UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TREND MICRO, INC

Petitioner,

v.

OPEN TEXT INC.

Patent Owner.

Case No. IPR2023-01392
Patent No. 8,181,244

PATENT OWNER OPEN TEXT INC.'S
MANDATORY NOTICES PURSUANT TO 37 C.F.R. § 42.8(b)

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

Patent Owner Open Text Inc.[1] hereby files its Mandatory Notices pursuant to 37 C.F.R. § 42.8(b).

I. REAL PARTIES-IN-INTEREST (37 C.F.R. § 42.8(b)(1))

The real parties-in-interest are Open Text Inc. ("Patent Owner") and Webroot LLC. Out of an abundance of caution, Patent Owner further identifies the following affiliates: Carbonite, LLC; Open Text Corporation; and Open Text Holdings, Inc.

II. RELATED MATTERS (37 C.F.R. § 42.8(b)(2))

U.S. Patent No. 8,181,244 ("the '244 Patent") is at issue in the following U.S. District Court cases:

- *Webroot, Inc. et al. v. Trend Micro Inc.*, Case No. 6:22-cv-00239 (W.D. Tex.);
- *Webroot, Inc. et al. v. Sophos Ltd.*, Case No. 6:22-cv-00240 (W.D. Tex.);
- *Webroot, Inc. et al. v. CrowdStrike, Inc. et al.*, Case No. 6:22-cv-00241 (W.D. Tex.);

These cases have been consolidated, along with two additional U.S. District Court case:

- *Webroot, Inc. et al. v. AO Kaspersky Lab*, Case No. 6:22-cv-00243 (W.D. Tex.).
- *Webroot, Inc. v. Forcepoint LLC*, No. 6:22-cv-00342-ADA-DTG (W.D. Tex.).

[1] The first page heading is updated due to a change in ownership of U.S. Pat. No. 8,181,244.

In addition to this proceeding, the ’244 Patent is also at issue in the following PTAB proceeding:

- *CrowdStrike, Inc. v. Open Text Inc.*, IPR2023-01158 (P.T.A.B. June 30, 2023).

U.S. Patent No. 10,284,591, which is not related to the ’244 Patent, but which is also asserted in the related district court litigations, is also at issue in the following PTAB proceedings:

- *CrowdStrike, Inc. v. Open Text Inc.*, IPR2022-01522 (P.T.A.B. Sept. 30, 2022);
- *Trend Micro Inc. v. Webroot Inc.*, IPR2023-00692 (P.T.A.B. Mar. 7, 2022);
- *AO Kaspersky Lab v. Open Text Inc.*, IPR2023-00895 (P.T.A.B. Apr. 28, 2023).

U.S. Patent No. 8,726,389, which is not related to the ’244 Patent, but which is also asserted in the related district court litigations is at issue in the following PTAB proceedings:

- *CrowdStrike, Inc. v. Webroot Inc.*, IPR2023-00556 (P.T.A.B. Feb. 17, 2023);
- *Sophos Ltd. v. Webroot Inc.*, IPR2023-00633 (P.T.A.B. Mar. 3, 2023).

U.S. Patent No. 10,599,844, which is not related to the ’244 Patent, but which is also asserted in the related district court litigations, is at issue in the following PTAB proceedings:

- *Sophos Ltd. v. Open Text Inc.*, IPR2023-00528 (P.T.A.B. Feb. 7, 2023);
- *Trend Micro, Inc. v. Open Text Inc.*, IPR2023-00662 (P.T.A.B. Mar. 3, 2023).

U.S. Patent No. 8,418,250, which is not related to the '244 patent but which is also asserted in the related district court litigations, is also at issue in the following PTAB proceedings:

- *CrowdStrike, Inc. v. Open Text Inc.*, IPR2023-00289 (P.T.A.B. Dec. 29, 2022);
- *Trend Micro Inc. v. Open Text Inc.*, IPR2023-00655 (P.T.A.B. Mar. 2, 2023);
- *Sophos Ltd.* v. *Open Text Inc.,* IPR2023-00699 (P.T.A.B. Mar. 8, 2023);
- *AO Kaspersky Lab v. Open Text Inc*., IPR2023-01334 (P.T.A.B. Aug. 18, 2023).

U.S. Patent No. 9,413,721, which is not related to the '244 Patent, but which is also asserted in the related district court litigations, is at issue in the following PTAB proceeding:

- *Sophos Ltd. v. Open Text Inc.*, IPR2023-00491 (P.T.A.B. Jan. 20, 2023).

