

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NESPRESSO USA, INC.,
Petitioner,

v.

K-FEE SYSTEM GMBH,
Patent Owner.

Case IPR2024-00299
U.S. Patent No. 11,554,910

**PATENT OWNER K-FEE SYSTEM'S
MANDATORY NOTICES PURSUANT TO 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8, Patent Owner, K-fee System GmbH, hereby submits the following Mandatory Notices.

Real Party-in-Interest Under §42.8(b)(1)

The real party-in-interest is Patent Owner K-fee System GmbH. K-fee System GmbH is a wholly owned subsidiary of Kruger GmbH & Co. KG, along with Kruger North America, Inc.

Related Matter Under Rule §42.8(b)(2)

U.S. Patent No. 11,554,910 is the subject of Civil Action No. CV 22-9295-GW-AGRx, which is pending in the U.S. District Court for the Central District of California.

U.S. Patent No. 11,554,910 is part of the same family of patents owned by K-fee System GmbH that are the subject of IPR Nos. IPR2024-00239, IPR2024-00254, IPR2024-00257, and IPR2024-00304, which are pending institution, as well as IPR Nos. IPR2022-01574, IPR2023-00485, and IPR2023-00502, which are currently pending before the Board.

U.S. Patent No. 11,554,910 is also part of the same family of patents owned by K-fee System GmbH against which the following IPRs were previously filed and institution denied on January 18, 2022:

- IPR2021-01221 (U.S. Patent No. 10,858,176)
- IPR2021-01222 (U.S. Patent No. 10,858,177)
- IPR2021-01223 (U.S. Patent No. 10,870,531)

This IPR may be affected by a decision in *K-fee System GmbH v. Nespresso USA, Inc.*, No. 2022-2042, pending at the United States Court of Appeals for the Federal Circuit and involving U.S. Patent Nos. 10,858,176, 10,858,177, and 10,870,531, where the claim construction of “barcode” is under consideration.

Lead and Back-Up Counsel

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Service Information

Please direct all correspondence regarding this proceeding to lead and back-up counsel at the addresses listed above. Patent Owner consents to electronic service on counsel of record.

Date: December 19, 2023

Respectfully submitted,

/Douglas Carsten/

Douglas Carsten, Lead Counsel

Registration No. 43,534

Attorneys/Agents for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. § 42.6, that on December 19, 2023, a complete copy of the foregoing document was served upon the following by ELECTRONIC MAIL:

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/Douglas Carsten/

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