

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LULULEMON ATHLETICA CANADA INC. AND LULULEMON USA INC.,

Petitioners,

v.

NIKE, INC.,

Patent Owner.

Case IPR2023-00189

Patent No. 9,278,256

**PATENT OWNER'S UPDATED MANDATORY NOTICES
PURSUANT TO 37 C.F.R. § 42.8(a)(2)**

Pursuant to 37 C.F.R. § 42.8, Patent Owner Nike, Inc. (“Patent Owner”) respectfully submits the following mandatory notices in response to Petitioners lululemon athletica canada Inc. and lululemon USA Inc. (“Petitioners”) Petition for *Inter Partes* Review of U.S. Patent No. 9,278,256 (“the ’256 patent”).

I. 37 C.F.R. § 42.8(b)(1): NOTICE OF REAL PARTY-IN-INTEREST

Patent Owner is the assignee of the ’256 patent. Patent Owner is the real party-in-interest.

II. 37 C.F.R. § 42.8(b)(2): RELATED MATTERS

The ’256 patent is at issue in the district court case *Nike, Inc. v. lululemon athletica Inc. et al*, No. 1-22-cv-00082 (S.D.N.Y.).

III. 37 C.F.R. § 42.8(b)(3): LEAD AND BACKUP COUNSEL (*UPDATED*)

Patent Owner identifies the following lead and backup counsel:

Lead Counsel	Backup Counsel
Christopher J. Renk (Reg. No. 33,761) Arnold & Porter Kaye Scholer LLP 70 West Madison Street, Suite 4200 Chicago, IL 60602-4231 Tel: (312) 583-2300 Fax: (312) 583-2360 Email: chris.renk@arnoldporter.com	Michael J. Harris (Reg. No. 62,957) Arnold & Porter Kaye Scholer LLP 70 West Madison Street, Suite 4200 Chicago, IL 60602-4231 Tel: (312) 583-2300 Fax: (312) 583-2360 Email: michael.harris@arnoldporter.com

Additional Backup Counsel

Nicholas M. Nyemah (Reg. No. 67,788)
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Avenue, NW
Washington, D.C. 20001
Tel: (202) 942-5000
Email: nicholas.nyemah@arnoldporter.com

Jessica C. Kaiser (Reg. No. 58,937)
Arnold & Porter Kaye Scholer LLP
1144 Fifteenth Street, Suite 3100
Denver, CO 80202-2848
Tel: (303) 863-1000
Fax: (303) 863-2301
Email: jessica.kaiser@arnoldporter.com

Aaron P. Bowling (Reg. No. 67,311) (*ADDING*)
Arnold & Porter Kaye Scholer LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
Fax: (312) 583-2360
Email: aaron.bowling@arnoldporter.com

Lindsey C. Staubach (Reg. No. 76,738) (*ADDING*)
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Avenue, NW
Washington, D.C. 20001
Tel: (202) 942-5000
Fax: (202) 942-5999
Email: lindsey.staubach@arnoldporter.com

A Power of Attorney was filed on November 30, 2022 (Paper No. 4).

IV. 37 C.F.R. § 42.8(b)(4): SERVICE INFORMATION

Service of all documents may be made on the lead and back-up counsel to the postal mailing address below. Patent Owner also consents to electronic service by email to chris.renk@arnoldporter.com, michael.harris@arnoldporter.com, and xNIKE-luluemonIPRs@arnoldporter.com:

Arnold & Porter Kaye Scholer LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231

Dated: July 11, 2023

Respectfully submitted,

/s/ Christopher J. Renk

Christopher J. Renk (Reg. No. 33,761)

Michael J. Harris (Reg. No. 62,957)

Arnold & Porter Kaye Scholer LLP

70 West Madison Street, Suite 4200

Chicago, IL 60602-4231

Tel: (312) 583-2300

Fax: (312) 583-2360

Nicholas M. Nyemah (Reg. No. 67,788)

Arnold & Porter Kaye Scholer LLP

601 Massachusetts Avenue, NW

Washington, D.C. 20001

Tel: (202) 942-5000

Jessica C. Kaiser (Reg. No. 58,937)

Arnold & Porter Kaye Scholer LLP

1144 Fifteenth Street, Suite 3100

Denver, CO 80202-2848

Tel: (303) 863-1000

Fax: (303) 863-2301

Attorneys for Patent Owner Nike, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies service on the Petitioner, pursuant to 37 C.F.R. § 42.6(e) and by agreement of counsel, by electronic (e-mail) delivery of a true copy of the foregoing **PATENT OWNER'S UPDATED MANDATORY NOTICES PURSUANT TO 37 C.F.R. § 42.8(a)(2)** was served on July 11, 2023 to the following Counsel for Petitioner via e-mail:

Forrest McClellen (Reg. No. 76,533)
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105-2482
fmcclellen@mofo.com
lululemon-nike-IPR@mofo.com

Mehran Arjomand (Reg. No. 48,231)
Alex S. Yap (Reg. No. 60,609)
MORRISON & FOERSTER LLP
707 Wilshire Boulevard, Suite 6000
Los Angeles, CA 90017-3542
marjomand@mofo.com
ayap@mofo.com

/s/ Timothy J. Haugh

Timothy J. Haugh