

Filed on behalf of Bazooka-Farmstar, LLC

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BAZOOKA-FARMSTAR, LLC,

Petitioner,

v.

NUHN INDUSTRIES LTD.,

Patent Owner.

Case IPR2023-01161
U.S. Patent No. 11,358,425

**PETITIONER'S UPDATED MANDATORY NOTICES
AS REQUIRED BY 37 C.F.R. § 42.8**

MANDATORY NOTICES UNDER 37 C.F.R. §42.8

A. Real Party-in-Interest

The real-parties-in-interest are Petitioner Bazooka-Farmstar, LLC, Eldon C. Stutsman, Inc. and Stutsman Holdings, Inc.

With respect to each entity named above, the following describes its connection to or interest in the petition, or both: Eldon C. Stutsman, Inc. is the controlling parent corporation of Petitioner. Eldon C. Stutsman, Inc. is wholly owned by Stutsman Holdings, Inc.

B. Related Matters

U.S. Patent No. 11,491,835 (“the ’835 Patent”), U.S. Patent No. 10,974,557 (“the ’557 Patent”), U.S. Patent No. 11,358,425 (“the ’425 Patent”), and U.S. Patent No. 11,541,708 (“the ’708 Patent”) are asserted in *Nuhn Industries Ltd. v. Bazooka Farmstar, LLC* in the United States District Court for the Southern District of Iowa, Civil Action No. 3:22-cv-00015-SMR (“the ’015 Litigation”).

The ’835 Patent, the ’557 Patent, the ’425 Patent, and the ’708 Patent are asserted in *Nuhn Industries Ltd. v. Atlas Ag Services, LLC* in the United States District Court for the Western District of New York, Civil Action No. 1:23-cv-368-JLS.

U.S. Patent No. 11,448,224 (“the ’224 Patent”) is asserted in *Nuhn Industries Ltd. v. Bazooka Farmstar, LLC* in the United States District Court for the Southern District of Iowa, Civil Action No. 3:22-cv-00064-SMR-HCA.

The ’557 Patent is asserted in *Nuhn Industries Ltd. v. Bazooka Farmstar LLC and Tasch’s Custom LLC* in the United States District Court for the Eastern District of Wisconsin, Civil Action No. 21-cv-1322-BHL.

The validity of the ’835 Patent is challenged in *Bazooka Farmstar LLC v. Nuhn Industries Ltd.*, IPR2024-00004 (P.T.A.B. October 13, 2023).

The validity of the ’708 Patent is challenged in *Bazooka Farmstar LLC v. Nuhn Industries Ltd.*, IPR2024-00098 (P.T.A.B. November 3, 2023).

The validity of the ’557 Patent is challenged in Petitioner’s requests for *ex parte* reexamination, which have been assigned Reexamination Request Nos. 90/019,258 and 90/019,290. Reexamination Request No. 90/019,258 has been granted, and Reexamination Request No. 90/019,290 is pending.

The validity of the ’224 Patent is challenged in Petitioner’s requests for *ex parte* reexamination, which has been granted and assigned Reexamination Request No. 90/091,224.

C. Lead and Back-up Counsel and Service Information

<u>Lead Counsel</u>	
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Please address all correspondence to all counsel of record (shown above).

Petitioner consents to electronic service.

Respectfully submitted,

MERCHANT & GOULD P.C.

Date: November 10, 2023

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(Trial No. IPR2023-01161)

ATTORNEYS FOR PETITIONER

CERTIFICATION OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. §42.6(e), that service was made on Counsel for Patent Owner as detailed below.

Date of service:	November 10, 2023
Manner of service:	Electronic mail addressed to: bluchsinger@harnessip.com syackey@harnessip.com mcutler@harnessip.com
Documents served:	Petitioner's Updated Mandatory Notices as Required by 37 C.F.R. § 42.8
Persons served:	James B. Luchsinger HARNESS, DICKY & PIERCE P.L.C. 5445 Corporate Dr., Suite 200 Troy, MI 48098 Phone: 248-641-1600 Fax: 248-641-0270 bluchsinger@harnessip.com Scott E. Yackey HARNESS, DICKY & PIERCE, P.L.C. 2801 Network Blvd., Suite 600 Frisco, TX 75034 syackey@harnessip.com Matthew L. Cutler HARNESS, DICKY & PIERCE, P.L.C. 7700 Bonhomme, Suite 400 Clayton, MO 63105 mcutler@harnessip.com

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