

PATENT TRIAL AND APPEAL BOARD
HEARING REQUESTING AUTHORIZATION FOR MOTION TO LEAVE
TO REQUEST CORRECTION OF PATENT

Evenflo Company, Inc.,)
)

Petitioner.)
v.)

)
Baby Jogger II,)

)
Patent Owner.)

_____))

Conference Call to discuss Patent Owner's request
WITH JUDGE DEFRANCO PRESIDING

June 12, 2026

11:00 a.m.

REPORTED BY: Rebecca Moore, CCR 3696
(Via Zoom)

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1 APPEARANCES OF COUNSEL (all attendees via 2 videoconference): 3 4 On behalf of the Petitioner, Evenflo Company, Inc.: 5 JOHN P. RONDINI, ESQ. 6 Brooks Kushman P.C. 7 (248)226-2913 8 j rondini@brookskushman.com 9 10 On behalf of the Patent Owner, Baby Jogger II: 11 WARREN THOMAS, ESQ. 12 Meunier Carlin & Curfman, LLC 13 (678)771-7781 14 wthomas@mcciplaw.com 15 16 Also Present: Mr. Konz 17 18 19 20 21 22 23 24 25	1 two years ago, this IPR was filed a year ago and 2 it's already gone through discretionary denial 3 briefing and that was over six months ago. And 4 Patent Owner response was filed three months, that 5 was your response, Mr. Thomas. Which clearly, in 6 my opinion, distinguishes this case from that case 7 that you filed -- that you cited in your e-mail, 8 the Honeywell case, because there, the request was 9 made through Patent Owner response. So why isn't 10 Patent Owner prejudiced by this latest request to 11 correct-- 12 MR. THOMAS: Yes, Your Honor. This is Warren 13 Thomas, for the Court Reporter. So the Petitioner 14 is not prejudiced because inventorship is not an 15 issue in this proceeding. There is no, there's not 16 going to be any legal issues about whether or not 17 the inventorship is correct or, in fact, we don't 18 think there is any issue or overlap between the 19 identification of the inventors on the face of the 20 patent as it relates to-- 21 THE COURT: Mr. Thomas, I assume that you want 22 to correct inventorship in order to get around 23 prior art; am I correct? 24 MR. THOMAS: No, that is not correct. 25 THE COURT: Okay--
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1 CERTIFIED STENOGRAPHIC REPORTER: Everyone, 2 please identify yourselves before you speak for me 3 since I am unable to see everyone. Thank you so 4 much. 5 P R O C E E D I N G S 6 THE COURT: Mr. Thomas, please make sure the 7 transcript of this conference call is submitted as 8 an exhibit. We would appreciate that. 9 MR. THOMAS: Yes, Your Honor. 10 THE COURT: Everyone identify themselves as 11 either Counsel for Petitioner or Counsel for Patent 12 Owner or by their names; one or the other. 13 I understand from parties' email requesting 14 this call, Patent Owner, would like authorization 15 to file a motion to allow to petition the Director 16 to correct inventorship of the challenged patent, 17 the 682 patent; is that correct, Mr. Thomas? 18 MR. THOMAS: Yes, that's correct. 19 THE COURT: Okay. I understand Petitioner 20 opposes or will oppose that motion if we authorize 21 the motion. So Mr. Thomas, I have several concerns 22 with this request and the first of which is why 23 now? I mean the 682 application for the 682 patent 24 was filed back in 2020, the provisional was filed 25 back in 2016, the District Court actually was filed	1 (Crosstalk) 2 MR. THOMAS: -- sorry. Sorry. We are not 3 correcting the inventorship to get around prior 4 art. There is a priority issue in this case and we 5 raise the priority issue -- the priority issue was 6 raised by the Petitioner in the petition and it was 7 addressed by Patent Owner in its response. And one 8 of the arguments that we made in there is that 9 inventorship, the names of the inventors on the 10 face of the patent, is not relevant to whether or 11 not there is written descriptions support in the 12 original provisional applications to make the right 13 determination as to what the priority date of the 14 claims is. It could be the case that you have 15 multiple inventors on the face of a patent as the 16 current patent, as the patent is currently 17 constituted, and yet you still have priority back 18 to an earlier filing date as we have argued in our 19 patent in a response. The change to the names of 20 the inventors we don't believe is relevant to the 21 legal analysis as to what the priority date of this 22 particular patent is. To answer your-- 23 (Crosstalk) 24 THE COURT: -- are you looking -- let's assume 25 we allow the motion and you go and you petition the

