

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

MASTERCARD INTERNATIONAL INCORPORATED  
Petitioner

v.

D'AGOSTINO, JOHN  
Patent Owner

---

Case CMB2013-00057  
Patent 8,036,988

**PATENT OWNER JOHN D'AGOSTINO'S MANDATORY NOTICES**

Mail Stop Patent Board  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 42.8, Patent Owner, John D'Agostino, submits the following Mandatory Notices in response to the Petition for Post-Grant Review of U.S. Patent No. 8,036,988.

**1. Real Party-In-Interest**

In accordance with 37 C.F.R. § 42.8(b)(1), Patent Owner identifies the real party-in-interest as John D'Agostino.

**2. Related Matters**

In accordance with 37 C.F.R. § 42.8(b)(2), Patent Owner identifies the following related proceedings:

1. *John D'Agostino v. Mastercard Inc., et al.*, Civil Action No. 1:2013cv00738, U.S. District Court for the District of Delaware.
2. *Ex Parte* Reexamination, Control Number 90/012,517, United States Patent and Trademark Office.

**3. Lead and Back-Up Counsel**

In accordance with 37 C.F.R. § 42.8(b)(3), Patent Owner identifies Stephen J. Lewellyn as lead counsel and Brittany J. Maxey as back-up counsel:

Stephen Lewellyn, Lead Counsel  
USPTO Reg. No. 51,942

MAXEY LAW OFFICES, PLLC  
100 Second Avenue South  
Suite 401 North  
St. Petersburg, Florida 33701  
Phone: 727-230-4949  
Facsimile: 727-230-4827

Email: s.lewellyn@maxeyiplaw.com

Brittany J. Maxey, Back-up Counsel  
USPTO Reg. No. 57,621

MAXEY LAW OFFICES, PLLC  
100 Second Avenue South  
Suite 401 North  
St. Petersburg, Florida 33701  
Phone: 727-230-4949  
Facsimile: 727-230-4827  
Email: b.maxey@maxeyiplaw.com

#### 4. Service Information

In accordance with 37 C.F.R. § 42.8(b)(3), Patent Owner identifies the following service information:

Stephen J. Lewellyn  
MAXEY LAW OFFICES, PLLC  
100 Second Avenue South  
Suite 401 North  
St. Petersburg, Florida 33701  
Phone: 727-230-4949  
Facsimile: 727-230-4827

Respectfully submitted,

Date: October 17, 2013

By: /s/ Stephen J. Lewellyn  
Stephen J. Lewellyn, Reg. No. 51,942  
MAXEY LAW OFFICES, PLLC  
100 Second Avenue South  
Suite 401 North  
St. Petersburg, Florida 33701  
Phone: 727-230-4949  
Facsimile: 727-230-4827

**CERTIFICATE OF SERVICE**

I hereby certify that on this 17th day of October 2013, a true and correct copy of the foregoing PATENT OWNER JOHN D'AGOSTINO'S MANDATORY NOTICES, were served via electronic mail and Federal Express, postage prepaid, upon the following counsel of record for Petitioners MasterCard International Incorporated:

Robert Scheinfeld, Lead Counsel  
Baker Botts LLP  
30 Rockefeller Plaza, 44th Floor  
New York, New York 10112-4498  
Service Email: [robert.scheinfeld@bakerbotts.com](mailto:robert.scheinfeld@bakerbotts.com)

Eliot William, Back-up Counsel  
Baker Botts LLP  
1001 Page Mill Road  
Building One, Suite 200  
Palo Alto, California 94304-1007  
Service Email: [eliot.williams@bakerbotts.com](mailto:eliot.williams@bakerbotts.com)

*/s/ Stephen J. Lewellyn* \_\_\_\_\_  
Stephen Lewellyn, Lead Counsel  
Maxey Law Offices, PLLC