

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIVITRO LABS INC.,
Petitioner,

v.

BIOMEDICAL DEVICE CONSULTANTS & LABORATORIES OF
COLORADO, LLC,
Patent Owner.

Case IPR2024-00320
Patent 9,237,935

PATENT OWNER'S MANDATORY DISCLOSURES

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner Biomedical Device Consultants & Laboratories of Colorado, LLC hereby provides the following disclosures and information to the Patent Trial and Appeal Board (the “Board”):

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

The real party-in-interest is Biomedical Device Consultants & Laboratories of Colorado, LLC, the assignee of record for U.S. Patent No. 9,237,935 (“’935 patent”).

II. Related Matters Under 37 C.F.R. § 42.8(b)(2)

Patent Owner asserted the ’935 patent against ViVitro in *Biomedical Device Consultants & Laboratories of Colorado, LLC v. ViVitro Labs, Inc.*, 1:23-cv-867 (D. Colo. filed Apr. 7, 2023), subsequently transferred to the Central District of California as No. 2:23-CV-04291-HDV (C.D. Cal.). An appeal of the district court’s denial of Patent Owner’s motion for preliminary injunction is pending at the Court of Appeals for the Federal Circuit, No. 2023- 2393.

There are no other proceedings before the USPTO involving the ’935 patent, and there are no proceedings before the USPTO involving related patents.

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

Patent Owner designates the following lead and back-up counsel:

Lead Counsel	Back-up Counsel
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IV. Service Information Under 37 C.F.R. § 42.8(b)(4)

Patent Owner consents to electronic service by email to the above email addresses for lead and back-up counsel. Mailing and physical addresses and telephone numbers are also provided above.

Respectfully submitted,

Date: February 27, 2024

/s/ Jordan L. Stott
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CERTIFICATE OF SERVICE

The undersigned certifies pursuant to 37 C.F.R. § 42.6(e) that on February 27, 2024, a true and correct copy of Patent Owner's Mandatory Disclosures was served via Email on Counsel for Petitioner:

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Date: February 27, 2024

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