

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOM Enterprises, LLC,
Petitioner,

v.

ELAINE AND REINHOLD W. VIETH,
Patent Owner,

Case IPR 2023-00726
Patent 9,066,958

**PATENT OWNERS ELAINE AND REINHOLD VIETH’S UPDATED
MANDATORY NOTICE PURSUANT TO 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8, the Patent Owners Elaine Vieth and Reinhold W. Vieth (hereinafter collectively “E&RVieth” or “Patent Owners”) hereby submit the following Notice.

I. Real Party-In-Interest

The real party in interest in this proceeding is: E&RVieth, as owners of U.S. Patent No. 9,066,958 (“the ‘958 patent”) and their exclusive licensee Ddrops Company, a general partnership registered in Ontario, Canada, whose partners are, The Fifth Child, Ltd. And CSS Pharmaceutical, Inc.

II. Related Matters

The ‘958 Patent is the subject of a pending civil action, *Ddrops Company, Reinhold Vieth, Elaine Vieth v. MOM Enterprises, LLC d/b/a Mommy’s Bliss*, 1:22-cv-00332-GBW, District of Delaware, March 16, 2022 which therefore is a Related Matter under 37 C.F.R. § 42.8(b)(2).

For completeness, E&RVieth states that the ‘958 Patent was also the subject of two additional civil actions, which were filed over six years ago: (1) *Ddrops Company et al. v. iHerb, Inc. et al.*, previously pending in the District of Minnesota and terminated on June 23, 2017, and (2) *Ddrops Company et al. v. Walgreen Co. et al.*, previously pending in the District of Minnesota and terminated on June 1, 2016. Patent Owners are not aware of any disclaimers, reexamination certificates, or other IPR petitions that address the ‘958 Patent.

III. UPDATED Lead and Backup Counsel

Lead Counsel	Back-up Counsel
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IV. UPDATED Service Information

The Patent Owner consents to electronic service by email to mungerman@ungermanip.com. Postal mailing address, telephone number, and facsimile number are listed for Lead Counsel above. The hand-delivery address for service, if needed is:

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Dated: October 24, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. § 42.6(e) that on October 24, 2023,
PATENT OWNER ELAINE AND REINHOLD VIETH'S UPDATED
MANDATORY NOTICE PURSUANT TO 37 C.F.R. § 42.8 is being served, by
filing this document through the Patent Trial and Appeal Case Tracking System (P-
TACTS) and by electronic mail as directed by Petitioner upon the following
counsel of record for Petitioners:

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Lance E. Wyatt
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/Mark E Ungerman/
Mark E. Ungerman