UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MULTI-COLOR CORPORATION

Petitioner

v.

BROOK & WHITTLE LIMITED

Patent Owner

PGR2025-00025
Patent No. 11,961,422

PATENT OWNER'S NOTICE OF INTENT TO DESIGNATE A PROVISIONALLY RECOGNIZED PTAB ATTORNEY AS BACK-UP COUNSEL

EX	DESCRIPTION
2001	"Going for Gold," Multi-Color Corporation, available at https://www.mcclabel.com/en/resources/going-for-gold
2002	"NESCAFÉ® Debuts Gold Espresso and Ice Roast Instant Coffee in the U.S., Offering Rich Variety for Every Occasion," Nestle, April 3, 2024, available at https://www.nestleusa.com/media/pressreleases/gold-espresso-ice-instant-coffee
2003	recycLABEL™ Shrink Sleeve brochure, Multi-Color Corporation
2004	"Labeled with Care – Sustainability Update," Multi-Color Corporation, available at https://issuu.com/mcclabel/docs/mcc_2024_sustainability_update?fr=sOTFjMjY0MTE4OTQ
2005	"Nestlé to use recyclable, light-blocking shrink sleeves on some beverage products," Packaging Dive, April 17, 2024, available at https://www.packagingdive.com/news/nestle-recyclable-shrink-sleeve-label-light-blocking/713427/
2006	*Brook + Whittle LTD v. Nestle USA, Inc. et al.*, 2:24-cv-00735-JRG-RSP, Docket Report, generated May 13, 2025
2007	*Brook + Whittle LTD v. Nestle USA, Inc. et al.*, 2:24-cv-00735-JRG-RSP, D.I. 16 (Docket Control Order)
2008	*Brook + Whittle LTD v. Nestle USA, Inc. et al.*, 2:24-cv-00735-JRG-RSP, D.I. 50 (Defendants' Unopposed Motion for Leave to Supplement Invalidity Contentions Under P.R. 3-6(b))
2009	*Brook + Whittle LTD v. Nestle USA, Inc. et al.*, 2:24-cv-00735-JRG-RSP, D.I. 51 (Order granting D.I. 50)
2010	Deposition Transcript of Mr. Craig Bushman
2011	Deposition Transcript of Dr. Michael Deible
2012	Declaration of Dr. Maureen Reitman
2013	Declaration of Dr. Scott Phillips
2014	"Gatorade and Cheetos are Among the Pepsi Products Getting a Natural Dye Makeover," NY Post
2015	"Can I Drink Gatorade Past the Best Before Date on the Bottle," PepsiCo
2016	US Patent Application No. 2025/0273094
2017	"Nesquik Makes Bottles Easier to Recycle for Consumers," Nestle
2018	Email from A. Leonard (Nestle) to S. Figueroa (B+W)
2019	PACKAGING EUROPE, *Winners of the Sustainability Awards 2024 Announced!*, (Nov. 14, 2024).

