

Filed on behalf of Valencell, Inc.  
By: Daniel F. Olejko  
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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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FITBIT, INC.,  
Petitioner,

v.

VALENCELL, INC.,  
Patent Owner.

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Case IPR2017-00319<sup>1</sup>  
U.S. Patent No. 8,923,941

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**PATENT OWNER'S UPDATED MANDATORY NOTICES  
PURSUANT TO 37 C.F.R. §§ 42.8(a)(3) and 42.8(b)**

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

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<sup>1</sup> Case IPR2017-01555 has been joined with this proceeding.

Patent Owner Valencell, Inc. (“Valencell”) hereby files its updated mandatory notices pursuant to 37 C.F.R. §§ 42.8(a)(3) and 42.8(b):

**A. Section 42.8(b)(1) – Real Party-In-Interest – Unchanged**

Patent Owner identifies Valencell, Inc., as its real party-in-interest.

**B. Section 42.8(b)(2) – Related Matters – Unchanged**

Patent Owner asserts the patent at issue in the following lawsuits *Valencell, Inc. v. Fitbit, Inc.*, Case No. 5:16-cv-00002 (E.D.N.C); and *Valencell, Inc. v. Bragi Store, LLC, et al.*, Case No. 5:16-cv-00895 (E.D.N.C.). Patent Owner also identifies U.S. Patent No. 9,314,167 and U.S. Patent No. 10,448,840, which claim priority to the patent at issue.

**C. Section 42.8(b)(3) – Lead and Back-Up Counsel – Updated**

Patent Owner identifies the following lead and back-up counsel:

Lead Counsel:

Daniel F. Olejko (Reg. No. 76,958)  
(Phone No. 214.785.6675)

Back-Up Counsel:

Jeffrey R. Bragalone (*pro hac vice* has been filed)  
(Phone No. 214.785.6671)

Marcus Benavides (Reg. No. 58,289)  
(Phone No. 214.785.6686)

R. Scott Rhoades (Reg. No. 44,300)  
(Phone No. 972.550.2997)

Sanford E. Warren, Jr. (Reg. No. 33,219)  
(Phone No. 972.550.2955)

**D. Section 42.8(b)(4) – Service Information – Updated**

- (i) electronic mailing addresses: jbragalone@bosfirm.com;  
dolejko@bosfirm.com; mbenavides@bosfirm.com;  
srhoades@wriplaw.com; and swarren@wriplaw.com.
- (ii) postal mailing address: Bragalone Olejko Saad PC  
2200 Ross Ave.  
Suite 4600 – West  
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- (iii) hand-delivery address: Same as (ii) above
- (iv) telephone number: 214.785.6670
- (v) facsimile number: 214.786.6680

Patent Owner consents to service by e-mail at the address(s) identified in Section (i) above.

Dated: August 4, 2021

Respectfully submitted,



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Daniel F. Olejko  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that document has been served via electronic mail on August 4, 2021, to Petitioner at following email addresses pursuant to its consent in its Updated Mandatory Notices p. 1: jimglass@quinnemanuel.com; samstake@quinnemanuel.com; and ogizivojnovic@quinnemanuel.com.



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