolidated	14:40:38
16	financial statements as of April 1st, 2018,	14:40:41
17	thereby indirectly controlling LEDVANCE. Since	14:40:45
18	the completion of the acquisition, LEDVANCE has	14:40:49
19	operated steadily with strong performance."	14:40:51
20	Did I read that correctly?	14:40:54
21	A. Yes.	14:40:55
22	Q. Do you agree that MLS is indirectly	14:40:55

1	controlling LEDVANCE?	14:40:58
2	A. I don't agree. Well, indirectly -- I	14:40:59
3	guess you could say indirectly controlling	14:41:06
4	LEDVANCE.	14:41:09
5	Q. So you do agree?	14:41:09
6	A. Yes.	14:41:11
7	Q. There is a heading right below that that	14:41:12
8	reads "Integration of LEDVANCE After Completion of	14:41:16
9	the Acquisition." Do you see that?	14:41:19
10	A. Sorry. Where are we?	14:41:20
11	Q. Immediately below that paragraph there's a	14:41:23
12	heading that reads "Integration of LEDVANCE After	14:41:26
13	Completion of the Acquisition."	14:41:28
14	A. Yes.	14:41:30
15	Sorry. Was there a question?	14:41:40
16	Q. Yeah. Sorry. Hang on just a second.	14:41:42
17	A little more than halfway down that	14:42:04
18	paragraph, there's a sentence that begins with the	14:42:07
19	words "Through the acquisition."	14:42:09
20	A. You're saying it's about halfway down?	14:42:25
21	Q. It's a little more than halfway. It's	14:42:26
22	toward the right side of the paragraph.	14:42:29

[REDACTED]
Transcript of Andrew Martin
Conducted on May 19, 2026

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1	A. Okay. Yes.	14:42:32
2	Q. That sentence reads, "Through the	14:42:32
3	acquisition, the company gained access to multiple	14:42:34
4	global distribution centers of LEDVANCE in the	14:42:36
5	United States, Mexico, France, Germany, Russia,	14:42:38
6	Spain, and South Korea, as well as the sales	14:42:42
7	channels of large retailers such as Walmart and	14:42:45
8	Metro."	14:42:48
9	Did I read that correctly?	14:42:49
10	A. Yes.	14:42:50
11	Q. Do you agree with that sentence?	14:42:50
12	A. I don't know whether it was true. Gained	14:42:51
13	access to Walmart, sure. This is more opinion	14:42:57
14	based. I don't know. I didn't write this.	14:43:07
15	Q. Okay. Can you skip ahead, please, to	14:43:08
16	page 32. Here there is a heading that begins with	14:44:38
17	the letter "I" and then reads, "Latest progress	14:44:51
18	and impact of material litigation and	14:44:54
19	arbitration." Do you see that?	14:44:57
20	A. Yes.	14:44:58
21	Q. And then on the bottom half of page 32 and	14:44:59
22	spanning all the way to the bottom of page 35,	14:45:04

1	there is a table. Do you see that?	14:45:12
2	A. Yes.	14:45:14
3	Q. And that table describes various	14:45:14
4	litigation and disputes involving LEDVANCE LLC.	14:45:18
5	Right?	14:45:23
6	A. Correct.	14:45:23
7	Q. Do you recall reporting any of this	14:45:23
8	information to MLS?	14:45:33
9	A. I would not have reported it to MLS, but I	14:45:35
10	would have reported it to an outside auditor.	14:45:39
11	Q. Hired by MLS?	14:45:41
12	A. Yes.	14:45:45
13	Q. Why?	14:45:45
14	A. As part of an audit.	14:45:48
15	Q. Do you recall if there was a materiality	14:45:58
16	threshold in that audit?	14:46:01
17	A. I don't recall. I'd have to go back and	14:46:02
18	look.	14:46:06
19	Q. Would you agree that the fact that MLS is	14:46:06
20	listing all of this litigation activity in this	14:46:15
21	report indicates that it's material to MLS?	14:46:18
22	A. I don't really know what this document is	14:46:22

