

Filed on behalf of:

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By: Brenton R. Babcock

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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. IPR2016-01719

U.S. Patent No. 6,398,197

**PATENT OWNER SUBMISSION OF
MANDATORY NOTICE INFORMATION
PURSUANT TO 37 C.F.R. § 42.8(a)**

Pursuant to 37 C.F.R. § 42.8(a), Patent Owner Fisher & Paykel Healthcare Limited 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 patent owner and real-party-in-interest.

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

Patent owner identifies the following related judicial and/or administrative proceedings that could affect, or be affected by, a decision in this proceeding:

- Petitioners filed a civil action challenging the validity of U.S. Patent No. 6,398,197 (“the ’197 patent”) on August 16, 2016 in the United States District Court for the Southern District of California entitled *ResMed Inc., et al. v. Fisher & Paykel Healthcare Corporation Limited, Fisher & Paykel Healthcare Limited, et al.*, Case No. 3:16-cv-02072-JAH-MDD. Petitioners later dismissed this civil action without prejudice on August 18, 2016.
- Patent Owner filed a separate civil action on August 16, 2016 in United States District Court for the Southern District of California entitled *Fisher & Paykel Healthcare Limited v. ResMed Corp*, Case No. 3:16-cv-02068-DMS-WVG in which Patent Owner alleges

infringement of the '197 patent by Petitioner ResMed Corp. This civil action is currently pending.

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

Patent Owner provides the following designation of counsel, all of whom are included in Customer No. 20,995 identified in Fisher & Paykel's Power of Attorney.

Lead Counsel	Back-up Counsel
Brenton R. Babcock (Reg. No. 39,592) 2brb@knobbe.com <u>Postal and Hand-Delivery Address:</u> Knobbe, Martens, Olson & Bear, LLP 2040 Main Street, 14 th Floor Irvine, CA 92614 Telephone: (949) 760-0404 Facsimile: (949) 760-9502	Joseph F. Jennings (Reg. No. 40,664) 2jff@knobbe.com <u>Postal and Hand-Delivery Address:</u> Knobbe, Martens, Olson & Bear, LLP 2040 Main Street, 14 th 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)

Patent Owner consents to electronic service using the following email address:

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Patent Owner may be served by overnight or hand delivery as follows:

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IPR2016-01719
ResMed v. Fisher & Paykel

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 28, 2016

By: /Brenton R. Babcock/

Brenton R. Babcock (Reg. No. 39,592)

Joseph F. Jennings (Reg. No. 40,664)

Attorneys for Patent Owner

Fisher & Paykel Healthcare Limited

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 **PATENT OWNER SUBMISSION OF MANDATORY NOTICE INFORMATION PURSUANT TO 37 C.F.R. § 42.8(a)** is being served via email on September 28, 2016, to counsel for ResMed Limited, ResMed Inc., and ResMed Corp at the email addresses below:

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Dated: September 28, 2016 By: /Brenton R. Babcock/
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