

Filed on behalf of: Serendia, LLC

Entered: August 19, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ENDYMED MEDICAL LTD. and ENDYMED MEDICAL, INC.,
Petitioner,

v.

SERENDIA, LLC,
Patent Owner.

IPR2024-00843
Patent 9,775,774 B2

**PATENT OWNER'S MANDATORY NOTICES
UNDER 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8, Patent Owner Serendia, LLC (“Patent Owner”) submits the following Mandatory Notices in response to the Petition for *Inter Partes* Review of U.S. Patent No. 9,775,774 (“’774 Patent”).

A. Real Parties-In-Interest (37 C.F.R. § 42.8(b)(1))

For purposes of 35 U.S.C. § 312(a)(2) and 37 C.F.R. § 42.8(b)(1), Patent Owner identifies Serendia, LLC as the real party-in-interest.

B. Notice of Related Matters (37 C.F.R. § 42.8(b)(2))

The ’774 Patent is the subject of pending *inter partes* review *Jeisys Medical, Inc. v. Serendia, LLC*, IPR2024-00383, filed on January 9, 2024 and instituted July 22, 2024. The ’774 Patent was also the subject of a previous IPR petition, *Cartessa Aesthetics, LLC v. Serendia, LLC*, IPR2022-00376, filed on December 28, 2021, in which institution was denied.

The ’774 Patent has been asserted in an investigation in the International Trade Commission, Inv. No. 337-TA-1356, filed on March 1, 2023 (“ITC Investigation”).

The ’774 Patent has also been asserted in the following court cases pending in the District of Delaware, filed on March 1, 2023:

- *Serendia, LLC v. Cynosure, LLC*, 1:23-cv-00223; and
- *Serendia, LLC v. EndyMed Medical, Inc.*, 1:23-cv-00224.

The district court actions above have been stayed pending outcome of the ITC Investigation.

Further, the '774 Patent was asserted in the following court cases:

- *Serendia, LLC v. Cutera, Inc.*, 1:23-cv-00222 (DDE), filed on March 1, 2023 and dismissed on April 3, 2024;
- *Serendia, LLC v. Lutronic Aesthetics, Inc.*, 1:23-cv-00225 (DDE), filed on March 1, 2023 and dismissed on January 22, 2024;
- *Serendia, LLC v. Rohrer Aesthetics, Inc.*, 1:23-cv-00226 (DDE), filed on March 1, 2023 and dismissed on October 20, 2023; and
- *SynKloud Technologies, LLC, et al. v. Cartessa Aesthetics, LLC*, 2:21-cv-4423 (EDNY), filed on August 6, 2021 and dismissed on November 21, 2023.

U.S. Patent Nos. 9,320,536 (“’536 Patent”) and 10,869,812 (“’812 Patent”) are related to the ’774 Patent and have been asserted in the following court cases, in addition to the court cases listed above: *SynKloud Technologies, LLC, et al. v. Aesthetics Biomedical, Inc.*, 2:22-cv-15 (DAZ), filed on January 4, 2022 and dismissed on November 21, 2023; and *SynKloud Technologies, LLC, et al. v. Sung Hwan E&B Co., LTD.*, 6:21-cv-811 (WDTX), filed on August 6, 2021 and dismissed on November 26, 2023. In addition, these two related patents have been the subject of four other IPR petitions:

- *Cartessa Aesthetics, LLC v. Serendia, LLC*, IPR2022-00378, filed on December 28, 2021, against the '536 Patent (institution denied);
- *Cartessa Aesthetics, LLC v. Serendia, LLC*, IPR2022-00377, filed on December 28, 2021, against the '812 Patent (institution denied);
- *Jeisys Medical, Inc. v. Serendia, LLC*, IPR2024-00384, filed on January 8, 2024, against the '536 Patent; and
- *Jeisys Medical, Inc. v. Serendia, LLC*, IPR2024-00463, filed on January 19, 2024, against the '812 Patent.

C. Designation of Lead and Backup Counsel (37 C.F.R. § 42.8(b)(3))

LEAD COUNSEL	BACKUP COUNSEL
Charles H. Sanders (Reg. No. 47,053) charles.sanders@lw.com <u>Postal & Hand-Delivery Address:</u> Latham & Watkins LLP 200 Clarendon Street Boston, MA 02116 Telephone: 617.948.6022 Fax: 617.948.6001	Kevin C. Wheeler (<i>pro hac vice</i> motion to be filed) kevin.wheeler@lw.com <u>Postal & Hand-Delivery Address:</u> Latham & Watkins LLP 555 Eleventh Street, NW, Ste. 1000 Washington, D.C. 20004-1304 Telephone: 202.637.3311 Fax: 202.637.2201
	Cecilia Peniza (<i>pro hac vice</i> motion to be filed) cecilia.peniza@lw.com <u>Postal & Hand-Delivery Address:</u> Latham & Watkins LLP 555 Eleventh Street, NW, Ste. 1000 Washington, D.C. 20004-1304 Telephone: 202.350.5331 Fax: 202.637.2201

Steven W. Peters (Reg. No. 73,193) steven.peters@lw.com <u>Postal & Hand-Delivery Address:</u> Latham & Watkins LLP 555 Eleventh Street, NW, Ste. 1000 Washington, D.C. 20004-1304 Telephone: 202.637.2398 Fax: 202.637.2201

D. Service of Information (37 C.F.R. § 42.8(b)(4))

Service of any documents via hand-delivery may be made at the postal mailing addresses of the respective lead and back-up counsel designated above. Patent Owner consents to electronic service at the email addresses listed above.

Respectfully submitted,

Dated: August 19, 2024

By: / Charles H. Sanders /

Charles H. Sanders (Reg. No. 47,053)
charles.sanders@lw.com
Latham & Watkins LLP
200 Clarendon Street
Boston, MA 02116
Telephone: 617.948.6000
Fax: 617.948.6001

*Counsel for Patent Owner
Serendia, LLC*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 19th day of August, 2024, a true and correct copy of the foregoing **Patent Owner's Mandatory Notices Under 37 C.F.R. § 42.8** was served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

Guy Yonay (Reg. No. 52,388)
Zeev Pearl (Reg. No. 60,234)
Kyle Auteri (Reg. No. 74,494)
Milo Eadan (Reg. No. 64,764)
Pearl Cohen Zedek Latzer Baratz LLP
7 Times Square Tower, 19th Fl.
New York, NY, 10036
Tel. 646-878-0808
facsimile: 646-878-0801
gyonay@pearlcohen.com
zpearl@pearlcohen.com
kauteri@pearlcohen.com
meadan@pearlcohen.com
endymed@pearlcohen.com

By: / Charles H. Sanders /

Charles H. Sanders (Reg. No. 47,053)
charles.sanders@lw.com
Latham & Watkins LLP
200 Clarendon Street
Boston, MA 02116
Telephone: 617.948.6000
Fax: 617.948.6001

*Counsel for Patent Owner
Serendia, LLC*