1	to tell you what should or shouldn't be in there.	14:46:27
2	Q. There are some patent cases listed here.	14:46:30
3	Correct?	14:46:37
4	A. I see Bench Walk Lighting. Yes.	14:46:37
5	Q. That's in Row 5?	14:46:43
6	A. Yes.	14:46:46
7	Q. Row 6 is also a patent case?	14:46:46
8	A. CFL Technologies. Yes.	14:46:49
9	Q. Row 10 is a patent case?	14:46:52
10	A. I don't know what that is, but that -- at	14:47:00
11	the end it says "Osram assumed."	14:47:24
12	So that's why I -- although LEDVANCE LLC	14:47:26
13	was probably named, it looks like Osram was	14:47:30
14	handling the case.	14:47:34
15	Q. Is in Row 10?	14:47:34
16	A. I'm sorry. I'm looking at Row 9, just	14:47:36
17	above 10. Sorry. Yes.	14:47:41
18	Q. Row 10 is a patent case?	14:47:43
19	A. Yes.	14:47:45
20	Q. An ITC case, actually.	14:47:45
21	A. Yes.	14:47:48
22	Q. Do you know who -- sorry. Let me withdraw	14:47:48

1	that.	14:48:14
2	The table ends on page 35. Starting on	14:48:16
3	page 36 there is some text that provides	14:48:19
4	additional information and commentary about the	14:48:25
5	litigation. Do you see that?	14:48:28
6	A. Yes.	14:48:29
7	Q. Do you know who wrote that?	14:48:30
8	A. This first paragraph on page 36?	14:48:32
9	Q. Yes.	14:48:40
10	A. I don't know who wrote this.	14:48:40
11	Q. It wasn't you?	14:49:03
12	A. Correct.	14:49:05
13	Q. Okay. You can set that aside.	14:49:05
14	MR. MCMAHON: Let's take a break.	14:51:15
15	(Recess, 2:51 p.m. to 3:01 p.m.)	14:51:18
16	(Exhibit 2100)	15:01:13
17	BY MR. MCMAHON:	15:01:13
18	Q. Mr. Martin, I've just handed you what	15:01:16
19	we've marked as Exhibit 2100. Do you have that	15:01:19
20	document?	15:01:23
21	A. Yes, I do.	15:01:23
22	Q. This is an article from Insider Lighting	15:01:24

1	news source, commenting or reporting that LEDVANCE	15:01:33
2	had named Jonathan Lubeck CEO of the U.S. region.	15:01:38
3	Do you see that?	15:01:42
4	A. Yes.	15:01:42
5	Q. And this was from October 25th, 2022.	15:01:43
6	Right? The top of the page, kind of in the	15:01:47
7	middle, right above the title.	15:01:58
8	A. Yes. Okay.	15:01:59
9	Q. In the third paragraph there's a quote	15:02:00
10	from Mr. Lubeck. Do you see that?	15:02:25
11	A. I think it says, "In the legacy	15:02:28
12	traditional days."	15:02:33
13	Q. Yes. "In the legacy traditional days	15:02:36
14	early in my career, alignment on the manufacturing	15:02:39
15	side being fully integrated was fairly standard.	15:02:42
16	Today being fully integrated is a big deal, as	15:02:46
17	many companies are not. This is a major part of	15:02:49
18	the LEDVANCE advantage. We" -- and then the quote	15:02:53
19	continues at the end of the paragraph.	15:02:58
20	"We are the only globally vertically	15:02:59
21	integrated general lighting company. This means	15:03:03
22	with our global network we manufacture the various	15:03:04

1	components needed for the future of LED products.	15:03:07
2	This differentiator allows us to break new ground	15:03:10
3	and deliver better lighting products fast."	15:03:13
4	When Mr. Lubeck refers to being vertically	15:03:17
5	integrated, he is including LEDVANCE GmbH and MLS	15:03:20
6	in that statement. Right?	15:03:25
7	A. I believe so.	15:03:26
8	Q. Down at the bottom of the page, there's a	15:03:27
9	kind of typical section that says "About LEDVANCE	15:03:43
10	LLC." Do you see that?	15:03:45
11	A. Yes.	15:03:47
12	Q. Sorry. That's on page 2 of the exhibit.	15:03:53
13	A. Yes.	15:03:56
14	Q. And the first sentence of that paragraph	15:03:56
15	begins with, "Offices in more than 50 countries	15:04:02
16	and business activities in more than 140	15:04:05
17	countries, LEDVANCE is one of the world's leading	15:04:08
18	general lighting providers for professional users	15:04:09
19	and end consumers." Do you see that?	15:04:12
20	A. Yes. That's clearly wrong.	15:04:14
21	Q. How so?	15:04:16
22	A. Because LEDVANCE LLC doesn't have offices	15:04:19

