

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOUGHBUILT INDUSTRIES, INC.,
Petitioner

v.

MERIDIAN INTERNATIONAL CO., LTD.,
Patent Owner

Case IPR2025-01461
U.S. Patent No. 11,986,946

**PETITIONER'S NOTICE OF INTENT TO DESIGNATE A
PROVISIONALLY RECOGNIZED PTAB ATTORNEY AS BACK-UP
COUNSEL UNDER 37 C.F.R. § 42.10(c)**

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PETITIONER’S UPDATED EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 11,986,946 B2 to Zhang et al., issued May 21, 2024 (“the ’946 patent”)
1002	File History of U.S. Patent No. 11,986,946
1003	Declaration of J. Michael McCarthy, Ph.D. in Support of Petition for <i>Inter Partes</i> Review of U.S. Patent No. 11,986,946
1004	<i>Curriculum Vitae</i> of J. Michael McCarthy, Ph.D.
1005	Chinese Patent Application No. 202210212862.5, filed March 4, 2022
1006	Chinese Patent Application No. 202320135456.3, filed January 13, 2023
1007	U.S. Patent Application Publication No. 2022/0396985 A1 to Li et al., published December 15, 2022 (“Li”)
1008	U.S. Patent Application Publication No. 2020/0329837 A1 to Burchia, published October 22, 2020 (“Burchia”)
1009	U.S. Patent Application Publication No. 2023/0340804 A1 to Hammond et al., published October 26, 2023 (“Hammond”)
1010	PCT Publication No. WO 2021/150410 A1 to Hammond et al., published July 29, 2021 (“Hammond PCT”)
1011	U.S. Patent Application Publication No. 2021/0221561 A1 to Davidian et al., published July 22, 2021 (“Davidian”)
1012	U.S. Patent Application Publication No. 2020/0298392 A1 to Baruch et al., published September 24, 2020 (“Baruch”)
1013	“Standard Handbook of Machine Design” by Shigley – 2 nd Edition
1014	“University Physics Volume 1” Ling et al. (OpenStax)

Exhibit No.	Description
1015	Declaration of Timothy L. Tang
1016	U.S. Patent No. 5,934,466 to Loeffler, issued August 10, 1999 (“Loeffler”)
1017	U.S. Patent Application Publication No. 2003/0094392 A1 to Meier et al., published May 22, 2003 (“Meier”)
1018	U.S. Patent Application Publication No. 2019/0291922 A1 to Gonitiner et al., published September 26, 2019 (“Gonitiner922”)
1019	U.S. Patent Application Publication No. 2019/0002004 to Brunner, published January 3, 2019 (“Brunner”)
1020	U.S. Patent No. 9,725,209 B1 to Ben-Gigi, issued August 8, 2017 (“Ben-Gigi”)
1021	U.S. Patent Application Publication No. 2023/0238755 A1 to Shabtai et al., published July 27, 2023 (“Shabtai”)
1022	U.S. Patent Application Publication No. 2020/0165036 to Squiers et al., published May 28, 2020 (“Squiers”)
1023	U.S. Patent Application Publication No. 2019/0315515 A1 to Gonitiner et al., published September 26, 2019 (“Gonitiner515”)
1024	Non-Infringement and Invalidity Report of J. Michael McCarthy, Ph.D., <i>Meridian Int’l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.)
1025	ToughBuilt – Opening Claim Construction Brief [91], <i>Meridian Int’l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jun. 9, 2025)
1026	Meridian – Opening Claim Construction Brief [92], <i>Meridian Int’l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jun. 9, 2025)

Exhibit No.	Description
1027	ToughBuilt – Responsive Claim Construction Brief [94], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jun. 23, 2025)
1028	Meridian – Responsive Claim Construction Brief [95], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jun. 23, 2025)
1029	ToughBuilt – Post-Hearing Claim Construction Brief [102], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jul. 15, 2025)
1030	Meridian – Post-Hearing Claim Construction Brief [103], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jul. 15, 2025)
1031	Defendant’s Notice of Inter Partes Reviews and Stipulation Regarding Invalidity Contentions as to U.S. Patent Nos. 11,986,946 and 11,192,689 [116], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) with Notice of Electronic Filing Dated Sept. 5, 2025
1032	Order on Motion to Stay Case Pending <i>Inter Partes</i> Reviews, <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Case No. 8:24-cv-01840-JWH-JDE (C.D. Cal. September 25, 2025).
1033	File History of U.S. Appl. No. 18/176,907
1034	USPTO - Multi-Step U.S. Patent Search Strategy <i>available at</i> https://www.uspto.gov/patents/search/patent-search-strategy
1035	Complaint for Patent Infringement, <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal. August 21, 2024)
1036	<i>Intentionally Left Blank</i>

