

Filed on behalf of: Nichia Corp.

Paper _____

By: Martin M. Zoltick, Lead Counsel
Michael H. Jones, Back-up Counsel
Mark T. Rawls, Back-up Counsel
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
607 14th Street, N.W., Suite 800
Washington, DC 20005
Phone: 202-783-6040
Facsimile: 202-783-6031
Emails: mzoltick@rfem.com
mjones@rfem.com
mrawls@rfem.com

Date filed: January 31, 2018

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIZIO, INC.,
Petitioner,

v.

NICHIA CORP.,
Patent Owner.

Case IPR2018-00437
Patent 9,537,071

MANDATORY NOTICES OF PATENT OWNER

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

Pursuant to 37 C.F.R. § 42.8, Patent Owner Nichia Corp. (“Patent Owner”) submits the following Mandatory Notices in response to the Petition for *Inter Partes* Review of claims 1, 2, 4-9, 11-12, 15-19, 21-23, and 25 of U.S. Patent No. 9,537,071.

1. Real Party-In-Interest

In accordance with 37 C.F.R. § 42.8(b)(1), Patent Owner identifies the real party-in-interest as Nichia Corporation, a corporation organized and existing under the laws of Japan, with its principal place of business at 491 Oka, Kaminaka-Cho, Anan-Shi, Tokushima, Japan 774-8601.

2. Related Matters

In accordance with 37 C.F.R. § 42.8(b)(2), Patent Owner identifies the following related matters:

- a. *Nichia Corp. v. VIZIO, Inc.*, Case No. 2:16-cv-01453-JRG (Lead Case) (E.D. Tex.), involving U.S. Patent No. 9,537,071 and related U.S. Patent No. 8,530,250 and U.S. Patent No. 9,490,411;

- b. *Nichia Corp. v. Everlight Electronics Co., Ltd. et al.*, Case No. 2:13-cv-702-JRG (E.D. Tex.), appealed at Nos. 16-1585 & 16-1618 (Fed. Cir.), involving related U.S. Patent No. 8,530,250;
- c. *VIZIO, Inc. v. Nichia Corp.*, Case IPR2017-01608 (PTAB), involving related U.S. Patent No. 8,530,250;
- d. *VIZIO, Inc. v. Nichia Corp.*, Case IPR2017-01623 (PTAB), involving related U.S. Patent No. 8,530,250;
- e. *Lowe's Companies, Inc. et al. v. Nichia Corp.*, Case IPR2017-02011 (PTAB), involving related U.S. Patent No. 8,530,250;
- f. *Lowe's Companies, Inc. et al. v. Nichia Corp.*, Case IPR2017-02014 (PTAB), involving related U.S. Patent No. 8,530,250;
- g. *VIZIO, Inc. v. Nichia Corp.*, Case IPR2018-00386 (PTAB), involving related U.S. Patent No. 9,490,411;
- h. U.S. Patent Application Serial Number 15/360,316, filed on November 23, 2016, claims the benefit of U.S. Patent Application Serial Number 14/928,550, issued as U.S. Patent No. 9,537,071 on January 3, 2017 (Pending);
- i. U.S. Patent Application Serial Number 13/969,182, issued as U.S. Patent No. 9,287,476 on March 15, 2016; and

j. U.S. Patent Application Serial Number 12,737,940, issued as U.S.

Patent No. 8,530,250 on September 10, 2013.

3. Lead and Back-up Counsel

In accordance with 37 C.F.R. § 42.8(b)(3), Patent Owner identifies Martin

M. Zoltick as lead counsel:

Martin M. Zoltick, Lead Counsel
USPTO Reg. No. 35,745
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
607 14th Street, N.W., Suite 800
Washington, DC 20005
Phone: 202-783-6040
Facsimile: 202-783-6031
Email: mzoltick@rfem.com

Patent Owner identifies Michael H. Jones and Mark T. Rawls as back-up counsel:

Michael H. Jones, Back-up Counsel
USPTO Reg. No. 76,120
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
607 14th Street, N.W., Suite 800
Washington, DC 20005
Phone: 202-783-6040
Facsimile: 202-783-6031
Email: mjones@rfem.com

Mark T. Rawls, Back-up Counsel
USPTO Reg. No. 76,376
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
607 14th Street, N.W., Suite 800
Washington, DC 20005
Phone: 202-783-6040
Facsimile: 202-783-6031
Email: mrawls@rfem.com

4. Service Information

In accordance with 37 C.F.R. § 42.8(b)(4), Patent Owner identifies the following service information.

Postal & Hand-Delivery Address, Phone & Facsimile Numbers:

Martin M. Zoltick, Lead Counsel
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
607 14th Street, N.W., Suite 800
Washington, DC 20005
Phone: 202-783-6040
Facsimile: 202-783-6031

In addition, Patent Owner consents to service by electronic mail to the following addresses:

mzoltick@rfem.com
mjones@rfem.com
mrawls@rfem.com
litigationparalegals@rothwellfigg.com

5. Power of Attorney

In accordance with 37 C.F.R. § 42.10(b), a Power of Attorney has been concurrently filed herewith, identifying lead and back-up counsel as counsel of record for the subject patent.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.