

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIZIO, INC.,
Petitioner,

v.

NICHIA CORPORATION,
Patent Owner.

Case IPR2018-01100
Patent No. 7,915,631

PATENT OWNER'S MANDATORY NOTICES

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner Nichia Corporation (“Nichia”) hereby submits the following Mandatory Notices.

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

Nichia is the real party-in-interest.

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

Administrative Proceedings. Nichia notes that the following petitions for *inter partes* review of U.S. Patent No. 7,915,631 (the “’631 patent”) either are pending, were denied by the Board, or were terminated before the Board issued an institution decision:

- *Lowe’s Companies, Inc., Lowe’s Home Centers, LLC, and L G Sourcing, Inc. v. Nichia Corporation*, IPR2018-00066 (instituted, April 25, 2018);
- *VIZIO, Inc. v. Nichia Corporation*, Case IPR2017-00551 (denied, July 7, 2017); and
- *TCL Multimedia Technology Holdings Ltd. and TTE Technology, Inc. v. Nichia Corporation*, Case IPR2017-2000 (terminated, March 20, 2018).

The following petitions seeking *inter partes* review of patents related to the ’631 patent were either denied by the Board or terminated before the Board issued an institution decision:

- *VIZIO, Inc. v. Nichia Corporation*, Case IPR2017-00558 (U.S. Patent No. 8,309,375) (denied, July 7, 2017);
- *VIZIO, Inc. v. Nichia Corporation*, Case IPR2017-00552 (U.S. Patent No. 7,901,959) (denied, July 7, 2017);

Case IPR2018-01100

Patent No. 7,915,631

- *VIZIO, Inc. v. Nichia Corporation*, Case IPR2017-00556 (U.S. Patent No. 7,855,092) (denied, July 6, 2017);
- *TCL Multimedia Technology Holdings Ltd. and TTE Technology, Inc. v. Nichia Corporation*, Case IPR2017-2001 (U.S. Patent No. 8,309,375) (terminated, March 20, 2018);
- *TCL Multimedia Technology Holdings Ltd. and TTE Technology, Inc. v. Nichia Corporation*, Case IPR2017-1999 (U.S. Patent No. 7,901,959) (terminated, March 20, 2018); and
- *TCL Multimedia Technology Holdings Ltd. and TTE Technology, Inc. v. Nichia Corporation*, Case IPR2017-1998 (U.S. Patent No. 7,855,092) (terminated, March 20, 2018).

Nichia states that no patent application or patent claims priority to the '631 patent.

Judicial Proceedings. Nichia identifies the following pending judicial proceedings in which the '631 patent has been asserted:

- *Nichia Corporation v. Lowe's Companies, Inc., Lowe's Home Centers, LLC, and L G Sourcing, Inc.*, Case No. 5:16-cv-00142 (W.D.N.C.); and
- *Nichia Corporation v. VIZIO, Inc.*, Case No. 8:16-cv-00545 (C.D. Cal).

Nichia notes that the '631 patent was also asserted in the following judicial proceedings, which were voluntarily dismissed after settlements:

- *Nichia Corporation v. Mary Elle Fashions, Inc. and Meridian Electric Company, Inc.*, Case No. 4:16-cv-01176 (E.D. Mo.); and
- *Nichia Corporation v. TCL Multimedia Technology Holdings Ltd. and TTE Technology, Inc.*, Case No. 1:16-cv-00681 (D. Del.).

Stipulated dismissals for the *Mary Elle* and *TCL* actions were entered by the district courts on August 18, 2017 and February 28, 2018, respectively.

**3. Lead and Back-Up Counsel and Service Information
(37 C.F.R. § 42.8(b)(3)-(4))**

Lead Counsel	Back-Up Counsel
Catherine Nyarady (Reg. No. 42,042) cnyarady@paulweiss.com <u>Postal & Hand-Delivery Address:</u> PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP 1285 Avenue of the Americas New York, NY 10019 Tel.: (212) 373-3000 Fax: (212) 757-3990	David E. Cole (Reg. No. 73,084) dcole@paulweiss.com <u>Postal & Hand-Delivery Address:</u> PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP 2001 K Street, NW Washington, D.C. 20006-1047 Tel.: (202) 223-7300 Fax: (202) 223-7420

Dated: May 24, 2018

Respectfully submitted,

/s/ David E. Cole

David E. Cole (Reg. No. 73,084)
PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP
2001 K Street, NW
Washington, DC 20006-1047
Tel.: (202) 223-7300
Fax: (202) 223-7420
dcole@paulweiss.com

*Counsel for Patent Owner
Nichia Corporation*

Case IPR2018-01100
Patent No. 7,915,631

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that, on May 24, 2018, I caused a true and correct copy of the foregoing PATENT OWNER'S MANDATORY NOTICES to be served by email on the following counsel of record for Petitioner VIZIO, Inc.:

Gabrielle E. Higgins, Esq.
James L. Davis, Jr., Esq.
ROPES & GRAY LLP
1900 University Avenue – Suite 600
East Palo Alto, CA 94303

gabrielle.higgins@ropesgray.com
james.l.davis@ropesgray.com

By: /s/ David E. Cole
David E. Cole (Reg. No. 73,084)
PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP
2001 K Street, NW
Washington, DC 20006-1047
Tel.: (202) 223-7300
Fax: (202) 223-7420
dcole@paulweiss.com

*Counsel for Patent Owner
Nichia Corporation*