UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NATIONAL BEEF PACKING COMPANY, LLC,
Petitioner,

v.

INSTITUTE FOR ENVIRONMENTAL HEALTH, INC.,
Patent Owner.

Case IPR2024-01156
Patent 9,845,486

PETITIONER'S UPDATED EXHIBIT LIST

Pursuant to 37 C.F.R. § 42.63(e), Petitioner National Beef Packing Company, LLC hereby submits a current listing of Petitioner's exhibits. New Exhibit 1035 is being filed and served today.

Exhibit	Description
1001	U.S. Patent No. 9,845,486 B2 ("the '486 Patent") to Samadpour, titled "Enrichment Methods for the Detection of Pathogens and Other Microbes"
1002	Complaint for Patent Infringement, *Inst. for Envtl. Health, Inc. v. Nat'l Beef Packing Co., LLC*, No. 1:23-cv-00826 (D. Del. Aug. 1, 2023)
1003	Prosecution History for U.S. Provisional Patent Appl. No. 60/470,975
1004	U.S. Patent No. 7,531,163 B2 ("the '163 Patent") to Samadpour, titled "Enrichment Methods for the Detection of Pathogens and Other Microbes"
1005	Prosecution History for U.S. Patent Appl. No. 10/848,253, which issued as the '163 Patent
1006	Prosecution History for U.S. Patent Appl. No. 12/360,646, which issued as the '486 Patent
1007	U.S. Patent No. 10,724,068 B2 ("the '068 Patent") to Samadpour, titled "Enrichment Methods for the Detection of Pathogens and Other Microbes"
1008	Prosecution History for U.S. Patent Appl. No. 15/844,407, which issued as the '068 Patent
1009	Judith M. Anderson & A.C. Baird-Parker, "A Rapid and Direct Plate Method for Enumerating *Escherichia Coli* biotype I in Food," J. Appl. Bact., vol. 39, no. 2, pages 111-117 (October 1975) ("Anderson")

Exhibit	Description
1010	M. K. Rayman et al., "ICMSF methods studies. XIII. An international comparative study of the MPN procedure and the Anderson–Baird-Parker direct plating method for the enumeration of *Escherichia coli* biotype I in raw meats," Can. J. Microbiol., vol. 25, no. 11, pages 1321-1327 (November 1979) ("Rayman")
1011	"An Evaluation of the Role of Microbiological Criteria for Foods and Food Ingredients," U.S. National Research Council, Food Protection Committee, Subcommittee on Microbiological Criteria, National Academy Press, Appendix (1985) ("NRC")
1012	European Patent Application Publication No. EP 1,253,203 A1 to Nagar et al., which was published on October 30, 2002 ("Nagar")
1013	"Microorganisms in Foods 2: Sampling for Microbiological Analysis: Principles and Specific Applications," Int'l Comm'n on Microbiological Spec's for Foods (ICMSF), Univ. Toronto Press, Chapters 2-4, 6, 9, 11-13, 15, 16, 24, Glossary (2nd ed. 1986) ("ICMSF 1986") or ("ICMSF 2")
1014	"Microorganisms in Foods 7: Microbiological Testing in Food Safety Management," Int'l Comm'n on Microbiological Spec's for Foods, Kluwer Academic/Plenum Publishers, Chapters 6, 10, 12, 15–17 (2002) ("ICMSF 2002"), ("ICMSF 7), or ("ICMSF")
1015	International Publication No. WO 94/21816 to Hird et al., which was published on September 29, 1994 ("Hird")
1016	International Publication No. WO 01/12853 A1 to Karlsen, which was published on February 22, 2001 ("Karlsen")
1017	Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems; Final Rule, 61 Fed. Reg. 38805 (July 25, 1996) (codified at 9 CFR Part 304, et al.) ("PR/HACCP") or ("MegaReg")

Exhibit	Description
1018	U.S. Food & Drug Admin., "Bacteriological Analytical Manual," Table of Contents, Introduction, About the Bacteriological Analytical Manual, Chapters 1, 4, 4A, 5, 10, Appendix 1 (April 2003) ("BAM 2003")
1019	U.S. Dept. of Agric. Food Safety and Inspection Service (FSIS), "Microbiology Laboratory Guidebook," Table of Contents, Cover, Foreword, General Considerations, Chapters 4, 5.03, 8.03 (April 2003) ("MLG 2003") or ("MLG")
1020	Expert Declaration of James S. Dickson, Ph.D.
1021	Curriculum Vitae of James S. Dickson, Ph.D.
1022	Expert Declaration of James L. Mullins, Ph.D. ("Mullins Decl.")
1023	Mullins Decl. Appendix A - Curriculum Vitae of James L. Mullins, Ph.D.
1024	Mullins Decl. Appendices A-1, A-2, A-3, and A-4
1025	Mullins Decl. Appendices B-1, B-2, B-3, and B-4
1026	Mullins Decl. Appendices C-1, C-2, C-3, and C-4
1027	Mullins Decl. Appendices D-1, D-2, and D-3
1028	Mullins Decl. Appendices E-1, E-2, E-3, and E-4
1029	Mullins Decl. Appendices F-1, F-2, F-3, F-4, and F-5
1030	Mullins Decl. Appendices G-1, G-2, G-3, G-4, and G-5
1031	Federal Court Management Statistics, District of Delaware (Reporting Period End Date: Dec. 31, 2023), available at https://www.uscourts.gov/statistics/table/na/federal-court-management-statistics/2023/12/31-1, (last visited June 19, 2024)
1032	Declaration of Kevin B. Laurence

Exhibit	Description
1033	Proposed Scheduling Order, *Inst. for Envtl. Health, Inc. v. Nat'l Beef Packing Co., LLC*, No. 1:23-cv-00826 (D. Del. May 16, 2024)
1034	Robert O. Elder et al., "Correlation of enterohemorrhagic *Escherichia coli O157* prevalence in feces, hides, and carcasses of beef cattle during processing," Proc. Natl. Acad. Sci., vol. 97, no. 7, pages 2999-3003 (March 2000) ("Elder")
1035	Email to IEH presenting *Sotera* stipulation on Dec. 3, 2024

2024 Dec. 20

/Kevin B. Laurence/
Kevin B. Laurence
Registration No. 38,219

CERTIFICATE OF SERVICE

I certify that on December 20, 2024, copies of the foregoing PETITIONER'S UPDATED EXHIBIT LIST and all documents filed with it were served via email to counsel for the Patent Owner, as agreed to by counsel, upon the following counsel for the Patent Owner:

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