

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BAXTER INTERNATIONAL INC.,  
Petitioner,

v.

BECTON, DICKINSON AND COMPANY,  
Patent Owner.

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Case IPR2020-00024  
Patent 8,740,864

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

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner, BECTON, DICKINSON AND COMPANY ("Patent Owner"), hereby submits herewith and via the Patent Trial and Appeal Board End to End (PTAB E2E) the required mandatory notice information as summarized below.

**REAL PARTY-IN-INTEREST**

The Patent Owner, Becton, Dickinson and Company, is the real party-in-interest.

## RELATED MATTERS

U.S. Patent No. 8,740,864 (“the ’864 Patent”) (Ex. 1001), was previously challenged in IPR2014-00880 filed by Excelsior Medical Corporation. Trial was instituted as to a subset of the challenged claims but the matter was terminated before final written decision.

The ’864 Patent has also been involved in the following district court litigations, all of which have terminated without any adjudication on the merits of validity:

- *Hospira, Inc. v. Ivera Medical Corp. et al.*, 1-14-cv-03513 (D.N.J., Jun. 3, 2014);
- *Catheter Connections, Inc. v. Ivera Medical Corp. et al.*, 1-14-cv-03512 (D.N.J., Jun. 3, 2014);
- *Excelsior Medical Corp. v. Ivera Medical Corp. et al.*, 1-14-cv-03502 (D.N.J., Jun. 3, 2014);
- *Ivera Medical Corp. et al. v. Excelsior Medical Corp. et al.*, 3-14-cv-01348 (S.D. Cal. Jun. 3, 2014);
- *Ivera Medical Corp. et al. v. Catheter Connections, Inc.*, 3-14-cv-01346 (S.D. Cal. Jun. 3, 2014); and
- *Ivera Medical Corp. et al. v. Hospira, Inc.*, 3-14-cv-01345 (S.D. Cal. Jun. 3, 2014).

Additionally, Petitioner has concurrently filed petitions challenging U.S. Patent Nos. 9,283,367, 10,159,828, and 10,335,584 in IPR2020-00025, IPR2020-00026, and IPR2020-00027 respectively. These three patents are continuations of the ’864 Patent, issued from U.S. Application No. 11/281,711.

U.S. Application No. 16/428,083, which is currently pending, also claims the benefit of U.S. Application No. 11/281,711.

### LEAD AND BACK-UP COUNSEL

Patent Owner provides the following designation of counsel:

LEAD COUNSEL	BACK-UP COUNSEL
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### SERVICE INFORMATION FOR PATENT OWNER

Patent Owner may be served through its counsel identified above. Electronic service of documents should be sent to the email addresses of the counsel identified above.

To the extent physical documents will be served on Patent Owner, please address all correspondence to lead counsel and back-up counsel at the following mailing addresses:

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### **CONCLUSION**

Patent Owner BECTON, DICKINSON AND COMPANY believes this submission fulfills the requirements of 37 C.F.R. § 42.8. If any additional information is required, please contact the undersigned counsel at the address shown below. The Commissioner is hereby authorized to charge any fees or costs associated with this submission and to credit any excess payments to Deposit Account No. 18-1945 under Order No. 102780-0141-651.

Dated: November 8, 2019

Respectfully submitted,

**ROPES & GRAY LLP**

By: /Scott A. McKeown/

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*Attorneys for Patent Owner, Becton,  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing PATENT OWNER'S MANDATORY NOTICE INFORMATION UNDER 37 C.F.R. § 42.8(a)(2) was served in its entirety by filing through the Patent Trial and Appeal Board End to End (PTAB E2E), as well as providing a courtesy copy via e-mail to the following attorneys of record for Petitioner listed below:

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Dated: November 8, 2019

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