UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEURENT MEDICAL INC. & NEURENT MEDICAL LTD.

Petitioners,

v.

THE FOUNDRY, LLC,

Patent Owner.

Case No. IPR2024-00279

U.S. Patent No. 10,610,675

PETITIONERS' FIRST UPDATED MANDATORY NOTICES PURSUANT TO 37 C.F.R. § 42.8

I. MANDATORY NOTICES

Pursuant to 37 C.F.R. §42.8(a)(3), Petitioners Neurent Medical Inc. and Neurent Medical Ltd. (collectively, "Neurent" or "Petitioners") update the Mandatory Notices. The Mandatory Notices are revised to reflect an additional related matter.

A. Related Matters

1. Petition (January 18, 2024)

Pursuant to 37 C.F.R. §42.8(b)(2), Petitioners submit that Patent Owner has asserted three patents, including the '675 patent, in *Aerin Medical Inc. and The Foundry LLC v. Neurent Medical Inc. and Neurent Medical Ltd.*, Case No. 1:23-cv-00756-JLH (D. Del). *See* Ex.1035-Complaint. Five other patents owned by Aerin Medical Inc.—which has represented that it is the exclusive licensee of the asserted Foundry patents—are also asserted against Petitioners in that litigation. Petitioners are concurrently filing *inter partes* review petitions challenging certain claims of the following patents asserted against Petitioners by Patent Owner and/or Aerin Medical Inc.:

Challenged Patent	Patent Owner	Case No.
9,072,597	Aerin Medical Inc.	IPR2024-00275
9,415,194	Aerin Medical Inc.	IPR2024-00276

Challenged Patent	Patent Owner	Case No.
11,241,271	Aerin Medical Inc.	IPR2024-00277
11,033,318	Aerin Medical Inc.	IPR2024-00278
10,610,675	The Foundry LLC	IPR2024-00279
10,894,011	The Foundry LLC	IPR2024-00280
11,679,077	The Foundry LLC	IPR2024-00281
11,766,286	Aerin Medical Inc.	IPR2024-00282

2. Updated Related Matters (May 10, 2024)

Pursuant to 37 C.F.R. §42.8(b)(2), Petitioners submit that Patent Owner has asserted three patents, including the '675 patent, in *Aerin Medical Inc. and The Foundry LLC v. Neurent Medical Inc. and Neurent Medical Ltd.*, Case No. 1:23-cv-00756-JLH (D. Del). *See* Ex.1035-Complaint. Five other patents owned by Aerin Medical Inc.—which has represented that it is the exclusive licensee of the asserted Foundry patents—are also asserted against Petitioners in that litigation. Petitioners have filed *inter partes* review petitions challenging certain claims of the following patents asserted against Petitioners by Patent Owner and/or Aerin Medical Inc.:

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10,610,675	The Foundry LLC	IPR2024-00279
10,894,011	The Foundry LLC	IPR2024-00280
11,679,077	The Foundry LLC	IPR2024-00281 (terminated)
11,766,286	Aerin Medical Inc.	IPR2024-00282
11,679,077	The Foundry LLC	IPR2024-00669

Respectfully submitted,

/David L. Cavanaugh/
David L. Cavanaugh
Registration No. 36,476

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CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2024 I caused a true and correct copy of the following materials:

- Petitioners' First Updated Mandatory Notices

to be served on Patent Owner via electronic mail to:

Kathleen A. Daley, kathleen.daley@finnegan.com;

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