

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AVATION MEDICAL, INC.,

Petitioner,

v.

EMKINETICS, INC.,

Patent Owner

Review No. IPR2024-01378

U.S. Patent No. 9,002,477

PATENT OWNER'S MANDATORY NOTICES

Pursuant to 37 C.F.R. § 42.8, Patent Owner, EMKinetics, Inc. (“Patent Owner”), hereby submits the following Mandatory Notices in response to the Petition for *Inter Partes* Review of U.S. Patent No. 9,002,477 (“’477 Patent”).

1. Real Party-In-Interest under 37 CFR § 42.8(b)(1)

EMKinetics, Inc. is the Patent Owner and the Real Party-In-Interest in this proceeding.

2. Related Matters under 37 CFR § 42.8(b)(2)

The matters listed below might affect, or be affected by, a decision in this proceeding pursuant to 37 C.F.R. § 42.8(b)(2):

EMKinetics, Inc. has asserted the ’477 patent against Petitioner in *Avation Medical, Inc. v. EMKinetics, Inc.*, U.S. District Court for the Northern District of California, Case No. 4:24-cv-01702-JST (“NDCA Litigation”). EMKinetics, Inc. also asserted U.S. Patent No. 11,224,742 (“’742 Patent”) and U.S. Patent No. 11,844,943 (“’943 Patent”) against Petitioner in the NDCA Litigation.

The ’742 and ’943 Patents claim priority to the same application(s) as the ’477 Patent. The ’742 Patent is currently the subject of IPR2024-01375, filed by Petitioner on September 3, 2024. The ’943 Patent is currently the subject of PGR2024-00043, filed by Petitioner on July 1, 2024.

3. Lead and Back-Up Counsel under 37 CFR § 42.8(b)(3)

The Patent Owner designates the following lead and back-up counsel:

Lead Counsel	Backup Counsel
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4. Service Information under 37 CFR § 42.8(b)(4)(i) *et seq.*

Please address all correspondence and service to counsel as listed above.

Patent Owner consents to service by email at **dave@gerasimowlaw.com**.

Respectfully submitted,

Date: September 26, 2024

/David Gerasimow/
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on September 26, 2024, a complete and entire copy of this Patent Owner's Mandatory Notices was provided via email to the Petitioner by serving the email correspondence addresses of record as follows:

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Date: September 26, 2024

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