

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RUIZ FOOD PRODUCTS, INC.,

Petitioner

v.

MACROPOINT LLC,

Patent Owner

U.S. Patent No. 9,429,659

Case No.: IPR2017-02018

MANDATORY NOTICE BY PATENT OWNER

UNDER 37 C.F.R. § 42.8

MANDATORY NOTICES UNDER 37 C.F.R. § 42.8

Pursuant to 37 C.F.R. § 42.8, the patent owner, MacroPoint, LLC (“Patent Owner”), hereby submits the following Mandatory Notices in response to the Petition for *Inter Partes* Review of U.S. Patent No. 9,429,659 (“the ’659 Patent”).

A. Real Party-In-Interest - 37 C.F.R. § 42.8(b)(1)

The real party-in-interest is MacroPoint LLC, which was recently acquired by The Descartes Systems Group Inc., 120 Randall Drive, Waterloo, Ontario, Canada N2V 1C6.

B. Related Matters - 37 C.F.R. § 42.8(b)(2)

There is a currently pending litigation in the Eastern District of Texas styled *MacroPoint, LLC v Ruiz Food Products, Inc.*, 6:16-cv-01133 (E.D. TX) involving the ’659 Patent. The complaint for this litigation was served on Petitioner on August 31, 2016. The ’659 Patent was previously the subject of *FourKites, Inc. v MacroPoint, LLC*, Case No. 1:16-cv-02703-CAB (N.D. Ohio). The action involving FourKites, Inc. has been terminated following the dismissal of the complaint without prejudice on June 27, 2017.

On August 31, 2017, Ruiz Food Products, Inc. filed a Petition for *Inter Partes* Review regarding U.S. Patent No. 8,275,358 in IPR2017-02016.

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

The Patent Owner designates the following lead and back-up counsel:

Lead Counsel	First Back-up Counsel
Mark C. Johnson, Reg. No. 51,854 mjohnson@rennerotto.com Renner Otto 1621 Euclid Avenue Floor 19 Cleveland, Ohio 44115 t: 216.621.1113 f: 216.621.6165	Kyle B. Fleming, (will seek <i>pro hac vice</i>) kfleming@rennerotto.com Renner Otto 1621 Euclid Avenue Floor 19 Cleveland, Ohio 44115 t: 216.621.1113 f: 216.621.6165
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An appropriate Power of Attorney is being filed concurrently herewith.

D. Service Information - 37 C.F.R. § 42.8(b)(4)

Please direct all correspondence regarding this proceeding to the lead and back-up counsel at the addresses listed above. Patent Owner also consents to electronic service by email to mjohnson@rennerotto.com, kfleming@rennerotto.com, lcarrion@rennerotto.com and litigation@rennerotto.com.

Date: October 25, 2017

Respectfully submitted,

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MacroPoint LLC's Mandatory Notices
Inter Partes Review of U.S. Patent No. 9,429,659

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*Attorneys for Patent Owner
MacroPoint, LLC*

CERTIFICATE OF SERVICE

(37 C.F.R. §§ 42.6(e) and 42.105(a))

The undersigned hereby certifies that the above-captioned MANDATORY NOTICE BY PATENT OWNER UNDER 37 C.F.R. § 42.8 is being served in its entirety on October 25, 2017, by filing this document through the Patent Review Processing System as well as delivering a copy via electronic mail upon the following at:

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