

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERRILL COMMUNICATIONS LLC et al
Petitioner

v.

E-NUMERATE SOLUTIONS, INC.
Patent Owner

Case IPR2018-01389
Patent 9,268,748

**PATENT OWNER'S AMENDED
MANDATORY NOTICE UNDER 37 C.F.R. 42.8**

Pursuant to 37 C.F.R. § 42.8(b)(2), Patent Owner identifies the following additional judicial and/or administrative matters that may affect, or may be affected by, a decision in this *Inter Partes Review*:

The ‘748 Patent is asserted by Patent Owner in the Federal Court of Claims: E-Numerate Solutions, Inc. et al v. USA, Civil Action No. 1:19-cv-00859, filed 6/11/2019.

The ‘748 Patent was asserted by Patent Owner in U.S. District Court for the District of Delaware: E-Numerate Solutions, Inc. et al v. Mattress Firm Holding Corp., et al., Civil Action No. 1:17-cv-00933, filed 07/11/2017, closed 11/19/2018.

Dated: July 9, 2019

Respectfully Submitted,

By: /s/ Dr. Gregory J. Gonsalves
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CERTIFICATE OF SERVICE

I hereby certify that E-NUMERATE SOLUTIONS, INC.'S Amended Mandatory Notices under 37 C.F.R. 42.8 were served on July 9, 2019, by electronic mail to the following:

Lead Counsel for Merrill Communications LLC et al.	Back-up Counsel for Merrill Communications LLC et al.
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