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1 Director, are you looking to remove inventors or to 2 add inventors? I assume you are looking to remove 3 inventors. 4 MR. THOMAS: Yes, Your Honor. Looking to 5 remove three of the inventors to identify only the 6 inventor that is named on the provisional 7 applications from 2008 priority date. 8 THE COURT: All right. You want to remove 9 from the 682 patent Lee, Roe, and Simpson; am I 10 correct? 11 MR. THOMAS: Yes, Your Honor. 12 THE COURT: Okay. So the only inventor on the 13 682 is Zehfuss, is that how you pronounce it? 14 MR. THOMAS: Zehfuss, yes, Your Honor. And 15 that would make the inventorship of the 682 patent 16 match the inventorship, the identified inventor, on 17 the 771 patent that is also at issue and has 18 similar priority arguments at issue in that case; 19 and that's the 1140 IPR. 20 THE COURT: Right, but 771 already has Zehfuss 21 as the lone inventor, correct? 22 MR. THOMAS: That is, correct; and that's why 23 there is no need to file a petition to correct 24 inventorship in that patent. 25 THE COURT: I do not want to get into the	1 reply, but that sort of family downstream of the 2 2016 provisional has subject matter in it that is 3 invented by both three newer inventors and subject 4 matter that is invented by the original inventor, 5 Mr. Zehfuss. And so like any patent, you can have 6 some subject matter that has contribution or 7 reduction to practice by multiple inventors or by a 8 subset of the inventors. And so there will be 9 after the -- let's assume that the petitions to the 10 Director under 1.324 are all granted, assuming that 11 happens, then there will be some patents that have 12 Mr. Zehfuss as the lone named inventor just like on 13 the related 771 patent that's also subject to an 14 IPR, and there will be at least one, I don't 15 remember how many patents, that have all four 16 inventors' names because their subject matter that 17 is related to all four of their contributions; 18 there's a mix and-- 19 (Crosstalk) 20 THE COURT: I understand your point, 21 Mr. Thomas, but the 682 patent relies on the 22 provisional application that lists only Lee, Roe, 23 and Simpson as inventors and it's right on the face 24 of the patent so, I guess, I'm in doubt or troubled 25 by how you are going to remove them as inventors
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1 substance of the inventorship issue at this point 2 but I do have trouble with the fact that the 2016 3 provisional or the 682 relates back to, and it's 4 listed on the page in the back, it has only Lee, 5 Roe, and Simpson listed as the inventors on the 6 2016 provision; am I correct? 7 MR. THOMAS: That is, correct, Your Honor, 8 yes. 9 THE COURT: So you're saying the 2016 10 provisional really should only list Zehfuss; am I 11 correct? 12 MR. THOMAS: That is, incorrect, Your Honor. 13 It's incorrect. The 2016 provisional, there's no 14 dispute and we do not dispute this. I don't know 15 that we particularly argued it in our papers but 16 there is no dispute that the 2016 provisional 17 application included subject matter that was not in 18 the earlier filings; a new invention, if you will. 19 Within the family of applications and patents that 20 were filed after that provisional application, 21 there are some patents that those are all, there is 22 briefing from the Petitioner including a chart 23 about the whole sort of relationship among the 24 family, and no doubt they will continue discussing 25 that and argue more about it in their forthcoming	1 from the 682 and rely solely on Mr. Zehfuss when 2 the provisional application that this patent relies 3 on has only Lee, Roe, and Simpson as inventors. 4 MR. THOMAS: Your Honor, I believe that it 5 claims priority that the 682 patent claims priority 6 all the way back. 7 Yes, there is a -- there is a claim to 8 priority to the 2016 provisional, but it also 9 claims priority to a then co-pending really utility 10 non-provisional application, which through the 11 chain of priority, claims back to the earliest 2008 12 provisional. 13 THE COURT: Yeah, I understand that but 14 presumption, right now, is on the provisional. 15 You can claim priority back to the provisional 16 and then after that the burden shifts to you as 17 Patent Owner to show that you are entitled to that 18 2008 provisional priority date. That's my 19 understanding of law. 20 MR. THOMAS: I believe, I'm trying to pull the 21 patent up, Your Honor. I don't have it open in 22 front of me but, like I said, my recollection is 23 that the face of the patent shows a priority change 24 all the way back. 25 THE COURT: No, it does; but I'm saying the

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1 burden shifts to you to show that you are entitled 2 all the way back to that date to whatever the 2008 3 provisional. 4 MR. THOMAS: I think I understand your 5 question then, Your Honor. So to the extent that, 6 assuming that is right, and I do think that sounds 7 right, that the briefing that we have submitted 8 onto the merits, that includes our arguments as to 9 the priority date of the claims. And it relates 10 to, you know, we have the chain of priority, 11 there's only a dispute as to a few specific 12 limitations identified by the Petitioner, and we've 13 made arguments and presented our testimony from our 14 expert in support, as to why we believe that those 15 terms and the claims have priority back to the 2008 16 provisional. And so we were relying on the naming 17 of the inventors to meet that burden. Like I said, 18 we have a subheading in our brief that says: 19 inventorship is irrelevant to the priority 20 question. It's a question as to whether or not 21 there's written descriptions for the claims and we 22 believe-- 23 THE COURT: Okay. Why is that not enough? 24 Why isn't that enough? Why are correcting 25 inventorship now?	1 MR. THOMAS: It took us some time to get our 2 ducks in a row on what the strategy was going to 3 be, whether or not it was an issue, and, you know, 4 for the client to sort of make a decision on how 5 they wanted to deal with things and get in touch 6 with the inventors and obtain their declarations. 7 But again-- 8 THE COURT: Okay, so let me ask you-- 9 (Crosstalk) 10 MR. THOMAS: -- does not require. Yes, go 11 ahead, Your Honor. 12 THE COURT: Go ahead. Complete that thought. 13 The statute does not require what? 14 MR. THOMAS: The statute does not require any 15 sort of timeline or due date on when this happens. 16 Understanding that the response-- 17 THE COURT: I think the case law does put some 18 sort of limitation on when you can actually raise 19 this issue and I think that is up to Petitioner to 20 make their case that they are going to be 21 prejudiced. But also, even the Honeywell case that 22 you cite, that was done -- number one, it was part 23 of a PGR. A PGR that was filed within, I think, 24 four months of issuance of the patent. This patent 25 has been in existence a lot longer than four months
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1 MR. THOMAS: Okay. We believe that is enough 2 as it relates to the IPR. The reason that we are 3 asking for a correction of the inventorship is 4 to -- just because under the statute Section 5 256, an incorrect naming of inventors is not itself 6 an error and validity issue for the patent if the 7 inventorship may be corrected. And so we made 8 arguments as to what the priority date of the 9 claims is and so to be consistent with that and to 10 be consistent with the 771 patent, we said, oh, 11 well, we've got this misnaming issue on this patent 12 and so now we are going to correct it. The statute 13 does not put a time limit on when that can happen. 14 And so we -- it took us some time to get the -- in 15 contact with the inventors to get all of the 16 required documents sort of put together and 17 assembled and now we have that; and so, again, 18 because we do not think there is any overlap-- 19 THE COURT: How long have you been aware of 20 this issue, Mr. Thomas? 21 MR. THOMAS: The issue was we had awareness of 22 the issue while we were preparing our patent order 23 and response. 24 THE COURT: Why didn't you make the request 25 then?	1 and it's part of an IPR. Also, they did it right 2 after institution they sought correction right 3 after institution; they sought correction right 4 after institution. They didn't wait until after 5 the Patent Owner response was filed. In other 6 words, after Petitioner relied on your inventorship 7 as being the correct inventorship. You know, 8 there's some sort of -- you know, there's settled 9 expectations. You've heard that phrase with 10 respect to-- 11 MR. THOMAS: I have-- 12 (Crosstalk) 13 THE COURT: -- I'm sure maybe you argued it 14 during your discretionary denial briefing. 15 (Indiscernible crosstalk) 16 THE COURT: -- settled expectations that the 17 inventorship is correct. Let me ask you, 18 Mr. Thomas, let me ask you: the District Court case 19 was filed two years ago, correct? About two years 20 ago? 21 MR. THOMAS: That sounds about right, Your 22 Honor. 23 THE COURT: You've already gone through 24 discretionary denial briefing in this case over six 25 months ago. Didn't you have a responsibility to do

