

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AVER INFORMATION INC., AND IPEVO, INC.,
Petitioner,

v.

PATHWAY INNOVATIONS AND TECHNOLOGIES, INC.,
Patent Owner

Inter Partes Review Proceeding No. IPR2017-02108
U.S. Patent No. 8,508,751

PATENT OWNER'S NOTICE PURSUANT TO 37 C.F.R. § 42.8

I. Real Party-in-interest

The real party in interest for the Patent Owner is Pathway Innovations and Technologies, Inc. (“Pathway” or “Patent Owner”) having its principal place of business at 10211 Pacific Mesa Blvd., Suite 412, San Diego, CA 92121.

II. Related Matters

The present *inter partes* review proceeding is related to the following judicial or administrative matters:

- *In the Matter of Certain Document Cameras and Software for Use Therewith*, Investigation No. 337-TA-1045, in the United States International Trade Commission (“the ‘1045 Investigation”). The Commission instituted this investigation on March 17, 2017, based on a complaint filed by Patent Owner against Respondents: IPEVO, Inc. (“IPEVO”); Aver Information Inc. (“AVer”); and Lumens Integration, Inc. (“Lumens”). 82 Fed. Reg. 15070 (March 24, 2017). The complaint alleges violations of 19 U.S.C. § 1337 in the sale for importation, importation, or sale within the United States after importation of certain document cameras and software for use therewith by reason of infringement of United States Patent No. 8,508,751 (“the ‘751 patent”). *See id.* A hearing on the matter is set for December 13, 2017.
- *Pathway Innovations and Technologies, Inc. v. IPEVO, Inc.*, Case No. 3:17-cv-00312-CAB-BLM, in the United States District Court for the Southern

District of California, filed February 14, 2017. ECF No. 1 (asserting infringement of the '751 patent). This case is currently stayed pending the outcome of the '1045 ITC investigation.

- *Pathway Innovations and Technologies, Inc. v. Aver Information Inc.*, Case No. 3:17-cv-00315-CAB-BLM, in the United States District Court for the Southern District of California, filed February 14, 2017. ECF No. 1 (asserting infringement of the '751 patent). This case is currently stayed pending the outcome of the '1045 ITC investigation.

- *Pathway Innovations and Technologies, Inc. v. Lumens Integration, Inc.*, Case No. 3:17-cv-00316-CAB-BLM, in the United States District Court for the Southern District of California, filed February 14, 2017. ECF No. 1 (asserting infringement of the '751 patent). This case is currently stayed pending the outcome of the '1045 ITC investigation.

III. Lead and Backup Counsel

Lead counsel is Trevor Q. Coddington, Ph.D., Esq. (PTO Registration No. 46,633) of San Diego IP Law Group LLP, 12526 High Bluff Drive, Suite 300, San Diego, CA 92130.

Backup counsel is David M. Beckwith (PTO Registration No. 73,041) of San Diego IP Law Group LLP, 12526 High Bluff Drive, Suite 300, San Diego, CA 92130.

IV. Service Information

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Respectfully submitted,

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Date: September 29, 2017

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Counsel for Patent Owner,

Pathway Innovations and Technologies, Inc.

CERTIFICATE

The undersigned certifies that a copy of the foregoing PATENT OWNER'S NOTICE PURSUANT TO 37 C.F.R. § 42.8 was served electronically via email on September 29, 2017, in its entirety on the following:

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