

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTAS PHARMACEUTICALS LTD.,
Petitioner

v.

ATOSSA THERAPEUTICS, INC.,
Patent Owner

CASE: PGR2023-00043

Patent No. 11,572,334

PATENT OWNER'S MANDATORY NOTICES

PURSUANT TO 37 C.F.R. § 42.8

Pursuant to 37 C.F.R. § 42.8, Patent Owner Atossa Therapeutics, Inc. hereby submits the following mandatory notices in response to the Petition for Post-Grant Review of U.S. Patent No. 11,572,334 (“the ’334 patent”).

A. Real Party-In-Interest (37 C.F.R. § 42.8(b)(1))

The patent owner and real party-in-interest is Atossa Therapeutics, Inc.

B. Related Matters Under 37 C.F.R. § 42.8(b)(2)

The ’334 patent is not involved in any related litigation matters.

The ’334 patent was filed as U.S. Patent Application No. 17/580,428. The ’334 patent claims the benefits of Provisional Application Nos. 62/693,885, filed Jul. 3, 2018; 62/624,787, filed Jan. 31, 2018; 62/556,884, filed Sept. 11, 2017; and 62/556,799, filed Sept. 11, 2017. The ’334 patent also claims the benefit of PCT/US2018/050272, filed Sept. 10, 2018; and U.S. Patent Application No. 16/641,985, filed Sept. 10, 2018 (now U.S. Patent No. 11,261,151). U.S. Patent Application Nos. 18/090,757 (now U.S. Patent No. 11,680,036) filed Dec. 29, 2022; and 18/128,536, filed Mar. 30, 2023, are continuations of the application leading to the ’334 patent.

C. Lead and Back-up Counsel Under 37 C.F.R. § 42.8(b)(3)

Lead Counsel	Back-Up Counsel
Melissa M. Harwood, Ph.D. (Reg. No. 60,229) Melissa.Harwood@us.dlapiper.com <u>Postal and Hand-Delivery Address:</u> DLA Piper LLP (US) 701 Fifth Avenue Suite 6900 Seattle, WA 98104-7044 Telephone: (206) 839-4815 Facsimile: (206) 299-4205	Susan M. Krumplitsch (<i>pro hac vice</i> forthcoming) Susan.Krumplitsch@us.dlapiper.com Michael A. Sitzman (Reg. No. 42,150) Michael.Sitzman@us.dlapiper.com <u>Postal and Hand-Delivery Address:</u> DLA Piper LLP (US) 701 Fifth Avenue Suite 6900 Seattle, WA 98104-7044 Telephone: (206) 839-4815 Facsimile: (206) 299-4205

D. Service Information Under 37 C.F.R. § 42.8(b)(4)

Service information for lead and back-up counsel is provided in the designation of lead and back-up counsel above. Service of any documents via hand delivery may be made at the postal mailing address of the respective lead and back-up counsel designated above. Patent Owner hereby consents to electronic service by email at Melissa.Harwood@us.dlapiper.com, Susan.Krumplitsch@us.dlapiper.com, Michael.Sitzman@us.dlapiper.com and SeattlePTABDocket@us.dlapiper.com.

Patent Owner's Mandatory Notices
PGR2023-00043
U.S. Patent No. 11,572,334

Dated: September 8, 2023

Respectfully Submitted,

/Melissa M. Harwood/

Melissa M. Harwood
Registration Number 60,229
DLA Piper LLP (US)
701 Fifth Avenue
Suite 6900
Seattle, WA 98104-7044
Attorney for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 8th day of September 2023, a true copy of the foregoing instrument was served on Petitioner INTAS PHARMACEUTICALS LTD. by emailing a copy to counsel of record for Petitioner at the email addresses listed below:

Alejandro Menchaca
amenchaca@mcandrews-ip.com

Ben J. Mahon
bmahon@mcandrews-ip.com
334PGR@mcandrews-ip.com

Dated: September 8, 2023

/Melissa M. Harwood/
Melissa M. Harwood
Registration Number 60,229
Melissa.Harwood@dlapiper.com
Lead Counsel for Atossa Therapeutics, Inc.