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1 due diligence before you filed that District Court 2 action making sure that inventorship was correct? 3 I mean, I haven't practiced in a while, but when I 4 was doing litigation, it seemed like inventorship 5 was something you looked into before you filed an 6 action as part of your preceding investigation; did 7 you do that? 8 MR. THOMAS: I was not personally involved in 9 that, Your Honor, so I cannot answer that question 10 sitting here today. But what I can-- 11 THE COURT: But you are familiar with the 12 preceding investigation before they filed. Are you 13 listed on -- 14 MR. THOMAS: I-- 15 THE COURT: Are you an attorney in the 16 District Court action? 17 MR. THOMAS: I don't believe I am of record in 18 that District Court action. No, Your Honor. 19 THE COURT: Okay. Have you seen preceding 20 investigations? 21 (Crosstalk) 22 MR. THOMAS: I have seen preceding 23 investigations, Your Honor, and-- 24 (Crosstalk) 25 THE COURT: But have you seen a preceding	1 usually what happens is the accused infringer is 2 going to raise the issue of inventorship once they 3 go through depositions of the inventors through 4 discovery and they learn that the inventors are 5 incorrect. 6 But, in this case, you are admitting, meaning, 7 Patent Owner, you are admitting that the 8 inventorship is incorrect and so that affects the 9 validity of the patent. 10 When you look at Section 256 35 U.S.C. 256, 11 correct me if I am wrong, or if you have case law 12 that says otherwise, but the patent is invalid if 13 you don't win on the motion for correction; is that 14 right, is my understanding right? 15 MR. THOMAS: Well, if you mean are you 16 referring to this motion or are you referring to 17 the petition to the Director to correct the patent? 18 THE COURT: Petition to the Director to 19 correct the patent. 20 MR. THOMAS: That is, correct, that if the 21 error cannot be corrected then the patent would be 22 invalid. However, the bar that the Director 23 applies and the analysis that the Director applies 24 for correcting it is low. 25 The PTO only examines the request for the
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1 investigation in the District Court in the parallel 2 action? 3 MR. THOMAS: No, Your Honor. 4 THE COURT: Okay. So you don't know if 5 inventorship was part of that due diligence? 6 MR. THOMAS: I do not know if inventorship was 7 part of that due diligence but to the extent that 8 it was, or wasn't, well, sorry. Regardless of 9 whether it was, inventorship is not an error in the 10 patent. It is not a problem with the validity of 11 the patent if the error may be corrected. I take 12 your point and we do take our responsibilities when 13 we file cases about doing our diligence to comply 14 with our duties to the Court and to our client. 15 And when we do that, inventorship is not an error 16 that has to be corrected. I know that I have 17 seen -- in subsequent digging into this issue once 18 it occurred to me during the process of preparing 19 our response, I know that inventorship can get 20 raised later in the game, right? There have not 21 any invalidity contentions submitted in this case 22 by the Petitioner, Evenflo, the defendants in that 23 case. So they have not raised invalidity based on 24 inventorship as an issue and as I've said-- 25 THE COURT: I understand that and that's	1 presence of the supporting statements and there is 2 a required fee. There is no substantive 3 examination of this correction. And this does 4 happen all the time in District Court cases where a 5 party raises an invalid inventorship issue, then 6 the Patent Owner files a request -- a petition to 7 correct the patent, the Director corrects it, and 8 basically, that inventorship issue just goes away. 9 Now if it cannot be corrected and there have 10 been cases where it cannot be corrected. For 11 example, one case where an inventor could not be 12 located and the District Court ended up saying 13 well, I do not have a declaration here from in 14 compliance with the rules, and therefore, this 15 error cannot be corrected. And so that patent was 16 held invalid, I believe, for improper inventorship. 17 THE COURT: Well, let me ask, in the District 18 Court, when this issue arises, that correction of 19 inventorship, is that decided by the Court? 20 When accused infringer raises inventorship, 21 mistaken inventorship, as the issue, does the Court 22 make that determination or does the Court allow a 23 patent owner to go to the Director to correct the 24 inventorship? 25 MR. THOMAS: It is very frequent that the

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1 District Court will allow -- that the patent owner 2 simply petitions the Director for the Certificate 3 of Correction and then the District Court accepts 4 that certificate. 5 THE COURT: Okay, so correction of 6 inventorship is not decided by the District Court? 7 MR. THOMAS: I am not going to go all the way 8 to say that it cannot be but I can say that it is 9 common that that it is -- there are sort of two 10 paths. There is a path that goes through the 11 Director and there is a path that goes through the 12 District Court. And if the Patent Owner takes the 13 director the PTO route then the Director does what 14 the Director does and then the Patent Owner goes 15 back to the District Court with the certificate 16 based on the action of the Director and says here 17 it is; and then the inventorship issue effectively 18 just goes away. 19 THE COURT: The way I read the statute it 20 says: the Court before which such matter is called 21 in question may order correction of a patent, 22 meaning the inventorship, on notice and hearing of 23 all parties concerned. 24 So I'm assuming there is an evidentiary 25 hearing on correction of the inventorship in the	1 10730453 and Patent 11192568. 2 THE COURT: Were those the subject of previous 3 IPRs that were denied, discretionarily denied? 4 MR. THOMAS: I don't recall. I know at least 5 one of them is not asserted so I doubt it. 6 THE COURT: Okay. The 568 I know is asserted 7 in District Court action, correct? 8 MR. THOMAS: Okay. I will take your word for 9 that, Your Honor. 10 MR. RONDINI: You are seeking correction of 11 inventorship there. 12 MR. THOMAS: Yes, Your Honor. And that 13 petition has already been filed with the PTO 14 through patent centers through the normal -- the 15 normal path and, to be clear, what would happen in 16 these cases as I understand it through looking 17 through the cases of how the process works when you 18 have an IPR patent versus a not IPR patent is that 19 this motion, assuming it is authorized, we filed 20 this motion for leave for the correction of the 21 inventorship and if the Board grants it, then we go 22 and do the same thing as to the 682 patent that we 23 have already done for the 543 and 568 patents. 24 It is a form. One of the USPTO forms. It 25 attached to supporting declarations of all four
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1 District Court. And then, if the Court decides 2 that okay, it was a legitimate mistake, mistake in 3 good faith, whatever the standard might be, then 4 the Court can tell the Director, okay, go ahead and 5 issue a Certificate of Correction. But it seems 6 like there the accused infringer at least gets to 7 cross-examine the witnesses, meaning the inventors 8 who are going to be removed or added, to see if the 9 inventorship issue is correct to see who wins on 10 the inventorship issue. 11 MR. THOMAS: I can tell you that is an 12 incorrect assumption, Your Honor. 13 THE COURT: I will let you finish. Do you 14 have anything else before I ask Mr. Rondini his 15 viewpoint on this? 16 MR. THOMAS: The only thing I'd say is that we 17 have also already filed petitions for correction of 18 two related patents in this family. I don't recall 19 whether I mentioned that in the e-mail requesting 20 authorization. 21 THE COURT: You didn't. 22 MR. THOMAS: So-- 23 THE COURT: Which patent? 24 MR. THOMAS: Hold please. There are two 25 patents that are not subject to IPR. That's Patent	1 inventors, the supporting declaration of the 2 assignee, you pay the fee, and the Director looks 3 for those things to be present and then the 4 Director issues a Certificate of Correction. 5 THE COURT: Do you know if the issue of 6 inventorship has been raised in the District Court 7 action? 8 MR. THOMAS: There has been no invalidity 9 contentions submitted in the District Court action 10 as I understand it and so it has not yet been 11 raised in the District Court. This is effectively 12 to just remove that as a potential issue. 13 THE COURT: Let me ask: why haven't you raised 14 this argument because you didn't raise it in the 15 panel of response? You're familiar with the 16 scheduling (indistinct word). 17 MR. THOMAS: Yes, Your Honor. 18 THE COURT: That if you do not raise an issue, 19 you waive it? 20 MR. THOMAS: I am familiar that is an issue as 21 to validity of the -- and the arguments as it 22 relates to the petition and we have addressed those 23 arguments in our Patent Owner response and so this 24 is a procedural issue to simply seeking leave to 25 file a petition for correction by the Director

