

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Topp & Screed S.A.,

Petitioner,

v.

Somero Enterprises Inc.

Patent Owner.

Case IPR2024-00051

Patent No. 8,038,366

**Patent Owner's Mandatory Notices
Pursuant To 37 C.F.R § 42.8**

Patent Owner, Somero Enterprises, Inc. (“Somero”), respectfully submits its mandatory notices under 37 C.F.R. § 42.8.

I. 37 C.F.R. § 42.8(b)(1) – Identification of Real Party-In-Interest

Somero Enterprises, Inc. (“Somero”) is the assignee and owner of the entire title and interest in U.S. Patent No. 8,038,366 (“the ’366 patent”) and the real party-in-interest in this proceeding.

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

On April 27, 2023, Somero filed a patent infringement action asserting the ’366 patent against Topp & Screed S.A. in the United States District Court for the Western District of North Carolina, Case No. 3:23-cv-245.

III. 37 C.F.R. § 42.8(b)(3) – Lead and Backup Counsel

Lead Counsel:

Sarah E. Waidelich
Registration No. 78,706
Honigman LLP
315 E. Eisenhower Parkway, Suite 100
Ann Arbor, MI 48108
Telephone: 734-418-4242
Facsimile: 734-418-4243
Email: swaidelich@honigman.com

Backup Counsel:

Ron Sklar
(To be admitted *pro hac vice*)
Honigman LLP
155 N. Wacker Drive, Suite 3100
Chicago, IL 60606-1734
Telephone: 312-701-9300

Facsimile: 312-701-9335
Email: rsklar@honigman.com

David J. Thomas
Registration No. 75,471
Honigman LLP
39400 Woodward Ave., Suite 101
Bloomfield Hills, MI 48304
Telephone: 248-566-8642
Facsimile: 248-566-8643
Email: dthomas@honigman.com

IV. 37 C.F.R. § 42.8(b)(4) – Service Information:

Please address all correspondence to lead and backup counsel at the addresses shown above. Patent Owner consents to service by electronic mail at:

Somero-366-IPR@honigman.com.

V. Power of Attorney

A Power of Attorney from Somero to Honigman LLP (Customer No. 83332) is being filed concurrently with these Mandatory Notices.

VI. Fees

The Patent Trial and Appeal Board is hereby authorized to charge any fees owed by Somero and associated with *Inter Partes* Review No. 2024-00051 of U.S. Patent No. 8,038,366 to Deposit Account No. 503145.

Dated: November 30, 2023

Respectfully submitted,

/Sarah E. Waidelich/

Sarah E. Waidelich

Registration No. 78,706

Honigman LLP

315 E. Eisenhower Parkway

Suite 100

Ann Arbor, MI 48108

Telephone: 734-418-4242

Facsimile: 734-418-4243

Email: swaidelich@honigman.com

*Counsel for Patent Owner Somero
Enterprises, Inc.*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies service of PATENT OWNER'S MANDATORY NOTICES PURSUANT TO 37 C.F.R § 42.8(a)(2) on counsel of record for the Petitioner by filing this document through the Patent Trial and Appeal Case Tracking System (P-TACTS) as well as delivering a copy via electronic mail to the following addresses:

dion.bregman@morganlewis.com

jason.white@morganlewis.com

james.kritsas@morganlewis.com

nicholas.restauri@morganlewis.com

Date: November 30, 2023

Respectfully submitted,

/Sarah E. Waidelich/
Sarah E. Waidelich