

Paper No. ____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ABBOTT DIABETES CARE INC.,
Petitioner,

v.

DEXCOM, INC.,
Patent Owner.

Case No. IPR2024-00841
Patent No. 10,709,364

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

Patent Owner DexCom, Inc. hereby makes the following Mandatory Notices.

I. REAL PARTY-IN-INTEREST

DexCom, Inc. is the Real Party-in-Interest.

II. RELATED MATTERS

A. United States Patent & Trademark Office

The application from which U.S. Patent No. 10,709,364 issued (U.S. Patent Application No. 16/690,977) claims priority to the following U.S. patent applications:

- U.S. Patent Application No. 16/457,628
- U.S. Patent Application No. 15/787,595
- U.S. Patent Application No. 15/065,623
- U.S. Patent Application No. 13/607,162
- U.S. Patent Application No. 12/683,755
- U.S. Patent Application No. 11/373,628
- U.S. Provisional Application No. 60/660,743

B. United States Patent Trial and Appeal Board

The following *inter partes* review proceedings captioned *Abbott Diabetes Care Inc. v. DexCom, Inc.* concern patents asserted in DexCom's counterclaim in

the below-listed Civil Action No. 1-23-cv-00239 in the U.S. District Court for the District of Delaware:

- IPR2024-00797 concerning U.S. Patent 10,375,222
- IPR2024-00840 concerning U.S. Patent 9,119,528
- IPR2024-00853 concerning U.S. Patent 11,213,204
- IPR2024-00859 & IPR20204-00860 concerning U.S. Patent 11,510,625
- IPR2024-00861 concerning U.S. Patent 9,801,541
- IPR2024-00890 & IPR2024-00891 concerning U.S. Patent 11,020,031

The following *inter partes* review proceedings captioned *Abbott Diabetes Care Inc. v. DexCom, Inc.* concerned patents that claim priority to U.S. Patent Application 16/457,628, to which U.S. Patent No. 10,709,364 also claims priority:

- IPR2022-00913 concerning U.S. Patent 11,000,213
- IPR2022-00914 concerning U.S. Patent 11,000,213
- IPR2022-00921 concerning U.S. Patent 10,993,642
- IPR2022-00922 concerning U.S. Patent 10,993,642

C. U.S. District Court for the District of Delaware

U.S. Patent No. 10,709,364 is asserted in DexCom's counterclaim in *Abbott Diabetes Care Inc. et al. v. DexCom, Inc.*, Civil Action No. 1-23-cv-00239.

U.S. Patents 11,000,213 and 10,993,642 are asserted in DexCom, Inc. v. Abbott Diabetes Care, Inc. et al., Civil Action No. 1-22-cv-00605 (consolidated with Abbott Diabetes Care, Inc. et al. v. DexCom, Inc., Civil Action No. 1-21-cv-01699).

D. U.S. Court of Appeals for the Federal Circuit

IPR2022-00913 and IPR2022-00914 concerning U.S. Patent 11,000,213 have been appealed to the Federal Circuit in Case Nos. 24-1449, 24-1450, 24-1506, 24-1507 (consolidated).

IPR2022-00921 and IPR2022-00922 concerning U.S. Patent 10,993,642 have been appealed to the Federal Circuit in Case Nos. 24-1326, 24-1327 (consolidated).

III. LEAD AND BACKUP COUNSEL

Lead Counsel: Elisabeth H. Hunt, Registration No. 67,336

Backup Counsel: Richard F. Giunta, Registration No. 36,149

Backup Counsel: Gregory S. Nieberg, Registration No. 57,063

IV. SERVICE INFORMATION

Patent Owner consents to electronic service of all documents to the below email addresses:

Email: EHunt-PTAB@wolfgreenfield.com
RGiunta-PTAB@wolfgreenfield.com
GNieberg-PTAB@wolfgreenfield.com

Postal Mail, Courier, or Hand Delivery:

WOLF GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel: (617) 646-8000
Fax: (617) 646-8646

V. POWER OF ATTORNEY

A Power of Attorney from the Patent Owner DexCom, Inc. is being filed concurrently with these Mandatory Notices.

Respectfully submitted,
DexCom, Inc.

Date: May 17, 2024

/Elisabeth Hunt/

Elisabeth H. Hunt, Reg. No. 67,336
Richard F. Giunta, Reg. No. 36,149
Gregory S. Nieberg, Reg. No. 57,063
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210
(617) 646-8000 Phone
(617) 646-8646 Fax

CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (E)(4)

I certify that on May 17, 2024, I will cause a copy of the foregoing document, including any exhibits filed therewith, to be served via electronic mail, as previously consented to by Petitioner, upon the following:

Scott Weidenfeller

sweidenfeller@cov.com

Peter P. Chen

pchen@cov.com

David A. Garr

dgarr@cov.com

abbott-ipr@cov.com

Date: May 17, 2024

/Virginia L. Weeks/

Paralegal

WOLF, GREENFIELD & SACKS, P.C.