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1 which is, under the rules, we have to go through 2 the PTAB to do that. It's not an argument as it 3 relates to our Patent Owner's response. 4 THE COURT: Do you view this as a procedural 5 issue? 6 MR. THOMAS: Yes, Your Honor. As it relates 7 to the PTAB proceedings at least. It is a 8 procedural hurdle that's put in Rule 1.324. It's 9 not part of the statute but it's the rules that are 10 implemented by the office. 11 THE COURT: Let me ask you why can't we just 12 continue with the IPR but allow you -- if we were 13 to allow you to petition the Director on correcting 14 inventorship, why can't we just continue with the 15 IPR in parallel? 16 MR. THOMAS: I believe that you can. 17 This does not affect the scheduling or any of 18 the other arguments in the IPR as we see it. 19 THE COURT: Because there are other grounds 20 that are not affected by these actions; is that 21 what you are saying? 22 MR. THOMAS: That is true. But even with -- 23 sorry, I'm going to back up. 24 There are other grounds that are affected by 25 the priority arguments. They are priority-based --	1 whether or not we have the four inventors that are 2 currently on the face of the patent, or the one 3 inventor that we are seeking to be corrected to be 4 the face of the patent. And you can see that by 5 the fact that our priority date arguments are 6 pretty much the same based in the two different 7 patent responses in the two patents that are at 8 issue between these two parties before the PTAB. 9 There's not really a lot of difference other 10 than the differences in claim limitations. 11 We didn't say -- there's just not any 12 meaningful difference in the identification of the 13 inventors as it relates to the priority date 14 arguments. And so our position would be that, no, 15 to go back to your earlier question. No, there is 16 no issue with allowing this motion to go forward, 17 or granting it, or however it is you want to deal 18 with it, and then not -- and then proceeding 19 forward with the rest of the IPR proceeding as 20 scheduled. 21 THE COURT: Let me ask, let's assume the 22 Director decides in your favor and allows 23 correction of the inventorship. Doesn't that 24 remove Rolicki as prior art? 25 MR. THOMAS: No, Your Honor, that alone does
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1 let me start over. 2 There are grounds to petition that assert 3 prior art that is intervening prior art type stuff 4 where the priority date of the claims, the 5 effective priority date of the claims, is at issue. 6 THE COURT: Is that Ground 1? 7 MR. THOMAS: I call it Rolicki. I don't know 8 what the actual name of it is. 9 THE COURT: I may be mispronouncing it. 10 (Indiscernible crosstalk) 11 MR. RONDINI: You're talking over each other. 12 THE COURT: Is it just Ground One? 13 MR. THOMAS: I believe it is just Ground One 14 that is effected that has a priority date argument 15 at issue. And the other grounds of the petitions 16 are not -- assert prior art that is not disputed to 17 be prior art to the claims but -- 18 (Crosstalk) 19 THE COURT: -- go ahead. 20 MR. THOMAS: Our position is that the priority 21 date argument stands on its own and the response 22 that we made and the reply that the Petitioner is 23 going to make and then to the extent we address it 24 in our cert reply, any arguments about the priority 25 date of the claims stand on their own regardless of	1 not. That is not enough to remove Rolicki as prior 2 art because whether or not Rolicki is prior art 3 depends on, as the Petitioner has framed it, 4 whether claims have written prescription support in 5 that -- predating the 2016 application. 6 THE COURT: Okay. 7 MR. THOMAS: That is still a live issue and 8 that is something that we have presented our 9 arguments and evidence as to where we believe that 10 support exists in the 2008 and 2009 documents; and 11 Petitioner has the opportunity to argue against 12 those and counter as they will. But if the 13 Director, if you grant this motion, and we file the 14 petition with the Director, and the Director agrees 15 with us, that does not change in Patent Owner's 16 view, that does not change the answers, the legal 17 and factual determination that the Board has to 18 make. 19 THE COURT: Okay. Let me hear from 20 Petitioner. Mr. Rondini, do you have some 21 statements? 22 MR. RONDINI: I do. And just be clear for the 23 record, I am Counsel in the District Court case, so 24 I can address a couple of the points that, Your 25 Honor, you were asking.

