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. 9,637,771**

Case No. IPR2024-00186

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# 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. 9,637,771, Case IPR2024-00186.

## 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 '771 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 '771 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 '771 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. 8,822,143, which Patent Owner has asserted

in the Delaware Litigation. IPR2024-00185, 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 |
|---|---|
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### 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/*

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## 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:

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