

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

ALD SOCIAL, LLC,
Patent Owner.

IPR2023-01398 (Patent 9,198,054)
IPR2023-01399 (Patent 9,402,158)¹

Before ERICA SWIFT, *Chief Clerk of the Board*.

NOTICE OF DELINQUENT MANDATORY NOTICES

¹ This Notice addresses issues that are the same in each of the identified proceedings. The parties must obtain prior authorization to use this heading style.

IPR2023-01398 (Patent 9,198,054)

IPR2023-01399 (Patent 9,402,158)

On September 12, 2023, Apple Inc. (“Petitioner”) filed two petitions pursuant to 35 U.S.C. §§ 311–319 to request institution of *inter partes* reviews of certain claims of U.S. Patent Nos. 9,198,054 and 9,402,158 (“the challenged patents”). *See* IPR2023-01398, Paper 1 (Petition challenging U.S. Patent No. 9,198,054); IPR2023-01399, Paper 1 (Petition challenging U.S. Patent No. 9,402,158).

Board rules require that Petitioner must serve the petition and supporting evidence relied upon in the petition “on the patent owner at the correspondence address of record for the subject patent.” 37 C.F.R. § 42.105(a). United States Patent and Trademark Office (USPTO) records indicate that nine attorneys associated with Customer Number 116950 are attorneys of record for the two challenged patents. According to USPTO records, Customer Number 116950 is associated with Tarolli, Sundheim, Covell & Tummino LLP in Cleveland, Ohio. Each petition includes a certificate of service indicating service was made in accordance with 37 C.F.R. § 42.105(a) on Patent Owner at Tarolli, Sundheim, Covell & Tummino LLP, 1300 East Ninth Street, Suite 1700, Cleveland, Ohio 44114. *See* IPR2023-01398, Paper 1, 80; IPR2023-01399, Paper 1, 79.

Board rules also require Patent Owner to file mandatory notices within 21 days of service of the petition. 37 C.F.R. § 42.8(a)(2). Each of the mandatory notices must include identification of (1) the real party-in-interest, (2) related judicial or administrative matters that would affect, or be affected by, a decision in the proceeding, (3) service information, and, (4) if the party is represented by counsel, then counsel must be identified. 37 C.F.R. § 42.8(b).

No counsel has yet appeared in these cases on behalf Patent Owner, and mandatory notices have not yet been filed. According to USPTO records, ALD Social LLC is the assignee of record of U.S. Patent Nos. 9,198,054 and 9,402,158

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based on the most recent document recorded on August 11, 2022 at Reel 060788 / Frame 0636.

In addition to attorneys of record for the challenged patents, this Notice of Delinquent Mandatory Notices is being sent to ALD Social LLC at its corporate address² provided in the latest assignment recorded at the USPTO and to the registered agent³ for ALD Social LLC identified in public records of the Delaware Secretary of State.

Patent Owner is reminded to file mandatory notices pursuant to 37 C.F.R. § 42.8(a)(2) for IPR2023-01398 and IPR2023-01399. If there are any questions pertaining to this Notice, please contact the Patent Trial and Appeal Board at 571-272-7822 or by email at Trials@uspto.gov.

² According to the assignment document recorded at Reel 060788 / Frame 0636, ALD Social LLC is located at 220 Hunting Hill Lane, West Chester, Pennsylvania 19382.

³ A Registered Agent, Inc., 8 The Green, Suite A, Dover, Delaware 19901.

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