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1 THE COURT: Great. 2 MR. RONDINI: First off, this is the first we 3 are actually hearing that a petition has been filed 4 on a 568 which we did IPR which was discretionarily 5 denied by, as Your Honor probably is aware what is 6 being asserted against Evenflo in the District 7 Court case, so we probably will be filing a motion 8 in the District Court case with regards to that 9 because we think it's improper. 10 It is improper for the same reason it is 11 improper here; it's timing, prejudice. In this 12 case, we are one week away from our replies, we are 13 a couple of months away from the hearing, six 14 months away from the one year statutory power for 15 decision. We have no means of going and doing any 16 discovery here. 17 We raised in the petition over a year ago the 18 (indistinct term) issue. 19 We raised it affirmatively because we believe 20 it is a big issue with respect to -- this is kind 21 of an odd patent family. You have Mr. Zehfuss, the 22 sole inventor in 2008, and then you have three new 23 inventors in 2016, completely different (indistinct 24 term) and they kind of hodge-podged a Frankenstein 25 specification in 2016 which became the CIP which	1 was a co-petitioner in some of the petitions that 2 got denied. 3 They have a motion to dismiss. They haven't 4 answered. Judge Williams has not decided on that 5 but he's issued a scheduling order in that case, 6 that District Court case as well. So we're 7 following a similar track as them. 8 When the PTAB had denied institution on a 9 couple of the petitions, Judge Williams finally 10 issued a notice that he was going to stay the 682, 11 and he was going to stay the 771 pat against us 12 pending the outcome of this proceeding and then he 13 was going to proceed forward with the other ones 14 that were denied institution. So right now, those 15 are moving forward in District Court and our 16 contention -- actually, Patent Owner's infringement 17 contentions are due next Thursday, the same day as 18 our reply, and then our invalidity contentions are 19 due in July. So-- 20 THE COURT: He is preceding Judge Williams in 21 Delaware; is proceeding with the 568 patent? 22 MR. RONDINI: Yes, that's correct, sir, and 23 that's why-- 24 THE COURT: That's why he files petition with 25 the Director.
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1 moved forward. Certain materials only disclosed in 2 that 2016 provisional which is the subject matter 3 of the 682 at issue here which we raised in our 4 petition. We also raised the three inventorships 5 as a significant issue with respect to prosecution 6 back when they prosecuted this. 7 We raised the fact that when they filed this 8 application, since it was after 2013, we were under 9 an obligation to the PTO to notify them if there's 10 any claim subject matter that arose after 2013. We 11 believe there is. We believe that is improper for 12 them and we will raise that in District Court. 13 Yes, we haven't filed contentions because the case 14 was effectively stayed. Judge Williams just 15 basically didn't do much after the answer was filed 16 in this case until late last year and then he-- 17 THE COURT: He stayed the outcome of the IPR? 18 MR. RONDINI: He just didn't do anything. He 19 just -- he effectively just didn't do anything. 20 THE COURT: So you're saying that it's not 21 officially stayed; it's just stayed-- 22 MR. RONDINI: There was nothing that happened 23 for almost a year-and-a-half and there's two court 24 cases before him. There's ours and there's also 25 another one by one of the other petitioners that	1 MR. RONDINI: Without notifying us, your 2 correct, Your Honor. This is the first we are 3 hearing about it. So we -- just like we would take 4 issue here, I think a lot of the points you raised 5 especially with regards to the court case that, the 6 Honeywell case, we think it is very distinguishable 7 from the facts here. I think, Your Honor, you hit 8 the biggest point that I was going to raise was the 9 fact they could've done this any time before the 10 Patent Owner response. And the fact that Counsel 11 had contacted me back in January asked for an 12 extension. I agreed to an extension. We gave them 13 a one month extension. The Patent Owner response 14 was actually due in February; we agreed to the 15 March March extension. 16 The fact that they didn't do this before the 17 Patent Owner response we think is prejudicial. We 18 can't do anything about it at this point. We are 19 about to file our replies. We have no means of 20 requesting discovery through the Board because we 21 would have had no time to do it. We-- 22 THE COURT: Why wouldn't you have time? 23 MR. RONDINI: We have our replies due next 24 week. I mean we just found out about this and-- 25 THE COURT: I am assuming Patent Owner would

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1 offer you more time. 2 MR. RONDINI: I guess-- 3 THE COURT: Let me ask first: how does 4 inventorship affect your arguments in the petition? 5 MR. RONDINI: We think it -- well, we think it 6 is a big argument because we think a lot of the 7 subject matter -- so Your Honor mentioned the 2016 8 provisional. There are certain claim terms that we 9 have raised as a priority issue such as seat 10 attachment housing, seat attachment adapter. The 11 2016 provisional while not standard in the 12 provisional, includes claims at the end. And the 13 inventors, the three new inventors, have a claim 14 directed to just that. And Patent Owner, in the 15 response, was trying to argue this is just a mere 16 rewording of terms which we disagree with. And so 17 we think it is a significant issue and we think 18 removing it is actually, you know, not only 19 incorrect, we think it is a Rule 56 violation 20 because we think they are being -- they're going 21 beyond what they -- essentially removing an 22 inventive entity to try to get back to a priority 23 date that they shouldn't be entitled to. 24 THE COURT: So you are saying that with this 25 correction of inventorship, (indistinct words)	1 essentially happened was Baby Jogger was a company 2 that was acquired by Mr. Zehfuss out of bankruptcy. 3 He then proceeded to sell it sometime in 2013, 4 2014. So I don't know if any of these inventors 5 are still employed by the current assignee and 6 owner of the Baby Jogger patents. That I am not 7 sure. So we would have to move the District 8 Court, get subpoenas, set up deposition dates, and 9 then go depose all of these people and, like I 10 said, it is just a scheduling... especially now 11 that we are going into summer and to be completely 12 honest with Your Honor, I have another pending case 13 in front of the District Court of Delaware and I 14 have about seven depositions already scheduled for 15 the month of July. So it just throws another 16 burden on top of me and I know that is not Your 17 Honor's fault or problem or Mr. Warren's problem 18 but it is another factor that I'm trying to 19 leverage and consider with respect to timing. I 20 just think it is completely prejudicial to us. 21 THE COURT: Are you going to raise this issue 22 in the District Courts? 23 MR. RONDINI: Yes. 24 THE COURT: What happens -- are you familiar 25 with what happens with Section 256 and whether the
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1 additional limitations, meaning Zehfuss did. 2 Zehfuss was solely responsible for what is it? The 3 adapter and housing attachments. 4 MR. RONDINI: Yes, that's correct. Your Honor, 5 I think that is improper. It does actually raise a 6 significant issue. That is basically, what they 7 want to do. They want to say Zehfuss invented it 8 and go back to 2008 and we are saying-- 9 THE COURT: Patent Owner raised the issue 10 there still has to be written description support 11 in the 2008 provisional for the adapter and housing 12 attachment. 13 MR. RONDINI: That is, correct. And I guess 14 the bigger issue for us is, and why we think it is 15 improper right now is, we think it should be tabled 16 until the petition is decided. It throws a wrench 17 in timing, it throws additional briefing and 18 discovery requests on top of us that we weren't 19 anticipating. Like Your Honor said, we raised this 20 over a year ago. If they wanted to raise it they 21 should have approached us last June and then we 22 would have had plenty of time to work this out and 23 not try to cram it all into possibly a month 24 and-a-half and figure out -- I don't know if any of 25 these inventors are still employed because what	1 Court decides the issue of inventorship or whether 2 the Court simply punts and let's the Patent Owner 3 go back to the Director? 4 MR. RONDINI: Given the situation here, it is 5 my understanding that it would not be just a simple 6 punt. There would be motion filing and probably a 7 hearing on this issue especially since they want to 8 remove inventors. And I think Your Honor raised it 9 with respect to discovery, I mean, there would be 10 discovery into this issue then. There would be 11 subpoenas and we would depose the inventors and 12 depose Mr. Zehfuss specifically on this issue. I 13 don't think it is a simple you can go and simply 14 request this unilaterally without leave of the 15 Court which I think is what is required with 256. 16 I think the issue that I currently am having 17 someone look into right now because it was the 18 first we heard about it this morning, the petition 19 and the 568 was filed. 20 THE COURT: Let me ask. Here is what is 21 troubling me. Patent Owner said that the 22 inventorship is wrong on both the 568 and the 682 23 patent. So they filed the petition with the 24 Director for the 568. So they've admitted it is 25 wrong and they want to do it in the 682 but they