U.S. Patent No. 9,578,045, which is not related to the '244 Patent, but which is also asserted in the related district court litigations, is at issue in the following PTAB proceedings:

- *CrowdStrike, Inc. v. Open Text Inc*., IPR2023-00124 (P.T.A.B. Nov. 30, 2022);

- *Trend Micro Inc. v. Open Text Inc*., IPR2023-00677 (P.T.A.B. Mar. 6, 2023);
- *AO Kaspersky Lab v. Open Text Inc*., IPR2023-01199 (P.T.A.B. July 14, 2023).

U.S. Patent No. 10,257,224, which is not related to the ’244 Patent, but which is also asserted in the related district court litigations, is at issue in the following PTAB proceedings:

- *CrowdStrike, Inc. v. Open Text Inc.*, IPR2023-00126 (P.T.A.B. Oct. 31, 2022);
- *Trend Micro Inc. v. Open Text Inc.*, IPR2023-00657 (P.T.A.B. Mar. 3, 2023);
- *AO Kaspersky Lab v. Open Text Inc.,* IPR2023-01011 (P.T.A.B. June 2, 2023).

U.S. Patent No. 8,201,243, which is not related to the ’244 Patent, but which is also asserted in the related district court litigations, is at issue in the following PTAB proceedings:

- *Sophos Ltd. v. Open Text Inc.,* IPR2023-00731 (P.T.A.B. Apr. 4, 2023);
- *CrowdStrike, Inc. v. Open Text Inc.,* IPR2023-01052 (P.T.A.B. June 23, 2023);
- *Trend Micro Inc. v. Open Text Inc.*, IPR2023-01390 (P.T.A.B. Sept. 7, 2023)

U.S. Patent No. 8,719,932, which is not related to the ’244 Patent, but which is also asserted in the related district court litigations, is at issue in the following PTAB proceeding:

- *Sophos Ltd. v. Open Text Inc.*, IPR2023-00732 (P.T.A.B. Apr. 4, 2023);
- *CrowdStrike, Inc. v. Open Text Inc.,* IPR2023-01051 (P.T.A.B. June 23, 2023);
- *Trend Micro Inc. v. Open Text Inc.*, IPR2023-01391 (P.T.A.B. Sept. 7, 2023).

U.S. Patent No. 11,409,869, which is not related to the ’244 Patent, but which is also asserted against a third party in the related district court litigations, is at issue in the following PTAB proceedings:

- *Sophos Ltd. v. Open Text Inc.*, PGR2023-00031 (P.T.A.B. May 8, 2023);
- *AO Kaspersky Lab v. Open Text Inc*., IPR2023-01160 (P.T.A.B. June 30, 2023);
- *CrowdStrike, Inc. v. Open Text Inc*., IPR2023-01053 (P.T.A.B. July 3, 2023);
- *Trend Micro Inc. v. Open Text Inc.*, IPR2023-01380 (P.T.A.B. Sept. 5, 2023).

U.S. Patent No. 8,438,386, which is not related to the ’244 Patent, but which is also asserted against a third party in the related district court litigations, is at issue in the following PTAB proceeding:

- *Forcepoint LLC v. Open Text Inc.*, IPR2023-00784 (P.T.A.B. Mar. 31, 2023).

U.S. Patent No. 10,025,928, which is not related to the ’244 Patent, but which is also asserted against a third party in the related district court litigations, is at issue in the following PTAB proceeding:

- *Forcepoint LLC v. Open Text Inc.*, IPR2023-00786 (P.T.A.B. Mar. 31, 2023).

U.S. Patent No. 8,856,505, which is not related to the '244 Patent, but which is also asserted against a third party in the related district court litigations, is at issue in the following PTAB proceeding:

- *CrowdStrike, Inc. v. Open Text Inc.*, IPR2023-01159 (P.T.A.B. June 30, 2023);
- *Trend Micro Inc. v. Open Text Inc.*, IPR2023-01389 (P.T.A.B. Sept. 7, 2023).

U.S. Patent No. 8,763,123, which is not related to the '244 Patent, but which is also asserted against a third party in the related district court litigations, is at issue in the following PTAB proceeding:

- *CrowdStrike, Inc. v. Open Text Inc.*, IPR2023-01050 (P.T.A.B. July 12, 2023).

III. LEAD AND BACK-UP COUNSEL (37 C.F.R. § 42.8(b)(3))

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IV. SERVICE INFORMATION (37 C.F.R. § 42.8(b)(4))

Please address all correspondence to the lead and backup counsel as shown above. Patent Owner consents to electronic service by email at the email addresses provided above and also opentext-ipr-pgr@kslaw.com.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **PATENT OWNER'S MANDATORY NOTICES AND POWER OF ATTORNEY** were served by filing this document through the Patent Trial and Appeal Case Tracking System (P-TACTS) as well as by delivering a copy via electronic mail and U.S. Postal Mail on September 28, 2023, in their entirety on the following:

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