

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

3M COMPANY, MERCK & CO., INC., and
MERCK SHARP & DOHME CORP.,
Petitioner,

v.

APTAR FRANCE SAS,
Patent Owner.

Case: IPR2018-01055
Patent 9,370,631 B2

**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), Aptar France SAS and AptarGroup, Inc. (collectively, “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 Aptar France SAS and AptarGroup, Inc. as the real parties-in-interest. Aptar France SAS owns United States Patent 9,370,631 (“the ’631 Patent”) by assignment. AptarGroup, Inc. is the exclusive licensee of the ’631 Patent.

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 ’631 Patent against Petitioners in a lawsuit styled *AptarGroup, Inc., et al. v. 3M Co., et al.*, Case No. 1:17-cv-06294 pending in the United States District Court for the Northern District of Illinois.
- Patent Owner asserted the ’631 Patent against Petitioners in a lawsuit styled *AptarGroup, Inc., et al v. 3M Company et al*, Case No. 1:17-cv-04295, in the United States Northern District Court for the District of Illinois. This action was dismissed without prejudice September 7, 2017.

- A Request for *Inter Partes* Review of United States Patent No. 8,936,177 (related patent-in-suit in *AptarGroup, Inc., et al. v. 3M Co., et al.*, Case No. 1:17-cv-06294) was also filed on May 10, 2018 and is currently pending before the Board as IPR2018-01054.

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 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ashley N. Moore, Reg. No. 51.667 amoore@mckoolsmith.com McKOOL SMITH, P.C. 300 Crescent Court Suite 1500 Dallas, TX 75201 Telephone: (214) 978-4000 Telecopier: (214) 978-4044 | Robert M. Manley (to be admitted <i>pro hac vice</i>) rmanley@mckoolsmith.com Ryan Hargrave (to be admitted <i>pro hac vice</i>) rhargrave@mckoolsmith.com McKOOL SMITH, P.C. 300 Crescent Court Suite 1500 Dallas, TX 75201 Telephone: (214) 978-4000 Telecopier: (214) 978-4044 |

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
IPR_Aptar_3M@mckoolsmith.com.

Respectfully submitted,

Patent Owner

Dated: May 31, 2018

By: /s/ Ashley N. Moore

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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)** was served electronically via e-mail on May 31, 2018, on the following counsel of record for Petitioners:

Steven D. Maslowski
AKIN GUMP STRAUSS HAUER & FELD LLP
Gregory A. Morris
Ron N. Sklar (to be admitted *pro hac vice*)
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Dated: May 31, 2018

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