
**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

In Re: U.S. Patent 10,952,930 : Attorney Docket No. 092130.0101
U.S. Patent 11,207,244

Inventor: Arnold Rees et al :

Filed: '930: November 24, 2014:
'244: March 22, 2021

Issued: '930: March 23, 2021 : IPR No.: '930: IPR2023-00467
'244: December 28, 2021 '244: IPR2023-00465

Assignee: Mayborn (UK) Limited.

Title: Baby Bottle With Flexible Nipple Regions

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Submitted Electronically via the Patent Review Processing System

DECLARATION OF AYAL LANTERNARI

I, Aval Lanternari, declare as follows:

1. I am the co-founder and executive chairman of Nanobebe US Inc., (“Nanobebe”) and I have assisted Nanobebe in preparing filings in IPR2023-00465 and IPR2023-00467. The facts set out below are based on my personal knowledge of the operations of Nanobebe.

2. Nanobebe is a wholly owned subsidiary of Nutrits Ltd., a company organized and existing under the laws of Israel. Nanobebe sells baby products, including a unique bottle designed to solve problems that accompany heating breast milk above body temperature. Nanobebe’s unique bottle was featured on the cover of TIME as one of TIME’s “Best Inventions of 2018.”

3. Nanobebe is a start-up company that is based in Charleston, South Carolina. [REDACTED]

[REDACTED]

[REDACTED]

4. I understand that Mayborn (UK) Limited is owned by Ping An Insurance, a company organized and existing in China. It is my understanding that Ping An Insurance purchased Mayborn through wholly owned subsidiary Shanghai Jahwa United Co. (“Shanghai Jahwa”) for approximately \$428 million USD in April 2016.

5. I understand that Shanghai Jahwa is a publicly traded corporation in China with over 5,000 employees and a market capitalization of approximately \$2.9 billion USD. I further understand that Shanghai Jahwa had a revenue of approximately \$1.2 billion USD in 2022 with a positive cash flow.

6. Mayborn manufactures baby feeding, hygiene, and soothing products under the brand Tommee Tippee. I understand that Tommee Tippee was sold in more than 70 countries at the time of Mayborn's acquisition in 2016.

7. On August 11, 2021, Nanobebe received a notice of an infringement accusation ("takedown notice") through its Amazon message portal regarding United States Patent No. 10,952,930, which I understand is assigned to Mayborn (UK) Limited. The August 11, 2021 takedown notice states that Amazon is "contacting you because we received a report from a rights owner that your listings infringe their patent rights." Nanobebe was provided with two options for continuing to sell the Accused Products on Amazon: (1) "resolve [the] claim with the patent owner directly," or (2) "participate in neutral evaluation of the patent owner's claim." If Nanobebe did not resolve its claim with the patent owner directly, or agree to participate in a neutral evaluation process, Amazon would have removed the accused Nanobebe products from Amazon.com. As a result, Nanobebe had to hire patent litigation counsel and begin the process of litigating the matter in United States District Court in order to continue to sell its products on Amazon.

8. On October 13, 2021, Nanobebe filed a complaint against Mayborn (UK) Limited, Mayborn USA, Inc, and Mayborn Group Limited (collectively, “Mayborn”) seeking declaratory judgment of noninfringement as to U.S. Patent No. 10,952,930 in the United States District Court for the Southern District of New York (the “district court litigation”). I understand that the civil action number for this lawsuit is 1:21-cv-08444-JLR. On January 13, 2022, I understand that Mayborn asserted counterclaims of infringement of United States Patent Nos. 11,207,244 and 10,952,930 (collectively, the “Asserted Patents”).

9. At the time Nanobebe filed its complaint against Mayborn in the United States District Court for the Southern District of New York, [REDACTED]

[REDACTED]

[REDACTED]

10. Given [REDACTED], Nanobebe decided to attempt to mediate the dispute with Mayborn before investing in pursuing *inter partes* review. It was only after the dispute was not resolved at mediation in early May 2022 that Nanobebe decided to invest in pursuit of filing IPR petitions.

11. After participating in an unsuccessful mediation process between Nanobebe and Mayborn, Nanobebe retained IPR counsel in September 2022. Nanobebe worked diligently after retaining IPR counsel to complete its invalidity analysis of the asserted claims and to draft IPR petitions for the Asserted Patents in

the approximately four months between the date that IPR counsel was retained in September 2022 and the date the petitions were filed in January 2023.

12. On January 13, 2023, Nanobebe submitted two petitions to the Patent Trial and Appeal Board for *inter partes* review of United States Patent Nos. 11,207,244 and 10,952,930 (the Asserted Patents). I understand that these petitions received AIA Review Nos. IPR2023-00465 and IPR2023-00467, respectively.

13. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14. I understand that third-party Comotomo Inc. and Comotomo Corporation (collectively, “Comotomo”) filed petitions for *inter partes* review United States Patent Nos. 11,207,244 and 10,952,930 in July 2022. I understand that these petitions received AIA Review Nos. IPR2022-01326 and IPR2022-01325, respectively. Nanobebe was not involved in the preparation and/or filing of the Comotomo IPR petitions, nor was Comotomo involved in the preparation and/or filing of the Nanobebe IPR petitions.

15. Comotomo's product – a nipple with flex region – is structurally and functionally distinct from Petitioner's product which has no flex region. Notably, the prior art reference J.P. Patent No. 2001-299877 ("Ishimaru") has a flex region.

Comotomo's Product



Petitioner's Product



I hereby declare that all statements made herein of my own knowledge are true and all statements made based on information and belief are believed to be true. Further, these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code. I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 5, 2023.



Ayal Lanternari