1	in other countries. I think that should have been	15:04:22
2	maybe LEDVANCE GmbH.	15:04:25
3	Q. Well, a few times today we've seen that	15:04:27
4	number, 150 countries or 140 countries or regions.	15:04:31
5	Right? MLS uses that number. Right?	15:04:36
6	A. I don't. There was one. I thought it was	15:04:39
7	140 countries or something like that.	15:04:43
8	Q. Is that -- is this announcement including	15:04:46
9	MLS in the count?	15:04:51
10	A. No. I believe it -- somebody replaced	15:04:54
11	"LEDVANCE LLC" -- or replaced "LEDVANCE GmbH" with	15:04:57
12	"LEDVANCE LLC."	15:05:02
13	Q. So it's just coincidence that both	15:05:03
14	LEDVANCE and MLS advertised that they are present	15:05:05
15	in 140 countries?	15:05:09
16	MR. BROWN: Objection, vague.	15:05:10
17	Can you be specific on whether you're	15:05:12
18	talking about LLC or GmbH?	15:05:14
19	MR. MCMAHON: We've talked about this. No	15:05:16
20	speaking objections.	15:05:18
21	MR. BROWN: I'm giving you an opportunity.	15:05:19
22	If you want to take it, you can take it. If you	15:05:20

1	don't, you can just ask your questions.	15:05:22
2	A. I'm saying it's not coincidence. But it's	15:05:31
3	because somebody used the same verbiage for the	15:05:34
4	LEDVANCE GmbH and replaced it with LEDVANCE LLC.	15:05:37
5	I don't know if it's the writer of the	15:05:40
6	article. I don't believe it would have been	15:05:42
7	internal in LEDVANCE that somebody did that. I	15:05:43
8	believe the writer of Insider Lighting may have	15:05:47
9	changed it.	15:05:50
10	Q. And if MLS describes its global presence	15:05:51
11	as being in 140 countries, would you describe that	15:05:56
12	as just coincidence?	15:05:58
13	MR. BROWN: Objection.	15:06:00
14	A. No. I'd say somebody has read one of	15:06:00
15	those and assumed that they were combined.	15:06:06
16	Q. Okay. So it's your testimony that this is	15:06:12
17	a mistake?	15:06:14
18	MR. BROWN: Objection.	15:06:15
19	A. Yes.	15:06:16
20	Q. You can put that one aside.	15:06:20
21	(Exhibit 2086)	15:07:33
22	Q. Mr. Martin, I've just handed you a copy of	15:07:33

1	a document we've marked as Exhibit 2086. It is a	15:07:35
2	complaint filed in the International Trade	15:07:38
3	Commission by a complainant called Lighting	15:07:44
4	Science Group. Do you see that?	15:07:48
5	A. Yes.	15:07:49
6	Q. Are you familiar with this complaint?	15:07:49
7	A. I was.	15:07:51
8	Q. LEDVANCE LLC was one of the respondents	15:07:52
9	named in that complaint. Correct?	15:07:59
10	A. Correct.	15:08:00
11	Q. The complaint also named LEDVANCE GmbH and	15:08:01
12	MLS. Right?	15:08:13
13	A. I believe that's correct. Yes.	15:08:14
14	Q. If you look at page 2 of 180, there's --	15:08:19
15	in the right-hand column, bottom half of the	15:08:26
16	column, there are entries there for MLS,	15:08:29
17	LEDVANCE GmbH, and LEDVANCE LLC. Right?	15:08:32
18	A. Correct.	15:08:36
19	Q. Were you involved in the defense of this	15:08:36
20	case?	15:08:38
21	A. Yes.	15:08:38
22	Q. Starting on page 39 of 180, there is a	15:08:47

1	section of the complaint that identifies and	15:09:03
2	describes the respondents. Do you see that?	15:09:05
3	A. Yes.	15:09:07
4	Q. And if you skip ahead to page 47 of 180,	15:09:08
5	there's a section that describes "MLS	15:09:20
6	Respondents." Do you see that?	15:09:23
7	A. Yes.	15:09:26
8	Q. In Paragraph 71, the complaint describes	15:09:26
9	MLS Co., Ltd. Right?	15:09:40
10	A. Upon information and belief, MLS Co., Ltd?	15:09:41
11	Q. Yes.	15:09:47
12	A. Yes.	15:09:47
13	Q. And then the next paragraph is about	15:09:48
14	LEDVANCE GmbH. Right?	15:09:52
15	A. Yes.	15:09:55
16	Q. And the paragraph notes that LEDVANCE GmbH	15:09:56
17	is wholly owned by MLS Co., Ltd. Right?	15:09:57
18	A. Yes.	15:10:02
19	Q. And then skipping a paragraph to go to	15:10:02
20	Paragraph 74, there's a paragraph that describes	15:10:04
21	LEDVANCE LLC. Right?	15:10:11
22	A. Yes.	15:10:12

