

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.;
MICRON TECHNOLOGY, INC.; and
SK HYNIX INC.
Petitioner

v.

ELM 3DS INNOVATIONS, LLC
Patent Owner

Case No. IPR2016-00387
U.S. Patent No. 8,841,778

PETITIONER'S UPDATED MANDATORY NOTICES

Pursuant to 37 C.F.R. § 42.8, Petitioner hereby submits the following updated mandatory notices.

Related Matters

Petitioner provides the following updated identification of judicial and administrative matters that could affect, or be affected by, a decision in this proceeding as required by 37 C.F.R. § 42.8(b)(2):

On August 12, 2016, Patent Owner Elm 3DS Innovations, LLC filed a Complaint in the United States District Court for the Eastern District of Virginia (Ex. 1068, Complaint) against Michelle K. Lee, in her capacity as Undersecretary of Commerce of Intellectual Property and Director of the United States Patent and Trademark Office, and the United States Patent and Trademark Office (“Defendants”) alleging that Director Lee’s decision to consider December 22-24, 2015, to be a Federal holiday within the District of Columbia is “arbitrary, capricious, an abuse of discretion, in excess of authority, and not in accordance with law.” Ex. 1068, ¶ 3. In the Complaint, Patent Owner requests the court “declare, decree, and adjudge” that the decision “is unlawful and legally void, set it aside, and enjoin Defendants from continuing to apply, enforce, or rely on it, or from maintaining any action based on it.” *Id.*, ¶ 5. The Complaint specifically identifies the above-captioned proceeding (and other related proceedings) as an action that Defendants should be enjoined from maintaining. *Id.*, ¶¶ 38, 52.

Patent Owner has asserted the '778 patent against Petitioner in *Elm 3DS Innovations, LLC v. Samsung Elecs. Co.*, No. 1:14-cv-01430 (D. Del.); *Elm 3DS Innovations, LLC v. Micron Tech., Inc.*, No. 1:14-cv-01431 (D. Del.); and *Elm 3DS Innovations, LLC v. SK hynix Inc.*, No. 1:14-cv-01432 (D. Del.). Patent Owner has also asserted related U.S. Patent Nos. 7,193,239; 7,474,004; 7,504,732; 8,035,233; 8,410,617; 8,928,119; 8,791,581; 8,796,862; 8,653,672; 8,907,499; 8,629,542; and 8,933,570 in these actions.

Petitioner has requested *inter partes* review of the following related patents: 7,193,239 (IPR2016-00388 and IPR2016-00393); 7,504,732 (IPR2016-00395); 8,629,542 (IPR2016-00390); 8,035,233 (IPR2016-00389); 8,410,617 (IPR2016-00394); 8,796,862 (IPR2016-00391); 8,653,672 (IPR2016-00386); 8,928,119 (IPR2016-00687); 7,474,004 (IPR2016-00691); 8,791,581 (IPR2016-00703 and IPR2016-00706); 8,907,499 (IPR2016-00708 and IPR2016-00770); and 8,933,570 (IPR2016-00786).

Respectfully submitted,

Dated: August 25, 2016

By: /Naveen Modi/
Naveen Modi
Reg. No. 46,224
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CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2016, a true and correct copy of the foregoing was caused to be served electronically on the following counsel of record for Patent Owner at the following email addresses:

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