

Filed on behalf of: Facet Technologies, LLC

Entered: April 7, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIFESCAN, INC.,
Petitioner,

v.

FACET TECHNOLOGIES, LLC,
Patent Owner.

IPR2023-00712
Patent 8,840,635

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

Pursuant to 37 C.F.R. § 42.8, Patent Owner Facet Technologies, LLC (“Patent Owner”) submits the following updates to its Mandatory Notices in response to the Petition for *Inter Partes* Review of U.S. Patent No. 8,840,635 (“’635 Patent”).

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

For purposes of 35 U.S.C. § 312(a)(2) and 37 C.F.R. § 42.8(b)(1), Patent Owner identifies itself as a real party-in-interest. Patent Owner also identifies Facet Holdings Corporation as a real party-in-interest.

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

The ’635 Patent is currently the subject of litigation in *Facet Technologies, LLC v. LifeScan, Inc.*, C.A. No. 22-cv-01717 (C.D. Cal.), filed on March 15, 2022. The ’635 Patent is also currently the subject of an administrative matter in IPR2023-00713, filed on March 21, 2023.

C. Designation of Lead and Backup Counsel (37 C.F.R. § 42.8(b)(3))

LEAD COUNSEL	BACKUP COUNSEL
S. Giri Pathmanaban (Reg. No. 75,986) giri.pathmanaban@lw.com <u>Postal & Hand-Delivery Address:</u> Latham & Watkins LLP 301 Congress Avenue, Suite 900 Austin, TX 78701 Telephone: 737.910.7345 Fax: 737.910.7301	Jonathan M. Strang (Reg. No. 61,724) jonathan.strang@lw.com <u>Postal & Hand-Delivery Address:</u> Latham & Watkins LLP 555 Eleventh Street, NW, Ste. 1000 Washington, D.C. 20004-1304 Telephone: 202.637.2362 Fax: 202.637.2201

Jeffrey G. Homrig (*pro hac vice* to be filed)

jeff.homrig@lw.com

Postal & Hand-Delivery Address:

Latham & Watkins LLP

301 Congress Avenue, Suite 900

Austin, TX 78701

Telephone: 737.910.7344

Fax: 737.910.7301

Benjamin J. Behrendt (Reg. No. 71,417)

benjamin.behrendt@lw.com

Postal & Hand-Delivery Address:

Latham & Watkins LLP

301 Congress Avenue, Suite 900

Austin, TX 78701

Telephone: 737.910.7319

Fax: 737.910.7301

D. Service of Information (37 C.F.R. § 42.8(b)(4))

Service of any documents via hand-delivery may be made at the postal mailing addresses of the respective lead and back-up counsel designated above.

Patent Owner consents to electronic service at the email addresses listed above.

Respectfully submitted,

Dated: April 7, 2023

By: / S. Giri Pathmanaban /

S. Giri Pathmanaban (Reg. No. 75,986)

giri.pathmanaban@lw.com

Latham & Watkins LLP

301 Congress Avenue, Suite 900

Austin, TX 78701

Telephone: 737.910.7300

Fax: 737.910.7301

Counsel for Patent Owner

Facet Technologies, LLC

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 7th day of April, 2023,
a true and correct copy of the foregoing **Patent Owner's Mandatory Notices**
Under 37 C.F.R. § 42.8 was served by electronic mail on Petitioner's lead and
backup counsel at the following email addresses:

Michael J. Lyons (Reg. No. 37,386)
Alexander B. Stein (Reg. No. 71,397)
Gerald W. Griffin (*pro hac vice* pending)
MORGAN, LEWIS & BOCKIUS LLP
1400 Page Mill Road
Palo Alto, CA, 94304
Tel.: 650.843.4000
Fax: 650.843.4001
Email: LifeScanFacetIPRs@morganlewis.com

By: / S. Giri Pathmanaban /

S. Giri Pathmanaban (Reg. No. 75,986)
giri.pathmanaban@lw.com
Latham & Watkins LLP
301 Congress Avenue, Suite 900
Austin, TX 78701
Telephone: 737.910.7300
Fax: 737.910.7301

Counsel for Patent Owner
Facet Technologies, LLC