

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT AND TRIAL AND APPEAL BOARD

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INTERMIX MEDIA LLC,  
Petitioner,

v.

BALLY GAMING, INC.,  
Patent Owner.

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CBM2015-00154  
Patent No. 5,816,918

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**PATENT OWNER'S MANDATORY NOTICE UNDER 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner Bally Gaming, Inc. submits herewith the following required mandatory notice information.

**I. The Real Party-In-Interest Pursuant to 37 C.F.R. § 42.8(b)(1)**

The real party-in-interest is Bally Gaming, Inc. (“Bally Gaming”), a Nevada corporation with its principal place of business at 6650 El Camino Rd., Las Vegas, Nevada 89118. Bally Gaming is the owner of all right, title and interest in the subject patent, U.S. Patent No. 5,816,918 (“the ’918 patent”), by virtue of assignment from Sierra Design Group, Inc. (recorded on August 29, 2006, at Reel 025315, Frame 0345). The ’918 patent was previously assigned from all inventors—Matthew F. Kelly, Bryan M. Kelly, Norman B. Petermeier, John G. Kroeckel, and John E. Link—to Acclaim Redemption Games, Inc. (recorded on January 9, 1996, at Reel 008370, Frame 0197); from Acclaim Redemption Games, Inc. to RLT Acquisition, Inc. (recorded on March 5, 1997, Frame 008423, Frame 0635); from RLT Acquisition, Inc. to Arcade Planet, Inc. (recorded October 13, 1999, Reel 010371, Frame 0933); and from Arcade Planet, Inc. to Sierra Design Group, Inc. (recorded February 28, 2006, Reel 017706, Frame 0182).

**II. Related Matters Pursuant to 37 C.F.R. § 42.8(b)(2)**

**a. Pending Patent Infringement Lawsuits Asserting the ’918 Patent**

Bally Gaming is the plaintiff in two patent infringement lawsuits pending in United States District Court for the District of Nevada that assert the '918 patent. Specifically, on January 31, 2003, Bally Gaming filed a patent infringement lawsuit against Petitioner Intermix Media, LLC f/k/a eUniverse, Inc. asserting infringement of certain claims of the '918 patent (Case No. 3:03-cv-0062-LRH-VPC, presided over by Hon. Larry R. Hicks). On the same day, January 31, 2003, Bally Gaming filed a similar patent infringement lawsuit against Worldwinner.com, Inc. also asserting infringement of certain claims of the '918 patent (Case No. 3:03-cv-0063-LRH-VPC, presided over by Hon. Larry R. Hicks). Worldwinner.com, Inc.'s successor-in-interest—GSN Games, Inc.—is the petitioner in CBM2015-00155.

**III. Lead and Back-Up Counsel Pursuant to 37 C.F.R. § 42.8(b)(3)**

Bally Gaming hereby designates its lead and backup counsel as follows:

Lead counsel:

Barry E. Bretschneider, Reg. No. 28,055  
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**IV. Service Information Pursuant to 37 C.F.R. § 42.8(b)(4)**

Bally Gaming consents to electronic service using the following email addresses:

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Bally Gaming may be served by overnight or hand delivery as follows:

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Respectfully submitted,

/Barry E. Bretschneider/

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