

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ETN CAPITAL, LLC, d/b/a BEECH LANE,

Petitioner

v.

FBA OPERATING CO.,

Patent Owner

Case No. IPR2024-01445

Patent No. 10,890,925

**PATENT OWNER'S RESPONSE TO THE PATENT TRIAL AND APPEAL BOARD'S
ORDER TO SHOW CAUSE**

Patent Owner apologizes to the Board that it failed to timely file the documents sought via email on February 7, 2025. Accompanying this filing is a revised mandatory notice that: (1) identifies each real party-in-interest; (2) identifies any other judicial or administrative matter that would affect, or be affected by, a decision in the proceeding; (3) identifies lead and back-up counsel; and (4) identifies service information. This revised mandatory notice is believed to be fully compliant with 37 C.F.R. § 42.8. In addition, a revised power of attorney is included with this response, which now complies with 37 C.F.R. § 1.32(b)(4) and includes the required signature of the Patent Owner.

The delay in filing these documents was the result of an inadvertent clerical error. Upon receiving the Board's February 7, 2025 email, counsel took immediate steps to address the identified deficiencies. However, due to a docketing oversight, no response deadline was entered, preventing the process from being completed, including obtaining the necessary signed Power of Attorney and submitting the revised mandatory notice.

Patent Owner regrets any inconvenience this may have caused the Board and any impression that this matter was not taken seriously. To the contrary, counsel remains fully committed to fulfilling all obligations in this proceeding, including strict compliance with 37 C.F.R. § 42.8 and 37 C.F.R. § 1.32.

Patent Owner respectfully appreciates the Board's understanding.

Dated: February 20, 2025
New York, New York

Respectfully submitted,

/Paul L. Fraulo/
Serge Krimnus, Esq. (Reg. No. 66,392)
Paul L. Fraulo, Esq. (Reg. No. 72,121)
Thomas H. Stanton, Esq. (Reg. No. 75,808)
Bochner PLLC
1040 Avenue of the Americas,
15th Floor
New York, NY 10018
Telephone: (646) 971-0685
serge@bochner.law
paul@bochner.law
tstanton@bochner.law

Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2025, I caused a true and correct copy of the foregoing Patent Owner's Response To The Patent Trial And Appeal Board's Order To Show Cause to be served via electronic mail upon the following attorneys of record for the Petitioner:

David Bennet
David D. Kalish
1400 Crescent Green, Suite 300
Cary, North Carolina 27518

dbennett@coatsandbennett.com

kalish@coatsandbennet.com

/Paul L. Fraulo/

Paul L. Fraulo, Esq.

Counsel for Patent Owner