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1 have already admitted inventorship is incorrect 2 with respect to this challenged patent. 3 The way I read the statute it says: the patent 4 is valid if the error is corrected. 5 Is the patent invalid right? Meaning the 682, 6 they've admitted the patent is invalid; am I right? 7 MR. RONDINI: Your Honor, that was my 8 understanding. As soon as I heard about this 9 correction being made I had the same take. 10 THE COURT: All right. Do you have anything 11 else that you want to add? 12 MR. RONDINI: I do not, Your Honor. I think 13 you have a lot of good points. You hit them on the 14 head. 15 THE COURT: Okay. Mr. Thomas, do you have 16 anything else you'd like to add before I confer 17 with the panel? 18 MR. THOMAS: Just a few short points I've 19 made. 20 THE COURT: Okay. 21 MR. THOMAS: (1) Comments were made about 22 requests for discovery. I don't believe that at 23 least as it relates to the IPR, hypothetically, if 24 we had raised this or filed this petition earlier 25 in the proceeding or even if we had filed this	1 Court, could have filed a count challenging the 2 inventorship based on your own admission. So I 3 think this whole strategy in this case, the whole 4 way this case is played out, the whole playbook, 5 may have changed knowing that the inventorship was 6 incorrect. 7 I kind of disagree with you that this is just 8 a matter of a procedural issue. 9 You understand the patent is invalid right 10 now; is that your understanding? 11 MR. THOMAS: No, Your Honor, that is not my 12 understanding in the federal rule-- 13 THE COURT: How do you read Section 256, 14 correction of named inventors? Because it says: 15 patent valid if error corrected. 16 Right now, you have admitted there is an 17 error. So in my opinion, the counter to that is 18 the patent is not valid until the error is 19 corrected. 20 MR. THOMAS: Your Honor, I do have a case that 21 gives a different flavor of that from the Federal 22 Circuit. 23 THE COURT: That would be great. 24 MR. THOMAS: This is the case Pannu v. Iolab 25 Corp., 155 F.3d 1344, Federal Circuit, 1998. This
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1 petition for correction with the Director before an 2 IPR had ever been filed, that in no way would 3 entitle a Petitioner to do any discovery in this 4 proceeding as it relates to any of the inventors. 5 Again, because the evidence and the issues before 6 this court don't involve that. 7 Perhaps they would request additional 8 discovery and try and show under the Garmin factors 9 that some would be necessary but I haven't heard 10 from Petitioner what it is that would be relevant 11 to the issues. He already said-- 12 THE COURT: Mr. Thomas-- 13 (Indiscernible crosstalk) 14 MR. THOMAS: -- is the issue. 15 THE COURT: I understand that but they relied 16 on the fact that you had the correct inventorship. 17 They would not have filed this petition to begin 18 with if they knew the inventorship was incorrect 19 because the patent would have been invalid at the 20 start based on your admission today or based on 21 your admission in that e-mail. And so they would 22 not have filed the petition until that was 23 corrected. 24 MR. THOMAS: Your Honor-- 25 THE COURT: They could have filed in District	1 is a quote: This section is a savings provision. 2 If a patentee demonstrates that inventorship can be 3 corrected as provided for in Section 256, a 4 District Court must order correction of the patent 5 thus saving it from being rendered invalid. 6 The patent isn't invalid until there is a 7 judgment that it's invalid. So, again, this 8 happens all the time in cases where there's 9 assertions or there's beliefs that there is 10 invalidity or there's not invalidity but as it is 11 right now, it's valid. There was a case -- I don't 12 feel like we need to necessarily get into all of 13 the examples and stuff-- 14 THE COURT: Okay, well, you-- 15 (Crosstalk) 16 MR. THOMAS: It is a-- 17 THE COURT: What's the case again? 18 MR. THOMAS: That was-- 19 THE COURT: 155 F.3d 1344, Federal Circ., 20 1998. 21 MR. THOMAS: Yes. 22 THE COURT: What's the name of the case? 23 MR. THOMAS: Pannu v. Iolab Corp., Pannu, 24 P-A-N-N-U versus Iolab, I-O-L-A-B. 25 THE COURT: All right. Thank you.

