

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WAHOO FITNESS LLC,

Petitioner

v.

BLACKBIRD TECH LLC d/b/a BLACKBIRD TECHNOLOGIES,

Patent Owner.

Case IPR2018-00275

Patent 6,434,212

**PATENT OWNER BLACKBIRD TECHNOLOGIES'
MANDATORY NOTICES PURSUANT TO 37 C.F.R. § 42.8**

1. Real Party-in-Interest

In accordance with 37 C.F.R. § 42.8(b)(1), Patent Owner identifies the following real party-in-interest: Blackbird Tech LLC d/b/a Blackbird Technologies.

2. Related Matters

In accordance with 37 C.F.R. § 42.8(b)(2), Patent Owner identifies the following related matters in which Patent Owner filed patent infringement actions for U.S. Patent No. 6,434,212 (“the ‘212 patent”):

- *Blackbird Tech LLC d/b/a Blackbird Technologies v. Fitbit, Inc.*, Case No. 16-CV-683 (D. Del.)
- *Blackbird Tech LLC d/b/a Blackbird Technologies v. Aliphcom d/b/a Jawbone*, Case No. 16-CV-684 (D. Del.)
- *Blackbird Tech LLC d/b/a Blackbird Technologies v. Sony Corp. et al*, Case No. 16-CV-685 (D. Del.)
- *Blackbird Tech LLC d/b/a Blackbird Technologies v. Timex Group USA, Inc.*, Case No. 16-CV-686 (D. Del.)
- *Blackbird Tech LLC d/b/a Blackbird Technologies v. TomTom, Inc.*, Case No. 16-CV-687 (D. Del.)
- *Blackbird Tech LLC d/b/a Blackbird Technologies v. Wahoo Fitness, Inc.*, Case No. 16-CV-688 (D. Del.)
- *Blackbird Tech LLC d/b/a Blackbird Technologies v. Garmin International, Inc. and Garmin USA, Inc.*, Case No. 16-CV-689 (D. Del.)

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Patent Owner also identifies IPR2017-01058, which was filed against the ‘212 patent by Garmin International, Inc. That IPR has been settled and terminated.

The ‘212 patent is also the subject of two petitions for *inter partes* review filed by TomTom International, B.V., Nos. IPR2017-02023 and -02025, as well as one petition for *inter partes* review filed by Fitbit, Inc., No. IPR2017-02012. No decision for or against institution has yet been issued for these petitions.

3. Lead and Back-up Counsel

In accordance with 37 C.F.R. § 42.8(b)(3), Patent Owner designates the following counsel to transact all business in the U.S. Patent & Trademark Office associated with the above-captioned proceeding. A power of attorney designating the same counsel is being filed concurrently with these Notices:

Lead Counsel	Back-up Counsel
Walter D. Davis, Jr. (Reg. No. 45,137) Davidson Berquist Jackson & Gowdey, LLP 8300 Greensboro Dr. Suite 500 McLean, VA 22102 Phone: (571)765-7700 Fax: (571)765-7200 Email: wdavis@dbjg.com	Wayne M. Helge (Reg. No. 56,905) Davidson Berquist Jackson & Gowdey, LLP 8300 Greensboro Dr. Suite 500 McLean, VA 22102 Phone: (571)765-7700 Fax: (571)765-7200 Email: whelge@dbjg.com Aldo Noto (Reg. No. 35,628) Davidson Berquist Jackson & Gowdey, LLP 8300 Greensboro Dr. Suite 500 McLean, VA 22102 Phone: (571)765-7700 Fax: (571)765-7200 Email: anoto@dbjg.com

4. Service Information

In accordance with 37 C.F.R. § 42.8(b)(4), service of any documents via mail or hand-delivery may be made at the postal mailing address for lead and back-up counsel designated above, with electronic service to wdavis@dbjg.com, whelge@dbjg.com, and anoto@dbjg.com. Counsel consents to electronic service in this case. Telephone and facsimile numbers for lead and back-up counsel are designated above.

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Dated: December 21, 2017

Respectfully submitted,

By: /s/ Walter D. Davis, Jr.
Walter D. Davis, Jr. (Reg. No. 45,137)
Counsel for Patent Owner

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