

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Fitbit, Inc.,
Petitioner

v.

Immersion Corporation,
Patent Owner

Case: IPR2018-00592
U.S. Patent No. 8,638,301

**MANDATORY NOTICE OF PATENT OWNER
UNDER 37 C.F.R. § 42.8(a)(2)**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313

Pursuant to 37 C.F.R. § 42.8(a)(2), Immersion Corporation (“Immersion” or “Patent Owner”) provides the following disclosures as set forth in 37 C.F.R. § 42.8(b)(1)-(4):

I. 37 C.F.R. § 42.8(b)(1) Disclosure

Pursuant to 37 C.F.R. § 42.8(b)(1), Patent Owner identifies Immersion as the real party-in-interest.

II. 37 C.F.R. § 42.8(b)(2) Disclosure

Pursuant to 37 C.F.R. § 42.8(b)(2), Patent Owner identifies the following related matters:

- Patent Owner has asserted the ’301 Patent against Petitioner in a lawsuit styled *Immersion Corp. v. Fitbit, Inc.*, No. 5:17-cv-03886-LHK, pending in the United States District Court for the Northern District of California.
- A Request for *Inter Partes* Review of the ’301 Patent was also filed on February 7, 2018 and is currently pending before the Board as IPR2018-00593, *Fitbit, Inc. v. Immersion Corp.*
- A request for a patent invalidity declaration of Chinese Patent No. CN102160366B (related to the ’301 Patent) was filed on December 6, 2017 and is pending before the Patent Reexamination Board of China’s State Intellectual Property Office.

- A Request for *Inter Partes* Review of U.S. Patent No. 8,059,105 (Other related litigation patent(s)-in-suit) was also filed on February 7, 2018 and is currently pending before the Board as IPR2018-00588, *Fitbit, Inc. v. Immersion Corp.*
- A Request for *Inter Partes* Review of U.S. Patent No. 8,059,105 (Other related litigation patent(s)-in-suit) was also filed on February 7, 2018 and is currently pending before the Board as IPR2018-00590, *Fitbit, Inc. v. Immersion Corp.*
- A Request for *Inter Partes* Review of U.S. Patent No. 8,351,299 (Other related litigation patent(s)-in-suit) was also filed on February 7, 2018 and is currently pending before the Board as IPR2018-00591, *Fitbit, Inc. v. Immersion Corp.*

III. 37 C.F.R. § 42.8(b)(3) Disclosure

Pursuant to 37 C.F.R. § 42.8(b)(3), Patent Owner identifies lead and back-up counsel as follows:

Lead Counsel	Back-up Counsel
Scott W. Hejny, Reg. No. 45,882 shejny@mckoolsmith.com McKOOL SMITH, P.C. 300 Crescent Court, Suite 1500 Dallas, TX 75201 Tel.: 214.978.4241 Fax: 214.978.4044	Phillip J. Lee, Reg. No. 60,923 plee@mckoolsmith.com McKOOL SMITH, P.C. 1999 K Street, NW, Suite 600 Washington, DC 20006 Tel.: 202.370.8385 Fax: 202.370.8344

IV. 37 C.F.R. § 42.8(b)(4) Disclosure

Pursuant to 37 C.F.R. § 42.8(b)(4), Patent Owner requests that all non-electronic correspondence be directed to lead counsel and back-up counsel at the above addresses. Patent Owner also consents to electronic service by email at Fitbit_Immersion_IPR@mckoolsmith.com.

Respectfully submitted,

Patent Owner

Dated: February 28, 2018

By: /s/ Scott W. Hejny

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Certification of Service Under 37 C.F.R. § 42.6(e)

A copy of this **MANDATORY NOTICE OF PATENT OWNER UNDER 37 C.F.R. § 42.8(a)(2)** has been served on Petitioner via Electronic Mail at the following:

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