

UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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BOREALIS AG  
Petitioner

v.

BERRY PLASTICS CORPORATION,  
Patent Owner

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Case IPR2016-00235  
Patent 8,883,280  
Filed: November 30, 2015

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**PATENT OWNER UPDATED MANDATORY NOTICE INFORMATION  
UNDER 37 C.F.R. § 42.8(a)(3)**

**I. Real Party-in-Interest**

No change.

**II. Related Matters**

In accordance with 37 C.F.R. §§ 42.8(a)(3) and 42.8(b)(2), Berry identifies the following related matters:

- On March 9, 2016, Patent Owner, Berry Plastics Corporation filed a statutory disclaimer in the U.S.P.T.O. disclaiming claims 1-14, 36-42, 44-48, 51-54, 61, 62, 65, and 66 of U.S. Patent 8,883,280. A copy of the disclaimer and related documents as filed was supplied as Exhibit 2002 with Patent Owner's preliminary response filed on March 10, 2016.
- On March 22, 2016, in order to clarify the record and avoid any doubt regarding the effectiveness of the first disclaimer, Patent Owner, Berry Plastics Corporation filed a statutory disclaimer in the U.S.P.T.O. disclaiming claims 1-14, 36-42, 44-48, 51-54, 61, 62, 65, and 66 of U.S. Patent 8,883,280. A copy of the disclaimer and related documents is included herewith as Exhibit 2003.

**III. Counsel**

No change.

**IV. Service Information**

No change.

**V. Conclusion**

The Patent Trial and Appeal Board is hereby authorized to charge any fees associated with IPR 2016-00235 to its Deposit Account 080219.

Respectfully Submitted,

/John V. Hobgood/

John V. Hobgood  
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Pursuant to 37 C.F.R. § 42.63(e) Patent Owner submits the following current Exhibit List and Exhibit 2003.

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
2001	Borealis Product Brochure, <i>Daploy™ HMS Polypropylene for Foam Extrusion</i> (2010)
2002	Statutory disclaimer and related documents filed in U.S. Patent No. 8,883,280 on March 9, 2016
2003	Statutory disclaimer and related documents filed in U.S. Patent No. 8,883,280 on March 22, 2016

### Certificate of Service

I hereby certify that on March 23, 2016, I caused a true and correct copy of the foregoing materials:

- Patent Owner Updated Mandatory Notice Information Under 37 C.F.R. §42.8(a)(3)
- Exhibit 2003

to be served via email on the following attorneys for Petitioner:

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