

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

National Beef Packing Company, LLC,

Petitioner,

v.

Institute for Environmental Health, Inc.,

Patent Owner

U.S. PATENT NO. 8,822,143

Case No. IPR2024-00185

PATENT OWNER'S MANDATORY NOTICES

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner Institute for Environmental Health, Inc. hereby submits the following mandatory notices in connection with National Beef Packing Company, LLC's Petition for *Inter Partes* Review of U.S. Patent No. 8,822,143, Case IPR2024-00185.

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

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

Patent Owner identifies the following real parties-in-interest: Institute for Environmental Health, Inc.

B. 37 C.F.R. § 42.8(b)(2): Related Matters

The '143 Patent is subject to a civil action in *Institute for Environmental Health, Inc. v. National Beef Packing Company, LLC*, 1:23-cv-00826-UNA (D. Del. 2023), filed August 1, 2023 ("Delaware Litigation"). The Delaware Litigation may affect, or be affected by, decisions in this proceeding.

The '143 Patent was subject to a civil action in *Institute for Environmental Health, Inc. v. Food Safety Net Services, Ltd.*, 6:21-cv-00176-ADA (D. Tx. 2021), filed February 25, 2021 ("Texas Litigation"). The Texas Litigation may affect decisions in this proceeding.

The '143 Patent was subject to a civil action in *Primus Group, Inc. v. Institute for Environmental Health, Inc.*, 5:18-cv-00005-LB (D. Ca. 2018), filed January 2, 2018 ("California Litigation"). The California Litigation may affect decisions in this proceeding.

Real Party-in-Interest National Beef Packing Company, LLC has petitioned for *inter partes* review of U.S. Patent No. 7,534,584, which Patent Owner has asserted in the Delaware Litigation. IPR2024-00183, Paper 1. Real Party-in-Interest National Beef Packing Company, LLC also has petitioned for *inter partes* review of U.S. Patent No. 9,637,771, which Patent Owner has asserted

in the Delaware Litigation. IPR2024-00186, Paper 1. Real Party-in-Interest National Beef Packing Company, LLC has further petitioned for *inter partes* review of U.S. Patent No. 9,845,486, which Patent Owner has asserted in the Delaware Litigation. IPR2024-01156, Paper 1.

C. 37 C.F.R. § 42.8(b)(3): Counsel Information

Patent Owner provides the following designation of counsel:

Lead Counsel	Back-Up Counsel
Benjamin J. Byer (Reg. No. 62,106) BenByer@dwt.com <u>Postal and Hand-Delivery Address:</u> DAVIS WRIGHT TREMAINE LLP 920 Fifth Avenue, Suite 3300 Seattle, WA 98104 Telephone: (206) 757-8105 Facsimile: (206) 757-7105	Gregory B. Rosenthal (Reg. No. 71,111) GregRosenthal@dwt.com <u>Postal and Hand-Delivery Address:</u> DAVIS WRIGHT TREMAINE LLP 920 Fifth Avenue, Suite 3300 Seattle, WA 98104 Telephone: (206) 757-8132 Facsimile: (206) 757-7132 Samantha Hunt (Reg. No. 79,993) SamHunt@dwt.com <u>Postal and Hand-Delivery Address:</u> DAVIS WRIGHT TREMAINE LLP 920 Fifth Avenue, Suite 3300 Seattle, WA 98104 Telephone: (206) 757-8563 Facsimile: (206) 757-7700

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

Patent Owner consents to electronic service by email directed to the email address:
IPR@dwt.com.

Date: August 14, 2024

Respectfully submitted,

/Benjamin J. Byer/

Benjamin J. Byer, (Reg. No. 62,106)
DAVIS WRIGHT TREMAINE LLP
920 Fifth Avenue, Suite 3300
Seattle, WA 98104
P: 206.757.8105; F: 206-757-7105
BenByer@dwt.com

Gregory B. Rosenthal (Reg. No. 71,111)
DAVIS WRIGHT TREMAINE LLP
920 Fifth Avenue, Suite 3300
Seattle, WA 98104
P: 206-757-8132; F: 206-757-7132
GregRosenthal@dwt.com

Samantha Hunt (Reg. No. 79,993)
DAVIS WRIGHT TREMAINE LLP
920 Fifth Avenue, Suite 3300
Seattle, WA 98104
P: 206-757-8563; F: 206-757-7700
SamHunt@dwt.com

Attorneys For Patent Owner

CERTIFICATE OF SERVICE

The undersigned herby certifies that a copy of the foregoing document was served on
August 16, 2024 via email to the following addresses:

Kevin Laurence
Matthew Phillips
Derek Meeker
Laurence & Phillips IP Law
1050 Connecticut Avenue, N.W., Suite 500
Washington, DC 20036
P: 202-558-6080; F: 202-558-6081
klaurence@lpiplaw.com
mphillips@lpiplaw.com
dmeeker@lpiplaw.com

Seth Black
Black IP, PLLC
370 South 300 East
Salt Lake City, UT 84111
P: 435-513-2664
seth@blkip.com

/Benjamin J. Byer/
Benjamin J. Byer