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Cc: [Cisco Quicker Connections Service](#); [Mike Jones](#); shaunhassett@potterminton.com
Subject: Quicker Connections LLC v. Cisco Systems, Inc. - No. 2:24-cv-01074-JRG (E.D. Tex.)
Date: Friday, April 25, 2025 8:28:13 AM
Attachments: [Orckit 2005 20-F.pdf](#)

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Hi Erick,

Thanks again for our productive conversation last week. We wanted to follow up on a few things warranting your immediate attention.

First, thank you for confirming that to the extent you represent any of the inventors of the Patents-in-Suit, you will accept service on their behalf, and they will appear voluntarily for deposition without requiring Cisco to file requests for Letters rogatory pursuant to the Hague Convention. To that end, as discussed, please confirm which of the inventors you represent and which you do not represent. To the extent you do not represent an inventor, please update your initial disclosures to comply with Rule 26 (a)(1)(A)(i) and provide the address and telephone number of each of those individual. Also, we noticed that you did not include Izhak Tamir in your initial disclosures at all, let alone as "[t]o be contacted only through Quicker Connections' counsel," as you did with the inventors of the Patents-in-Suit. Based on that, we understand that you do not intend to rely on him or represent him in this case, and that we are free to contact him directly. Please confirm our understanding.

Second, during our call we alerted you to the fact that your Amended Complaint contains the demonstrably false statement that "[m]arking was not required under 35 U.S.C. § 287 because on information and belief, no products were sold or offered for sale in the United States by any then-current assignee of the Patents-in-Suit, including Orckit-Corrigent." (Compl. ¶ 24.) At your request—and as a professional courtesy to provide you with an opportunity to correct this material misstatement—we are attaching an example Orckit-Corrigent SEC Form 20-F filing, which is accessible at <https://www.sec.gov/Archives/edgar/data/1021620/000117891306000442/zk62287.htm>.

That SEC filing makes clear that Orckit-Corrigent maintained a sales office in the United States (see, e.g., 2005 20F at 29, 59), marketed its products in the United States (see, e.g., 2005 20F at 15), and that it had U.S. customers (see, e.g., 2005 20F at 7, 24, 31). These facts directly contradict the assertion in your Amended Complaint.

Although we take your statement that you conducted a factual investigation at its word, these types of misrepresentations greatly prejudice Cisco's ability to defend itself. Going forward, we trust that your Rule 11 investigation will include a review of relevant public records to

ensure the accuracy of any representations filed with the Court.

Please confirm that you will promptly file an Amended Complaint to correct the allegation and instead state that Orckit-Corrigent did, in fact, sell and offer its products for sale in the United States.

Best,

Deborah

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