

UNITED STATES PATENT AND TRADEMARK OFFICE

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

SAMSUNG ELECTRONICS CO., LTD.;  
SAMSUNG ELECTRONICS AMERICA, INC.,  
Petitioner

v.

EMPIRE TECHNOLOGY DEVELOPMENT LLC,  
Patent Owner.

---

Case No. IPR2024-00897  
U.S. Patent No. 8,565,331

---

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

Pursuant to 37 C.F.R. § 42.8(a)(2), Petitioner Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Petitioner”) hereby files its Updated Mandatory Notices. This notice is being timely filed within 21 days of a change of the information listed in 37 C.F.R. §42.8(b)(3).

**A. Real Party-In-Interest**

Petitioner identifies the following real parties-in-interest: Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.

**B. Related Matters**

Patent Owner has asserted the '331 Patent against Petitioner in *Empire Technology Development LLC v. Samsung Electronics Co., Ltd., et al.*, Case No. 2:23-cv-00427 (E.D. Tex.).

**C. Counsel and Service Information - §§42.8(b)(3) and (4)**

| PETITIONER'S LEAD AND BACK-UP COUNSEL |                                                                                                                                                                                                  |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lead Counsel                          | William M. Fink (Reg. No. 72,332)<br>O'Melveny & Myers LLP<br>1625 Eye Street, NW<br>Washington, DC 20006<br>Telephone: (202) 383-5300<br>Fax: (202) 383-5414<br>Email: tfink@omm.com            |
| First Back-Up Counsel                 | Brian Cook (Reg. No. 59,356)<br>O'Melveny & Myers LLP<br>400 South Hope Street, 18th Floor<br>Los Angeles, CA 90071<br>Telephone: (213) 430-6000<br>Fax: (213) 430-6407<br>E-Mail: bcook@omm.com |

|                 |                                                                                                                                                                                                                |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Back-Up Counsel | Nicholas Whilt (Reg. No. 72,081)<br>O'Melveny & Myers LLP<br>400 South Hope Street, 18th Floor<br>Los Angeles, CA 90071<br>Telephone: (213) 430-6000<br>Fax: (213) 430-6407<br>Email: nwhilt@omm.com           |
| Back-Up Counsel | Benjamin M. Haber (Reg. No. 67,129)<br>O'Melveny & Myers LLP<br>400 South Hope Street, 18th Floor<br>Los Angeles, CA 90071<br>Telephone: (213) 430-6000<br>Fax: (213) 430-6407<br>Email: bhaber@omm.com        |
| Back-Up Counsel | Caitlin P. Hogan (Reg. No. 61,515)<br>O'Melveny & Myers LLP<br>1301 Avenue of the Americas, Suite 1700<br>New York, NY 10019<br>Telephone: (212) 326-2000<br>Fax: (212) 326-2061<br>Email: chogan@omm.com      |
| Back-Up Counsel | Marc J. Pensabene (Reg. No. 37,416)<br>O'Melveny & Myers LLP<br>1301 Avenue of the Americas, Suite 1700<br>New York, NY 10019<br>Telephone: (212) 326-2000<br>Fax: (212) 326-2061<br>Email: mpensabene@omm.com |
| Back-Up Counsel | Cameron W. Westin (Reg. No. 66,188)<br>O'Melveny & Myers LLP<br>610 Newport Center Drive, 17th Floor<br>Newport Beach, CA 92660<br>Telephone: (949) 823-6900<br>Fax: (949) 823-6994<br>Email: cwestin@omm.com  |

An updated Power of Attorney document is submitted with herewith.

Counsel for Petitioner consents to service of all documents via electronic mail.

## V. Conclusion

Petitioner believes that this submission fulfills the requirements of 37 C.F.R. § 42.8(a)(2). Please contact the undersigned counsel if any additional information is required.

Dated: June 20, 2024

Respectfully submitted,

/s/ William M. Fink

William M. Fink (Reg. No. 72,332)

O'Melveny & Myers LLP

1625 Eye Street, NW

Washington, DC 20006

Telephone: (202) 383-5300

Fax: (202) 383-5414

Email: [tfink@omm.com](mailto:tfink@omm.com)

Attorney for Petitioner

## **CERTIFICATE OF SERVICE**

I hereby certify that on June 20, 2024, I caused a true and correct copy of the foregoing PETITIONER'S UPDATED MANDATORY NOTICES PURSUANT TO 37 C.F.R. §42.8(a)(2) to be served electronically on counsel for Patent Owner at the following addresses:

Nathaniel Browand  
Milbank LLP  
55 Hudson Yards  
New York, NY 10001  
Email: nbrowand@milbank.com

Elizabeth L. DeRieux  
Capshaw Derieux, LLP  
114 East Commerce Avenue  
Gladewater, Texas 75647  
Email: ederieux@capshawlaw.com

Dated: June 20, 2024

Respectfully submitted,

/s/ William M. Fink  
William M. Fink (Reg. No. 72,332)  
O'Melveny & Myers LLP  
1625 Eye Street, NW  
Washington, DC 20006  
Telephone: (202) 383-5300  
Fax: (202) 383-5414  
Email: tfink@omm.com  
Attorney for Petitioner