1	Q. And it ends by alleging that LEDVANCE LLC	15:10:12
2	is wholly owned by MLS Co., Ltd. Right?	15:10:15
3	A. Yes. I did not write this.	15:10:18
4	Q. I know you didn't.	15:10:20
5	If you go to the next page, Paragraph 77,	15:10:25
6	that paragraph reads, "MLS Co., Ltd, LEDVANCE	15:10:29
7	GmbH, and LEDVANCE LLC collectively are referred	15:10:34
8	to as the "MLS Respondents."	15:10:37
9	Do you agree with that description?	15:10:43
10	A. No. Well, I mean, this is a complaint by	15:10:44
11	certain light-emitting diode products, systems,	15:10:50
12	and components thereof.	15:11:02
13	So I'm guessing this was written by an LSG	15:11:06
14	attorney.	15:11:12
15	Q. LEDVANCE LLC hired outside counsel to	15:11:15
16	defend the company in that ITC case. Right?	15:11:18
17	A. Yes, they did.	15:11:21
18	Q. Latham & Watkins?	15:11:22
19	A. Yes.	15:11:23
20	(Exhibit 2087)	15:11:42
21	Q. I've just handed you what we've marked as	15:11:42
22	Exhibit 2087, which is the public interest	15:11:44

1	comments of proposed respondents MLS and LEDVANCE.	15:11:55
2	Do you see that?	15:12:00
3	A. Yes.	15:12:01
4	Q. And if you go to the very last page, this	15:12:01
5	document was signed by Erica Weinstein at -- a	15:12:07
6	litigation analyst at Latham & Watkins. Right?	15:12:10
7	A. Yes.	15:12:12
8	Q. That's the certificate of service,	15:12:12
9	actually. The document itself was signed on the	15:12:14
10	previous page on June 4th, 2019 by Jamie Underwood	15:12:18
11	at Latham & Watkins?	15:12:22
12	A. Yes.	15:12:23
13	Q. And Ms. Underwood was acting on behalf of	15:12:23
14	LEDVANCE LLC in submitting this paper. Right?	15:12:32
15	A. Yes. As part of the respondents with	15:12:35
16	others, MLS Co., Ltd., LEDVANCE GmbH, and LEDVANCE	15:12:45
17	LLC.	15:13:00
18	Q. Did you authorize Ms. Underwood and	15:13:00
19	Latham & Watkins to file this on your behalf?	15:13:05
20	A. Yes. If it was filed on behalf of	15:13:08
21	LEDVANCE LLC, yes, I would have.	15:13:10
22	Q. If you'd go, please, to page 2 of 8. The	15:13:12

1	top of the page reads, "Proposed respondents MLS	15:13:22
2	Co., Ltd., LEDVANCE GmbH, and LEDVANCE LLC	15:13:27
3	(LEDVANCE) respectfully submit implementation of	15:13:32
4	the complainant's requested remedy in the above	15:13:36
5	referenced matter would harm the public health and	15:13:39
6	welfare of U.S. consumers," and then it continues	15:13:41
7	on.	15:13:44
8	Do you see that?	15:13:45
9	A. Yes.	15:13:45
10	Q. In this document, Latham & Watkins defined	15:13:45
11	MLS Co., Ltd., LEDVANCE GmbH, and LEDVANCE LLC	15:13:50
12	collectively using the name "LEDVANCE." Right?	15:13:55
13	A. Shorthand, yes.	15:13:57
14	Q. And then used that shorthand name	15:13:58
15	"LEDVANCE" to refer to all three companies	15:14:01
16	collectively throughout the rest of the document?	15:14:03
17	A. That's correct.	15:14:06
18	(Exhibit 2088)	15:15:18
19	Q. Mr. Martin, I've just handed you a	15:15:19
20	document we've identified as Exhibit 2088. Go	15:15:21
21	ahead and take a look at that, if you want to.	15:15:25
22	This is the response of MLS and LEDVANCE,	15:15:33

