

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARETECH, LLC,
Petitioner,

v.

BIONESS INC.,
Patent Owner.

Case No. IPR2023-00428

U.S. PATENT NO. 10,668,316

PATENT OWNER'S MANDATORY NOTICES
UNDER 37 C.F.R. § 42.8

Pursuant to 37 C.F.R. § 42.8, Patent Owner Bioness Inc. hereby submits the following mandatory notices in response to the Petition for *Inter Partes* Review of U.S. Patent No. 10,668,316 (the “’316 Patent”), case number IPR2023-00428.

A. Real Party-In-Interest (37 C.F.R. § 42.8(b)(1))

Bioness Inc. is the patent owner and real-party-in-interest in this proceeding. Bioness Inc. is a wholly owned subsidiary of Bioventus Inc.

B. Related Matters (37 C.F.R. § 42.8(b)(2))

The ’316 Patent is the subject of the following civil actions and administrative proceedings:

- *Bioness Inc. v. Aretech, LLC*, No. 1:22-cv-00679-MSD-IDD (E.D. Va.);
- U.S. Application No. 17/188,714 (pending continuation of U.S. Application No. 15/896,731 (the “’731 Application”), the underlying application that issued as the ’316 Patent);
- European Application No. EP18753980.4A (foreign application related to the ’731 Application);
- Japanese Application No. JP2019539192A (foreign application related to the ’731 Application);

- Australian Application No. AU2018220931A (foreign application related to the '731 Application) ; and
- Canadian Application No. CA3050322A (foreign application related to the '731 Application).

C. Identification of Counsel (37 C.F.R. § 42.8(b)(3))

Patent Owner Bioness Inc. designates the following lead and backup counsel as Patent Owner's attorneys to transact all business in the United States Patent & Trademark Office/Patent Trial and Appeal Board associated with the above-captioned *Inter Partes* Review:

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D. Service Information (37 C.F.R. § 42.8(b))

Please direct all correspondence regarding this proceeding to the lead counsel at the address listed above. Patent Owner hereby consents to electronic service by email. Please direct all electronic service to: zBionessAretech@cooley.com.

Dated: January 26, 2023

Respectfully submitted,

By: /Erik B. Milch /
Erik B. Milch
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Counsel for Patent Owner
Bioness Inc.

CERTIFICATE OF SERVICE

The undersigned certifies, that on this 26th day of January, 2023, the foregoing Patent Owner's Mandatory Notices was served by electronic (e-mail) delivery to counsel of record for Petitioner as follows:

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