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1 MR. THOMAS: That was a non (indistinct term) 2 case as I remember it not a misjoinder case. I 3 don't think it's relevant. 4 THE COURT: It's also a pre-AIA case. 5 MR. THOMAS: That is correct and this is a 6 pre-AIA patent, Your Honor. 7 THE COURT: I think Petitioner might dispute 8 that. 9 MR. THOMAS: Fair enough. 10 Other cases have said it's a technical defect 11 that is easily curable. 12 THE COURT: Okay. 13 MR. THOMAS: What I have not heard is any what 14 the discovery would be in an IPR proceeding that 15 would be relevant to the -- that the Petitioner 16 would be able to take that what supposedly affect 17 its timing. 18 I will note that the request for an extension 19 of time that Mr. Rondini raised earlier, that was 20 because we had a departure in our team. The lead 21 counsel, former lead counsel left the firm to go to 22 the gloryland of an in-house job, I suppose. And 23 so I was Counsel in the case. I'm not saying -- I 24 was back up Counsel previously, and so I was 25 familiar with the issues, but I was not the one	1 relates to the 771 patent and the 1140 IPR filed by 2 Petitioner, are the same even though the patent has 3 Mr. Zehfuss as the only inventor on the face of the 4 patent. The Petitioner already believes that there 5 is an issue as to whether or not the Rolicki is 6 prior art based on the written description and 7 whether or not there is written description and 8 under the law, the priority, his analysis, the 9 priority analysis, the effect of filing date in the 10 claims, is based on whether or not there is written 11 descriptions or the parties have presented those 12 arguments and evidence and we think that's all that 13 needs to be done as it relates to the priority 14 argument. 15 THE COURT: Mr. Rondini, I will give you the 16 last word. 17 MR. RONDINI: Thank you, Your Honor. I pretty 18 much said everything that I wanted to address with 19 respect to prejudice and everything. 20 I was not going to raise it but it was a PGR 21 case but, you know, kind of, I guess, an IPR PTAB 22 case, a little bit on point is the decision in PGR 23 2024-00009. I think I got that all right. And in 24 that decision, the Board did deny a similar 25 request, Patent Owner's motion to request
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1 leading it until then and so we asked for the 2 extension to help us to give us more time to 3 transition them, kind of get our ducks-in-a-row. 4 Mr. Rondini raised this is the first he has 5 heard of the 568 patent being petitioned for 6 correction and I will admit I -- perhaps I should 7 have -- I could have called it out or should have 8 just called it out even in my e-mail to him on May 9 28th asking if they opposed our request for 10 authorization but I did say that there were two -- 11 we had already submitted requests under Rule 1.324 12 to correct two related patents. And I attached one 13 of the two requests. I should have attached both 14 and I apologize for that but I don't think that 15 it's -- again, to us it is not relevant whether or 16 not they had notice about a patent that is not 17 subject to an IPR. The 568 patent is not at issue 18 here and to the extent that Mr. Rondini and even so 19 want to file motions in the District Court, that 20 will happen but that happens in the District Court. 21 The last thing I will say, Your Honor, about 22 your statement that Petitioner would not have filed 23 this petition if they believed that there was an 24 error in the patent, I believe the biggest rebuttal 25 to that is that the arguments and issues as it	1 Certificate of Correction and I believe-- 2 THE COURT: Certificate of Correction for 3 inventorship? 4 MR. RONDINI: Yes. And it was -- the fact -- 5 there were -- and the reason I did not raise it was 6 honestly, the facts were a little bit different in 7 the fact that -- it was a belated request. It was 8 a request that was raised eight days before the 9 hearing. So, it is even further in time than ours 10 which is why I didn't raise it but it does stand 11 for the proposition about how it could basically 12 throw the schedule out of wack and it is 13 prejudicial which is the only reason I am raising 14 it now. I think it is the closest case on point to 15 the situation at hand. 16 THE COURT: What is the name of that case; do 17 you have the caption? 18 MR. RONDINI: The caption is Pharmacyclics LLC 19 I'm sorry, the petitioner was BeiGene, 20 B-E-I-G-E-N-E, USA. 21 THE COURT: Okay. All right. I think what we 22 are going to do is we are going to retain briefing 23 on this issue. Patent Owner, you had requested five 24 pages. I assume you've got this motion for leave 25 already drafted up based on what you've (indistinct

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1 word; crosstalk) today? 2 MR. THOMAS: Yes, Your Honor. I do have this 3 basically all ready drafted up, based on what I 4 believe might be the issues coming into the case. 5 To the extent that -- there have been a lot of 6 issues raised here about things so I may -- from 7 our perspective, it seemed like a pretty 8 straightforward issue coming in so I would either 9 ask for additional pages or an opportunity to do a 10 reply after the Patent Owner submits its 11 opposition. 12 THE COURT: Well, Mr. Thompson, we're running 13 out of time here. As I think Petitioner noted, the 14 reply is due, what, next week? 15 MR. RONDINI: Yes, that's correct. 16 THE COURT: Just because I raised these issues 17 doesn't necessarily mean you have to address them 18 unless you think that they may affect the outcome. 19 You have to weigh the relevance and you have 20 to weigh what you think is critical to what is 21 deciding this motion so it doesn't necessarily -- 22 because we did unpack a lot here today, but you 23 have to decide and that's just the way any good 24 attorney is. 25 We will give you seven pages and when would	1 THE COURT: Well, let me tell you this. In 2 all fairness, Mr. Thomas. Let's even assume they 3 are working on the reply right now. Now, all of a 4 sudden, they have to take their team off of the 5 reply and put the team on this motion that you have 6 filed, an issue that you have raised late in the 7 game, and I don't know if that was intentional or 8 not. I will assume it was not intentional, that 9 you've actually just found out about this issue, 10 but they have to, you know, all of a sudden, you 11 know, reorganize what they are doing. So, you 12 know, aside from whether they -- there is anything 13 affected by the reply, whether it will change or 14 not, the fact is they need the time to address this 15 motion right now. 16 MR. THOMAS: And, Your Honor, during the 17 meet-and-confer that I had with Mr. Rondini last 18 week, that is why I noted to him that I would 19 certainly have no objection with phasing the 20 briefing if the motion -- if the request for 21 authorization was granted, phasing the briefing of 22 this motion to be not interfering with his 23 Petitioner's reply brief. But I will say that is 24 subject to the Board's needs as you noted. We had 25 already flagged that he had raised the issue of the
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1 you like to file? Like I said, I assumed you were 2 prepared. 3 MR. THOMAS: I think we could have it Monday. 4 THE COURT: Monday? Okay. 5 Mr. Rondini, I assume you want the same seven 6 days? 7 MR. RONDINI: Sure; but for us, as you've just 8 raised, I mean, it is a little bit tricky. We are 9 working on replies that are due next Thursday. 10 THE COURT: I think there's got to be an 11 extension on the reply. 12 MR. RONDINI: Okay. 13 THE COURT: Mr. Thomas, you wouldn't have any 14 objection to allowing Petitioner an extension 15 especially since you raised this issue so late and 16 they gave you an extension. On the response, if 17 anything, it's affecting the panel's decision here 18 because it is pushing up against the hearing date. 19 MR. THOMAS: I don't -- I guess I wouldn't say 20 I have -- I'm not going to oppose an extension of 21 time on the reply as a general matter. I think 22 that what I would -- what I still have not quite 23 heard is what arguments in the reply brief, in both 24 of the IPRs, would be different based on whether or 25 not this motion is granted.	1 timing and I said we've got no problem with putting 2 this briefing after. We are not trying to distract 3 you from your Petitioner's reply that is not the 4 intent. 5 THE COURT: Okay. Let me ask Mr. Rondini: how 6 much time would you need for your response to the 7 motion and how much more time do you need after a 8 response is filed to get your reply in as well? 9 MR. RONDINI: If they are going to file it on 10 Monday and you would like us to file a response 11 that's first, I guess we would ask for at least a 12 week, the following Monday to respond to it and 13 then, at least, I guess, a two week extension on 14 our reply so that if there are any issues that come 15 up with it, we can address it in our reply. 16 THE COURT: Okay, so two weeks from the date 17 that's currently in effect. 18 MR. RONDINI: Yes. 19 THE COURT: That sounds fair to me, 20 Mr. Thomas. 21 MR. THOMAS: I don't know that it matters. If 22 you think it's fair, Your Honor, that's the answer. 23 THE COURT: Okay. And then, of course, the 24 cert reply will be extended by another two weeks 25 meaning the cert reply to the reply.