1	response to the amended complaint and notice of	15:15:36
2	investigation in that same ITC investigation.	15:15:38
3	Right?	15:15:41
4	A. Yes.	15:15:41
5	Q. And if you'd go to the very end --	15:15:42
6	actually, no. I'm sorry. You know what, you can	15:16:01
7	set that one aside for just a moment.	15:16:09
8	There was more than one ITC investigation.	15:16:11
9	Right? Sorry. That's not a very good question.	15:16:13
10	There was more than one ITC investigation	15:16:18
11	that Lighting Science Group filed against LEDVANCE	15:16:21
12	LLC, LEDVANCE GmbH, and --	15:16:26
13	A. I think so. Yes. There were two.	15:16:32
14	Q. Yeah. I think maybe three and two were	15:16:34
15	consolidated maybe.	15:16:40
16	A. Yes. That sounds about right. It's been	15:16:44
17	a while.	15:16:46
18	(Exhibit 2090)	15:16:50
19	Q. I've just handed you Exhibit 2090. And	15:16:50
20	this is also public interest comments of proposed	15:16:57
21	respondents MLS and LEDVANCE. Right?	15:17:00
22	A. Yes.	15:17:02

1	Q. Also filed by Latham & Watkins with your	15:17:03
2	authorization. Right?	15:17:06
3	MR. BROWN: And I'll object because	15:17:08
4	Exhibit 2087, Exhibit 2090 appear to be duplicates	15:17:09
5	of each other.	15:17:14
6	Q. Mr. Martin, could you look at the covers?	15:17:23
7	MR. MCMAHON: Andy, you're right. My	15:17:51
8	apologies.	15:17:52
9	Q. Mr. Martin, you can set that one aside.	15:18:37
10	(Exhibit 2091)	15:18:56
11	Q. I've now handed you an exhibit marked	15:18:56
12	Exhibit 2091. Do you see that?	15:18:58
13	A. Yes.	15:19:00
14	Q. This is a letter that Latham & Watkins	15:19:00
15	submitted to the International Trade Commission on	15:19:05
16	behalf of MLS Co., Ltd., LEDVANCE GmbH, and	15:19:08
17	LEDVANCE LLC. Right?	15:19:14
18	A. Yes.	15:19:15
19	Q. And here, just as in Exhibit 2088,	15:19:15
20	Latham & Watkins defined respondents MLS Co.,	15:19:21
21	Ltd., LEDVANCE GmbH, and LEDVANCE LLC collectively	15:19:28
22	as "LEDVANCE" or "proposed respondents." Right?	15:19:32

[REDACTED]
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1	A. Yes.	15:19:36
2	Q. Was Latham & Watkins authorized to submit	15:19:37
3	this letter on your behalf?	15:19:40
4	A. This is different because it says "or	15:19:44
5	proposed respondents."	15:19:46
6	Q. Sorry, sir. That wasn't my question.	15:19:47
7	A. Yes.	15:19:49
8	Q. Was Latham & Watkins authorized to submit	15:19:50
9	this on your behalf?	15:19:52
10	A. Yes.	15:19:53
11	Q. Okay. Let's go back to Exhibit 2088.	15:20:43
12	A. Okay.	15:20:49
13	Q. This is the response of MLS Co., Ltd.,	15:20:50
14	LEDVANCE GmbH, and LEDVANCE LLC to the	15:21:11
15	complainant's complaint. Correct?	15:21:15
16	A. Correct.	15:21:16
17	Q. And this was filed by Latham & Watkins on	15:21:17
18	your behalf with authorization. Right?	15:21:20
19	A. Correct.	15:21:21
20	Q. And if you skip ahead, please, to page 21	15:21:22
21	of 89.	15:21:34
22	A. Okay.	15:21:43

1	Q. Paragraph 74. Do you see that?	15:21:44
2	A. Yes.	15:21:47
3	Q. The last sentence of that paragraph reads,	15:21:47
4	"The MLS/LEDVANCE respondents admit that LEDVANCE	15:21:49
5	LLC is wholly owned by MLS Co., Ltd."	15:21:54
6	Do you see that?	15:21:58
7	A. Yes.	15:21:59
8	Q. You authorized Latham & Watkins to make	15:21:59
9	that statement and file this paper on your behalf?	15:22:05
10	A. Yes.	15:22:07
11	(Exhibit 2094)	15:22:37
12	Q. Mr. Martin, I've just handed you a	15:22:37
13	document we've marked as Exhibit 2094, and I'd	15:22:39
14	like you to compare 2094 and 2088.	15:22:44
15	You know what, strike that. You can set	15:23:04
16	2094 aside.	15:23:06
17	It looks like you filed the same response	15:23:17
18	in two different investigations. Does that seem	15:23:19
19	familiar?	15:23:21
20	A. I don't know.	15:23:21
21	Q. Okay. I know you were -- you practiced as	15:23:25
22	a patent lawyer before becoming general counsel.	15:23:42

