UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NIKE, INC.,

Petitioner

v.

SHERRYWEAR LLC,

Patent Owner.

Case No. IPR2024-01124

U.S. Patent No. 9,723,878

PETITIONER'S UPDATED MANDATORY NOTICES

Nike, Inc. ("Petitioner") hereby updates its mandatory notices pursuant to 37 C.F.R. § 42.8(a)(3).

As Petitioner noted in its initial mandatory notices, the patent at issue in the Petition—U.S. Patent No. 9,723,878 (the "'878 patent")—was asserted in District Court action *SherryWear, LLC, v. Nike, Inc.*, No. 1:23-cv-11599 (D. Mass) ("the MA Litigation"). On July 25, 2024, Petitioner moved to stay the MA Litigation in light of Petitioner's IPR Petitions.[1] On September 3, 2024, the Court granted Petitioner's motion to stay the MA Litigation. The Court's Order is attached as NIKE-1053. The MA Litigation is therefore "STAYED pending resolution of the IPR petitions." NIKE-1053 at 4.

Date: October 29, 2024

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[1] Petitioner filed IPR Petitions on every patent asserted in the MA Litigation, including the '878 patent. *See* IPR2024-01122, IPR2024-01123, IPR2024-01124, IPR2024-01125, IPR2024-01126, IPR2024-01127, IPR2024-01128, IPR2024-01129.

CERTIFICATION OF SERVICE

In compliance with 37 C.F.R. §§ 42.105, 42.6(e), the undersigned hereby certifies that a copy of the foregoing "PETITIONER'S UPDATED MANDATORY NOTICES" was sent electronically on October 29, 2024, directed to counsel of the Patent Owner at mdrayton@caldwelllaw.com, jameson@caldwelllaw.com, and tanner@caldwelllaw.com.

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