

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LULULEMON USA INC.,

Petitioner,

v.

NIKE, INC.,

Patent Owner.

Case IPR2024-00460

Patent No. 8,266,749

**PATENT OWNER'S UPDATED MANDATORY NOTICES
PURSUANT TO 37 C.F.R. § 42.8(a)(2)**

Pursuant to 37 C.F.R. § 42.8, Patent Owner Nike, Inc. (“Patent Owner”) respectfully submits the following mandatory notices in response to Petitioner lululemon usa inc.’s (“Petitioner”) Petition for *Inter Partes* Review of U.S. Patent No. 8,266,749 (“the ’749 patent”).

I. 37 C.F.R. § 42.8(b)(1): NOTICE OF REAL PARTY-IN-INTEREST

Patent Owner is the assignee of the ’749 patent. Patent Owner is the real party-in-interest.

II. 37 C.F.R. § 42.8(b)(2): RELATED MATTERS (*UPDATED*)

The ’749 patent is at issue in the following proceedings:

- *Nike, Inc. v. lululemon usa inc.*, No. 1:23-cv-00771-AS (S.D.N.Y.);
- *Nike, Inc. v. New Balance Athletcics, Inc.*, No. 1:23-cv-12666-JCB (D. MASS.);
- *Nike, Inc. v. Skechers U.S.A., Inc.*, No. 2:23-cv-09346-AB-PVC (C.D.C.A.); and
- *New Balance Athletics, Inc. v. Nike, Inc.* IPR2024-00778.

III. 37 C.F.R. § 42.8(b)(3): LEAD AND BACKUP COUNSEL

Patent Owner identifies the following lead and backup counsel:

Lead Counsel	Backup Counsel
Christopher J. Renk (Reg. No. 33,761) Arnold & Porter Kaye Scholer LLP 70 West Madison Street, Suite 4200 Chicago, IL 60602-4231 Tel: (312) 583-2300 Fax: (312) 583-2360	Michael J. Harris (Reg. No. 62,957) Aaron P. Bowling (Reg. No. 67,311) Arnold & Porter Kaye Scholer LLP 70 West Madison Street, Suite 4200 Chicago, IL 60602-4231 Tel: (312) 583-2300 Fax: (312) 583-2360

Email: chris.renk@arnoldporter.com

Email: michael.harris@arnoldporter.com

Email: aaron.bowling@arnoldporter.com

Additional Backup Counsel

Lindsey C. Staubach (Reg. No. 76,738)
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Ave, NW
Washington, DC 20001-3743
Tel: (202) 942-5000
Fax: (202) 942-5999
Email: lindsey.staubach@arnoldporter.com

A concurrently filed power of attorney identifies the practitioners of Arnold & Porter Kaye Scholer LLP, including Christopher J. Renk and Michael J. Harris, as attorneys of record.

IV. 37 C.F.R. § 42.8(b)(4): SERVICE INFORMATION

Service of all documents may be made on the lead and back-up counsel to the postal mailing address below. Patent Owner also consents to electronic service by email to chris.renk@arnoldporter.com, michael.harris@arnoldporter.com, and xNIKE-v-lululemon-FW@arnoldporter.com:

Arnold & Porter Kaye Scholer LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231

Dated: May 3, 2024

Respectfully submitted,

/s/ Christopher J. Renk

Christopher J. Renk (Reg. No. 33,761)

Michael J. Harris (Reg. No. 62,957)
Aaron P. Bowling (Reg. No. 67,311)
Arnold & Porter Kaye Scholer LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
Fax: (312) 583-2360

Lindsey C. Staubach (Reg. No. 76,738)
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Ave, NW
Washington, DC 20001-3743
Tel: (202) 942-5000
Fax: (202) 942-5999

Attorneys for Patent Owner Nike, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies service on the Petitioner, pursuant to 37 C.F.R. § 42.6(e) and by agreement of counsel, by electronic (e-mail) delivery of a true copy of the foregoing **PATENT OWNER'S UPDATED MANDATORY NOTICES PURSUANT TO 37 C.F.R. § 42.8(a)(2)** was served on May 3, 2024 to the following Counsel for Petitioner via e-mail:

Ali S. Razai (Reg. No. 60,771)
Joseph F. Jennings (Reg. No. 40,664)
Benjamin J. Everton (Reg. No. 60,659)
Jacob L. Peterson (Reg. No. 65,096)
KNOBBE, MARTENS, OLSON, & BEAR, LLP
2040 Main St., 14th Floor
Irvine, CA 92614
2AZR@knobbe.com
2JFJ@knobbe.com
2BJE@knobbe.com
2JUP@knobbe.com
lululemonIPR-749@knobbe.com

/s/ Timothy Haugh
Timothy Haugh