

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TELEBRANDS CORP.,  
Petitioner

v.

TINNUS ENTERPRISES, LLC,  
Patent Owner

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Case PGR2017-00040  
U.S. Patent 9,682,789

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**PATENT OWNER'S UPDATED MANDATORY NOTICES  
PURSUANT TO 37 C.F.R. § 42.8(a)(3)**

***Mail Stop "PATENT BOARD"***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Patent Owner, Tinnus Enterprises, LLC, hereby files its Updated Mandatory Notices Pursuant to 37 C.F.R. § 42.8(a)(3) to update litigation proceedings and related matters.

## **I. RELATED MATTERS**

### **A. Related Applications Before the USPTO Involving the Patent-at-Issue**

Patent Owner notifies the Board of the following update in prosecution matters involving U.S. Patents commonly-owned with U.S. Pat. No. 9,682,789 (the “’789 patent”), which may affect or be affected by a decision in this proceeding:

- The USPTO issued a Notice of Allowance for U.S. application serial no. 15/613,037 (the “’037 application”) on January 25, 2018. Like the ’789 patent, the ’037 application claims priority under 35 U.S.C. §120 to application serial no. 14/492,487, which issued as related U.S. Patent No. 9,051,066. The Examiner specifically addresses issues presented in PGR2017-00040 petition and in Dr. Kamrin’s declaration (Ex. 1021).

### **B. Litigation Involving the Patent-at-Issue**

Patent Owner also notifies the Board of the following updates in the litigation proceedings involving U.S. Patents commonly-owned with the ’789 patent, which may affect or be affected by a decision in this proceeding.

The following actions/proceedings involve related U.S. Patent Nos. 9,051,066; 9,242,749; 9,315,282; 9,527,612, 9,682,789; and/or 9,533,779:

- *Tinnus Enterprises, LLC v. Telebrands Corporation*, No. 2017-1175 (Fed. Cir. January 16, 2018) (Rule 36 judgment affirming the district court’s preliminary injunction against Telebrands in Case Nos. 6:16-cv-00033-RWS-JDL and 6:16-cv-00034).
- *Tinnus Enterprises, LLC v. Telebrands Corporation*, No. 2017-1760 (Fed. Cir. January 16, 2018) (Rule 36 judgment affirming the district court’s preliminary injunction against Telebrands and denial of Telebrands’ motion for reconsideration in Case Nos. 6:16-cv-00033-RWS-JDL and 6:16-cv-00034).
- *Tinnus Enterprises, LLC v. Telebrands Corporation*, No. 2017-1811 (Fed. Cir. January 16, 2018) (Rule 36 judgment affirming the district court’s preliminary injunction against the retailer defendants in Case Nos. 6:16-cv-00033-RWS-JDL and 6:16-cv-00034).
  - Note: The above three appeals were consolidated, with No. 2017-1175 being designated the lead appeal.
- *Tinnus Enterprises, LLC v. Telebrands Corporation*, No. 2017-2194 (Fed. Cir. January 16, 2018) (Rule 36 judgment affirming the district court’s preliminary injunction against Telebrands and denial of Telebrands’ motion for reconsideration in Case No. 6:17-cv-00170-RWS-JDL).

Date: January 31, 2018

Respectfully submitted,  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jonathan Tuminaro/

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

The undersigned hereby certifies that the foregoing **PATENT OWNER'S  
UPDATED MANDATORY NOTICES PURSUANT TO 37 C.F.R. § 42.8(a)(3)**  
was served in their entirety electronically via e-mail on January 31, 2018 to the  
following counsel of record for Petitioner:

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Date: January 31, 2018

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