1	Have you had occasion to work on very many ITC	15:23:45
2	cases?	15:23:48
3	A. No.	15:23:48
4	Q. What about litigation generally?	15:23:50
5	A. Here and there, yes.	15:23:51
6	Q. You're aware that -- well, are you aware	15:23:56
7	that when a respondent responds to a complaint,	15:23:59
8	they must verify the contents of the complaint?	15:24:03
9	A. Yes.	15:24:06
10	Q. Do you recall verifying the content of	15:24:07
11	this complaint?	15:24:10
12	MR. BROWN: Objection.	15:24:11
13	Q. That was a bad question.	15:24:14
14	Do you recall verifying the content of	15:24:16
15	this response?	15:24:17
16	A. I don't recall it, but I'm sure I did.	15:24:18
17	Q. If you could flip to the end of	15:24:20
18	Exhibit 2088, page 86 of 89.	15:24:26
19	A. Yes.	15:24:41
20	Q. Is that your signature on this page?	15:24:41
21	A. Yes.	15:24:44
22	Q. And the first paragraph -- the heading of	15:24:44

[REDACTED]
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1	this document is "Verification of the MLS LEDVANCE	15:24:51
2	Respondents' Response to Complaint and Notice of	15:24:54
3	Investigation." Right?	15:24:57
4	A. Yes.	15:24:58
5	Q. And the first paragraph reads, "I, Andrew	15:24:59
6	Martin, on behalf of respondents MLS Co., Ltd.,	15:25:02
7	LEDVANCE GmbH, and LEDVANCE LLC, collectively	15:25:07
8	'MLS/LEDVANCE' declare." Right?	15:25:13
9	A. Yes.	15:25:17
10	Q. Did I read that correctly?	15:25:17
11	Okay. You can set that aside.	15:25:18
12	MR. MCMAHON: Let's take a break.	15:25:34
13	(Recess, 3:25 p.m. to 3:27 p.m.)	15:25:35
14	MR. MCMAHON: Mr. Martin, thank you for	15:27:03
15	your time. I have no further questions at this	15:27:05
16	time.	15:27:07
17	I'll pass the witness.	15:27:08
18	MR. BROWN: This is Andy Brown on behalf	15:27:10
19	of petitioner LEDVANCE. I don't have any	15:27:12
20	questions for the witness, but I did want to state	15:27:16
21	on the record that petitioners object to the	15:27:18
22	attempt to introduce additional exhibits through	15:27:21

1	the back door of the deposition. And to the	15:27:25
2	extent that they are submitted in support of	15:27:28
3	patent owner's reply, we intend to move to exclude	15:27:32
4	them.	15:27:37

5	And as I think I've explained before,	15:27:38
6	given an appropriate opportunity, petitioners also	15:27:40
7	intend to seek sanctions for patent owner's	15:27:43
8	attempts to delay these proceedings.	15:27:46

9	That's all I've got.	15:27:48
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10	(Off the record at 3:27 p.m.)	15:27:51
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[REDACTED]
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1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC

2 I, Michelle Keegan, Registered Merit
3 Reporter and Notary Public within and for the
4 Commonwealth of Massachusetts, do hereby certify:

5 That ANDREW MARTIN, the witness whose
6 deposition is hereinbefore set forth, was duly
7 sworn by me before the commencement of such
8 deposition and that such deposition was taken
9 before me and is a true record of the testimony
10 given by such witness.

11 I further certify that the adverse party
12 was represented by counsel at the deposition.

13 I further certify that the deposition of
14 ANDREW MARTIN occurred at the offices of Goodwin
15 Procter LLP, 100 Northern Avenue, Boston,
16 Massachusetts 02210, on Tuesday, May 19, 2026,
17 commencing at 8:55 a.m. to 3:27 p.m.

18 I further certify that I am not related to
19 any of the parties to this action by blood or
20 marriage, I am not employed by or an attorney to
21 any of the parties in this action, and that I am
22 in no way interested, financially or otherwise, in
23 the outcome of this matter.

24 IN WITNESS WHEREOF, I have hereunto set my hand
25 this 19th day of May, 2026.
26 My commission expires August 15, 2026.

27 

28 _____
29 NOTARY PUBLIC IN AND FOR THE
30 COMMONWEALTH OF MASSACHUSETTS