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1 MR. THOMAS: Understood. 2 THE COURT: Okay. Anything else? 3 MR. RONDINI: Your Honor, I just wanted to 4 correct one thing. I'm sorry, I misspoke earlier. I 5 gave you the wrong case. It actually is an IPR. 6 It's IPR2017-01879, Paper 79, and the Petitioner is 7 S-A-N-O-F-I dash A-V-E-N-T-I-S. Sanofi-Aventis. 8 THE COURT: I say Sanofi but I don't know. 9 MR. RONDINI: I think you are probably right. 10 THE COURT: IPR 2017... 11 MR. RONDINI: 01879, Paper 79, and it was 2-3 12 is where it is found. 13 THE COURT: Okay. Thank you. I assume you 14 will discuss that in your response to the motion. 15 MR. RONDINI: Correct. 16 THE COURT: Is that it, Mr. Rondini? Do you 17 have anything else? 18 MR. RONDINI: That's it. I just wanted to get 19 that corrected. 20 THE COURT: Thank you. 21 Mr. Thomas, do you have anything else? 22 MR. THOMAS: Nothing further, Your Honor. 23 THE COURT: Let me see if the panel, my 24 colleagues, have anything else. 25 My panel does not have any further questions.	1 REPORTER DISCLOSURES 2 The following representations and disclosures 3 are made in compliance with Georgia Law, more 4 specifically: 5 Article 10(B) of the Rules and Regulations of the Board 6 of Court Reporting (disclosure forms), OCGA 7 9-11-28(c) (disqualification of reporter for financial 8 interest), OCGA 15-14-37(a) and (b) (prohibitions 9 against contracts except on a case-by-case basis). 10 - I am a certified reporter in the State of Georgia. 11 - I am a subcontractor for Veritext. 12 - I have been assigned to make a complete and accurate 13 record of these proceedings. 14 - I have no relationship of interest in the matter on 15 which I am about to report which would disqualify me 16 from making a verbatim record or maintaining my 17 obligation of impartiality in compliance with the Code 18 of Professional Ethics. 19 - I have no direct contract with any party in this 20 action and my compensation is determined solely by the 21 terms of my subcontractor agreement. 22 23 FIRM DISCLOSURES 24 25 - Veritext was contacted to provide reporting services 26 by the noticing or taking attorney in this matter. 27 - There is no agreement in place that is prohibited by 28 OCGA 15-14-37(a) and (b). Any case-specific discounts 29 are automatically applied to all parties, at such time 30 as any party receives a discount. 31 - Transcripts: The transcript of this proceeding as 32 produced will be a true, correct, and complete record 33 of the colloquies, questions, and answers as submitted 34 by the certified court reporter. 35 - Exhibits: No changes will be made to the exhibits 36 as submitted by the reporter, attorneys, or witnesses. 37 38 39 40 41 42 43 44 45 46 47 48 49
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1 We will issue an order outlining the dates 2 that we agreed upon today. 3 MR. THOMAS: Thank you, Your Honor. 4 THE COURT: You're very welcome. Thank you 5 both for your time and your patience. 6 MR. RONDINI: Thank you, Your Honor. 7 THE COURT: -- and your response to all my 8 questions. 9 MR. THOMAS: The call is now adjourned. 10 [WHEREUPON THE HEARING ENDED AT 12:17 PM] 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	1 - Password-Protected Access: Transcripts and exhibits 2 relating to this proceeding will be uploaded to a 3 password-protected repository, to which all ordering 4 parties will have access. 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

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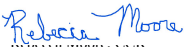
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1 C E R T I F I C A T E 2 3 I hereby certify that the foregoing transcript was 4 reported, as stated in the caption; that the witness was 5 duly sworn and elected to reserve signature in this 6 matter; that the colloquies, questions and answers were 7 reduced to typewriting under my direction; and that the 8 foregoing pages represent a true, correct, and complete 9 record of the evidence given. 10 The above certification is expressly withdrawn and 11 denied upon the disassembly or photocopying of the 12 foregoing transcript, unless said disassembly or 13 photocopying is done under the auspices of Veritext 14 Legal Solutions, and the signature and original seal is 15 attached thereto. 16 Pursuant to Article 10B of the Rules and 17 Regulations of the Board of Court Reporting of the 18 Judicial Council of Georgia, I make the following 19 disclosure: That I am a Georgia Certified Court 20 Reporter, here as an independent contractor for Veritext 21 Legal Solutions; that I was contacted by the offices of 22 Veritext Legal Solutions to provide court reporting 23 services for this deposition; that I will not be taking 24 this deposition under any contract prohibited by Georgia 25 law; and that I am not disqualified as a reporter for a relationship of interest under the provisions of O.C.G. A. 9-11-28(c). This, the 12 day of June, 2026. 16 17 18  No. 6678-1546-3721-3696 19 C E R T I F I E D C O U R T R E P O R T E R 20 21 22 23 24 25	Page 50

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