

Filed: December 6, 2018

Filed on behalf of:

Fisher & Paykel Healthcare Limited

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RESMED LIMITED, RESMED INC., AND RESMED CORP.,
Petitioners,

v.

FISHER & PAYKEL HEALTHCARE LIMITED,
Patent Owner.

Case No. IPR2019-00179

Patent No. 9,333,315

PATENT OWNER FISHER & PAYKEL HEALTHCARE LIMITED
MANDATORY NOTICES

Pursuant to 37 C.F.R. § 42.8(a), Patent Owner Fisher & Paykel Healthcare Limited (“Fisher & Paykel”) submits the following required mandatory notice information.

I. Real Party-in-Interest Pursuant to 37 C.F.R. § 42.8(b)(1)

Fisher & Paykel Healthcare Limited is the real party-in-interest for Patent Owner.

II. Related Matters Pursuant to 37 C.F.R. § 42.8(b)(2)

The following judicial and/or administrative proceedings could affect, or be affected by, a decision in this proceeding:

- U.S. Patent No. 9,333,315 (“the ’315 patent”) is the subject of a pending action in the U.S. International Trade Commission, captioned *In the Matter of Certain Obstructive Sleep Apnea Treatment Mask Systems and Components Thereof*, Inv. No. 337-TA-1136 (USITC).

Fisher & Paykel and ResMed Corp. are currently involved in a pending litigation in the Southern District of California involving other patents. *See Fisher & Paykel Healthcare Ltd. v. ResMed Corp.*, Case No. 3:16-cv-02068-DMS-WVG (S.D. Cal.). The parties are also currently involved in several pending IPRs before the Board related to other patents involving the pending litigation, however, these proceedings do not involve the ’315 patent.

III. Lead and Back-Up Counsel Pursuant to 37 C.F.R. § 42.8(b)(3)

Fisher & Paykel provides the following designation of counsel:

Lead Counsel	Back-Up Counsel
Douglas G. Muehlhauser (Reg. No. 42,018) 2dgm@knobbe.com <u>Postal and Hand-Delivery Address:</u> Knobbe, Martens, Olson & Bear, LLP 2040 Main Street, 14th Floor Irvine, CA 92614 Telephone: (949) 760-0404 Facsimile: (949) 760-9502	Benjamin J. Everton (Reg. No. 60,659) 2bjc@knobbe.com <u>Postal and Hand-Delivery Address:</u> Knobbe, Martens, Olson & Bear, LLP 2040 Main Street, 14th Floor Irvine, CA 92614 Telephone: (949) 760-0404 Facsimile: (949) 760-9502

IV. Service Information Pursuant to 37 C.F.R. § 42.8(b)(4)

Fisher & Paykel consents to electronic service using the following email addresses: BoxFPH892-5@knobbe.com.

Fisher & Paykel may be served by overnight or hand delivery as follows:

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ResMed v. Fisher & Paykel
U.S. Patent No. 9,333,315 - IPR2019-00179

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 6, 2018

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CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e)(1) and agreement of the parties, a true and correct copy of the foregoing **PATENT OWNER FISHER & PAYKEL HEALTHCARE LIMITED MANDATORY NOTICES** is being served via email on December 6, 2018 to counsel for **ResMed Limited, ResMed Inc., and ResMed Corp.**, at the email addresses below:

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