EX	DESCRIPTION
2020	PACKAGING EUROPE, *Sustainability Awards 2024 Finalist Interview: Brook+Whittle's Recyclable, Light-Blocking Shrink Sleeve*, (Sept. 24, 2024).
2021	*AWA Sleeve Label Awards 2024 - Winners* (October 28, 2024)
2022	US Plastics Pact 2023 LinkedIn Post
2023	US Plastics Pact 2024 LinkedIn Post
2024	*Brook + Whittle LTD v. Nestle USA, Inc. et al.*, 2:24-cv-00735-JRG-RSP, Dkt. 1 (Complaint)
2025	*Brook + Whittle LTD v. Nestle USA, Inc. et al.*, 2:24-cv-00735-JRG-RSP, Dkt. 1, Ex B (Claim Chart)
2026	PET-S-09, Evaluation of PET Plaques for Color, Haze and Inclusions
2027	US Patent Application No. 18/667,677 September 3 Remarks
2028	US Patent Application No. 18/667,677 October 24 Final Rejection
2029	"Heat Treatment Impacts on Film Morphology in Biaxially Oriented Polypropylene Films," Kivilcim, Fadime Nulufer, *Food Sci. & Nut.*
2030	"The Amazing Shrink Inks," Packaging Impressions
2031	"Wrinkling-to-delamination Transition in Thin Polymer Films on Compliant Substrates," Nolte, Adam J., *Soft Matter*, 2017
2032	"Review Article: Stress in Thin Films and Coatings: Current Status, Challenges, and Prospects," Abadias, Gregory, *J. Vac. Sci. Technol.* 2018
2033	"Product Decoration Technologies: Sleeving," Finishing & Embellishment
2034	"Brook + Whittle's GreenLabel BlockOut Receives Important Recyclability Recognition and Prequalification," Brook + Whittle
2035	"MCC Receives APR Recognition for recycLabel Roll-Fed Label on PET Bottles," MultiColor Corp
2036	"Trap (printing)," Grokipedia
2037	*Brook + Whittle LTD v. Nestle USA, Inc. et al.*, 2:24-cv-00735-JRG-RSP, Dkt. 112, Claim Construction Order
2038	Plastics Forming Enterprises LLC, Laboratory Report #2467 APR PET Benchmark
2039	Declaration of Steven Dirks in support of Admission *Pro Hac Vice*
2040	Declaration of Tera Jo Stone in support of Admission *Pro Hac Vice*
2041	Declaration of Kelly Tripathi in support of Admission *Pro Hac Vice*
2042	Deposition Transcript of Dr. Michael Deible, dated July 16, 2026
2043	Deposition Transcript of Dr. Craig Bushman, dated July 20, 2026

EX	DESCRIPTION
2044	Declaration of Andy Sharp (served only)
2045	"The Multi-Color Sustainability Roadmap," MultiColor Corp (Ex. A, July 20, 2026 Deposition Transcript of Bushman), *available at* https://www.mcclabel.com/en/resources/personal-care-beauty-sustainability-roadmap
2046	"APR Recognition for HDPE Containers" MultiColor Corp (Ex. B, July 20, 2026 Deposition Transcript of Bushman)
2047	PET-S-08, PET Flake Clumping Evaluation (Ex. C, July 20, 2026 Deposition Transcript of Bushman)
2048	February 14, 2020 Letter from APR (Ex. D, July 20, 2026 Deposition Transcript of Bushman)
2049	Certification of Brandon H. Brown in support of Patent Owner's Notice of Intent to Designate a Provisionally Recognized PTAB Attorney As Back-Up Counsel

Under 37 C.F.R. § 42.10(c)(2), Patent Owner Brook + Whittle, Ltd. ("B+W") hereby submits this notice of intent to designate Brandon H. Brown, a provisionally recognized PTAB attorney, under in the present post grant review so that he may be appointed back up counsel for Brook + Whittle, Ltd.

Registered practitioner W. Todd Baker (Reg. No. 45,265) is serving as lead counsel for Petitioner in this proceeding. *See* Paper 3. The most recent prior proceeding in which Mr. Brown was recognized *pro hac vice* by order of the Board, pursuant to a motion of the type described in 37 C.F.R. §42.10(c)(1), was IPR2020-00539 (Paper 19, Nov. 25, 2020). Filed herewith is a certification in the form of a declaration in which Mr. Brown attests to satisfying all requirements set forth in 37 C.F.R. § 42.10(c)(2). A power of attorney from Patent Owner to Mr. Brown was filed in this proceeding on August 5, 2026. *See* Paper 67.

Date: August 5, 2026

Respectfully submitted,

/s/ W. Todd Baker

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a complete copy of the foregoing document was served on August 5, 2026 on counsel of record for the Petitioner via email to the following address:

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Louis H. Sitler	lsitler@whe-law.com

Date: August 5, 2026

/s/ W. Todd Baker
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