

Filed on behalf of

**Fisher & Paykel Healthcare Limited**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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RESMED LIMITED, RESMED INC., and RESMED CORP  
Petitioners,

v.

FISHER & PAYKEL HEALTHCARE LIMITED  
Patent Owner.

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Case No. IPR2016-01734

U.S. Patent No. 8,443,807

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**PATENT OWNER'S SUBMISSION OF  
MANDATORY NOTICE INFORMATION  
PURSUANT TO 37 C.F.R. § 42.8(a)**

Pursuant to 37 C.F.R. § 42.8(a), Patent Owner Fisher & Paykel Healthcare Limited submits herewith the following required mandatory notice information.

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

Fisher & Paykel Healthcare Limited is the patent owner and real party-in-interest.

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

Patent owner identifies the following related judicial and/or administrative proceedings that could affect, or be affected by, a decision in this proceeding:

- Petitioners filed a civil action challenging the validity of U.S. Patent No. 8,443,807 (“the ’807 patent”) on August 16, 2016 in the United States District Court for the Southern District of California entitled *ResMed Inc., et al. v. Fisher & Paykel Healthcare Corporation Limited, Fisher & Paykel Healthcare Limited, et al.*, Case No. 3:16-cv-02072-JAH-MDD. Petitioners later dismissed this civil action without prejudice on August 18, 2016.
- Patent Owner filed a separate civil action on August 16, 2016 in United States District Court for the Southern District of California entitled *Fisher & Paykel Healthcare Limited v. ResMed Corp.*, Case No. 3:16-cv-02068-DMS-WVG in which Patent Owner alleges

infringement of the '807 patent by Petitioner ResMed Corp. This civil action is currently pending.

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

Patent Owner provides the following designation of counsel, all of whom are included in Customer No. 20,995 identified in Fisher & Paykel's Power of Attorney.

Lead Counsel	Back-up Counsel
Brenton R. Babcock (Reg. No. 39,592) 2brb@knobbe.com <u>Postal and Hand-Delivery Address:</u> Knobbe, Martens, Olson & Bear, LLP 2040 Main Street, 14th Floor Irvine, CA 92614 Telephone: (949) 760-0404 Facsimile: (949) 760-9502	Joseph F. Jennings (Reg. No. 40,664) 2j fj@knobbe.com <u>Postal and Hand-Delivery Address:</u> Knobbe, Martens, Olson & Bear, LLP 2040 Main Street, 14th Floor Irvine, CA 92614 Telephone: (949) 760-0404 Facsimile: (949) 760-9502

### IV. Service Information Pursuant to 37 C.F.R. § 428.(b)(4)

Patent Owner consents to electronic service using the following email address:

[BoxFPH771@knobbe.com](mailto:BoxFPH771@knobbe.com)

Patent Owner may be served by overnight or hand delivery as follows:

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IPR2016-01734

ResMed v. Fisher & Paykel Healthcare Limited

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Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 28, 2016

By: /Brenton R. Babcock/

Brenton R. Babcock (Reg. No. 39,592)

Joseph F. Jennings (Reg. No. 40,664)

Attorneys for Patent Owner

Fisher & Paykel Healthcare Limited

IPR2016-01734

ResMed v. Fisher & Paykel Healthcare Limited

**CERTIFICATE OF SERVICE**

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for the Petitioner, a true and correct copy of **PATENT OWNER'S SUBMISSION OF MANDATORY NOTICE INFORMATION PURSUANT TO 37 C.F.R. § 42.8(a)** is being served electronically on September 28, 2016, to the email addresses below:

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