

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIFECORE FITNESS, LLC d/b/a ASSAULT FITNESS
Petitioner,

v.

WOODWAY USA, INC.
Patent Owner.

IPR2024-00083
U.S. Patent No. 11,465,005

**Patent Owner's Updated Mandatory Notices
Under 37 C.F.R. §42.8**

Pursuant to 37 C.F.R. §42.8, Patent Owner Woodway USA, Inc. (“Woodway”) provides these Updated Mandatory Notices.

I. Real Party-in-Interest Pursuant to 37 C.F.R. §42.8(b)(1):

Woodway is the sole assignee of U.S. Patent 11,465,005 (“the ’005 patent”).

II. Related Matters Pursuant to 37 C.F.R. §42.8(b)(2):

The ’005 patent was the subject of District Court litigation in *Woodway USA, Inc. v. LifeCore Fitness, Inc. d/b/a Assault Fitness*, Case No. 3:22-cv-00492-JO-BLM (S.D. Cal.). On November 22, 2024, the District Court, by way of a Stipulated Order to Dismiss Certain Claims, dismissed the ’005 patent from the case. EX1055. On January 30, 2025, the district court granted summary judgment of noninfringement for all remaining claims of related patents subject to IPR2023-00836, IPR2023-00843, and IPR2023-00849. EX2087. On February 7, 2025, Woodway filed a notice of appeal from the summary judgment decision, including the District Court’s claim construction order of “substantially prevent[.]” EX2088.

III. Lead and Back-Up Counsel Pursuant to 37 C.F.R. §42.8(b)(3):

Woodway designates the following Lead and Back-up Counsel:

Lead Counsel	Back-up Counsel
Richard J. McKenna Foley & Lardner LLP 777 East Wisconsin Avenue Milwaukee, WI 53202 Direct Line: 414-297-5723 Fax: 414-297-4900 Email: rmckenna@foley.com USPTO Reg. No. 35,610	Kadie M. Jelenchick Foley & Lardner LLP 777 East Wisconsin Avenue Milwaukee, WI 53202 Direct Line: 414-319-7324 Fax: 414-297-4900 Email: kjelenchick@foley.com (<i>pro hac vice</i> admission granted) Sarah E. Rieger Foley & Lardner LLP 777 East Wisconsin Avenue Milwaukee, WI 53202 Direct Line: 414-319-7101 Fax: 414-297-4900 Email: srieger@foley.com (<i>pro hac vice</i> admission granted) Jack T. Carroll Foley & Lardner LLP 150 E Gilman St, Madison, WI 53703 Direct Line: 608-258-4306 Fax: 608-258-4258 Email: jcarroll@foley.com (<i>pro hac vice</i> conditionally granted)

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

Please address all correspondence to the lead counsel at the address shown above. Woodway consents to electronic service by email at:

rmckenna@foley.com

IPR2024-00083
U.S. Patent No. 11,465,005

Patent Owner's Updated
Mandatory Notices

kjelenchick@foley.com

srieger@foley.com

jcarroll@foley.com

Any questions concerning this paper may be directed to lead counsel.

Dated: February 13, 2025

Respectfully submitted,

/R.J. McKenna/

Richard J. McKenna

Registration No. 35,610

Counsel for Patent Owner

IPR2024-00083
U.S. Patent No. 11,465,005

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Mandatory Notices

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Patent Owner's Updated Mandatory Notices Under 37 C.F.R. §42.8** was served on February 13, 2025, by email to Petitioner's counsel of record:

jhalan@brookskushman.com

aturner@brookskushman.com

rcantor@brookskushman.com

kkonz@brookskushman.com

Dated: February 13, 2025

/R.J. McKenna/
Richard J. McKenna
Registration No. 35,610
Counsel for Patent Owner