Exhibit No.	Description
1037	Declaration of Tony Kriz, <i>Meridian Int’l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal. August 26, 2024)
1038	Memorandum of Points and Authorities in Support of Plaintiff’s Motion for Preliminary Injunction, <i>Meridian Int’l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal. August 26, 2024)
1039	Plaintiff Meridian Int’l Co. Ltd.’s Infringement Contentions
1040	<i>ToughBuilt Industries, Inc. v. Meridian Int’l Co., Ltd.</i> , IPR2025-01462, Petition, Paper 2 (PTAB August 28, 2025)
1041	<i>ToughBuilt Industries, Inc. v. Meridian Int’l Co., Ltd.</i> , IPR2025-01462, Petitioner’s Opposition to Patent Owner’s Request for Discretionary Denial, Paper 11 (PTAB December 9, 2025)
1042	Thesaurus.com – “part” <i>available at</i> https://www.thesaurus.com/browse/part
1043	Declaration of William H. Milliken in Support of Admission <i>Pro Hac Vice</i>

Pursuant to 37 C.F.R. § 42.10(c), Petitioner ToughBuilt Industries, Inc.

(“Petitioner”) hereby gives notice of its intent to designate provisionally recognized PTAB attorney William H. Milliken as its back-up counsel in this proceeding.

Pursuant to 37 C.F.R. § 42.10(c)(2)(ii)(B), this Notice is accompanied by the Declaration of William H. Milliken (Exhibit 1043), in which Mr. Milliken attests to satisfying all requirements set forth by the Board for *pro hac vice* recognition of a provisionally recognized PTAB attorney and agrees to be subject to the USPTO Rules of Professional Conduct set forth in §§ 11.101 *et seq.* of Title 37 of the Code of Federal Regulations and disciplinary jurisdiction under § 11.19(a) of the same.

I. STATEMENT OF FACTS SHOWING MR. MILLIKEN’S ELIGIBILITY FOR AUTOMATIC *PRO HAC VICE* ADMISSION AS BACK-UP COUNSEL

In accordance with 37 C.F.R. § 42.10(c), a party may designate as back-up counsel during a proceeding “[a]ny counsel who is not a registered practitioner, who has been previously recognized *pro hac vice* in a Board proceeding, and who has not subsequently been denied permission to appear *pro hac vice* in a Board proceeding.” 37 C.F.R. § 42.10(c)(2)(i).

Petitioner sets forth these facts in support of this Notice:

1. Lead counsel for Petitioner in this matter, Richard M. Bembien, is a registered practitioner (Reg. No. 68,658).

2. The most recent prior proceeding in which Mr. Milliken was recognized *pro hac vice* by order of the Patent Trial and Appeal Board pursuant to a motion of the type described in 37 C.F.R. § 42.10(c)(1) was IPR2022-00743. EX1043, ¶7. Mr. Milliken has never been denied permission to appear *pro hac vice* in a Board proceeding. *Id.* Petitioner is concurrently filing of a Notice of Intent to Designate Mr. Milliken as back-up counsel in related proceeding IPR2025-01462.

3. Accompanying this Notice is Exhibit 1043, the Declaration of William H. Milliken in Support of Admission *Pro Hac Vice* in this proceeding. In his Declaration, Mr. Milliken attests, among other things, that he satisfies all requirements of the Board for automatic admission *pro hac vice*.

See EX1043, *generally*; Paper 3 at 5-6; 37 C.F.R. 42.10(c)(2).

II. CONCLUSION

For the foregoing reasons, Petitioner gives notice that it intends to designate provisionally recognized PTAB attorney William H. Milliken as back-up counsel in this proceeding.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Richard M. Bemben/

Richard M. Bemben
Registration No. 68,658
Lead Attorney for Petitioner

Date: April 17, 2026

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PETITIONER'S NOTICE OF INTENT TO DESIGNATE A PROVISIONALLY RECOGNIZED PTAB ATTORNEY AS BACK-UP COUNSEL UNDER 37 C.F.R. § 42.10(c)** and Exhibit 1043 were served in their entireties on April 17, 2026, upon the following parties via electronic mail:

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Ann G. Fort (Back-up Counsel)
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Respectfully submitted,

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Date: April 17, 2026

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