

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FITBIT, INC.,

Petitioner

v.

PHILIPS NORTH AMERICA LLC,

Patent Owner.

U.S. Patent No. 7,088,233

Issue Date: August 8, 2006

Title: Personal Medical Device Communication System and Method

Case No. IPR2020-00783

**Patent Owner's Mandatory Notices
Under 37 C.F.R. § 42.8**

IPR2020-00783	Patent Owner Mandatory Notices
U.S. Patent No. 7,088,233	

Pursuant to 37 C.F.R. § 42.8, Philips North America LLC (“Philips”) provides this Mandatory Notice within 21 days of service of the Petition (Paper 1) on April 8, 2020.

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

Philips North America LLC is the sole assignee of U.S. Patent No. 7,088,233 (the “’233 patent”).

II. Related Matters Pursuant to 37 C.F.R. § 42.8 (b)(2):

Philips North America LLC is aware of the following matters involving the ’233 patent.

The ’233 patent is at issue in the following cases: *Philips North America LLC v. Fitbit, Inc.*, No. 1:19-cv-11586-IT (D. Mass.); and *Philips North America LLC v. Garmin International, Inc. et al.*, Case No. 2:19-cv-06301-AB-KS, Central District of California. The Massachusetts district court action also involves U.S. Patent Nos. 8,277,377 (“the ’377 patent”), 6,976,958 (“the ’958 patent”) and 6,013,007 (“the ’007 patent”). The California district court action also involves the ’377 patent, the ’958 patent, and the ’007 patent, as well as U.S. Patent Nos. 9,314,192, and 9,801,542.

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On April 8, 2020, Petitioner filed a petition for *inter partes* review challenging the '958 patent (IPR2020-00782). On April 15, 2020, Petitioner also filed an IPR against U.S Patent No. 8,277,377 (IPR2020-00828).

III. Lead and Back-Up Counsel Pursuant to 37 C.F.R. § 42.8(b)(3):

Philips North America LLC designates the following Lead and Back-up Counsel:

Lead Counsel	Back-up Counsel
George C. Beck Foley & Lardner LLP 3000 K Street, N.W., Suite 600 Washington, DC 20007 Direct Line: 202-945-6014 Email: GBeck@foley.com Fax: 202-672-5399 USPTO Reg. No. 38,072	Eley O. Thompson Foley & Lardner LLP 321 N. Clark Street, Suite 2800 Chicago, IL 60654-5313 Direct Line: (312) 832-4359 Email: EThompson@foley.com Fax: (312) 832-4700 USPTO Reg. No. 36,035

IV. Service Information Pursuant to 37 C.F.R. §§ 42.8(b)(4):

Please address all correspondence to the lead counsel at the address shown above. Patent Owner consents to electronic service by e-mail at:

PhilipsIPRs@foley.com

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Any questions concerning this paper may be directed to lead counsel.

Dated: April 29, 2020

Respectfully submitted,

/George C. Beck/
George C. Beck
Registration No. 38,072
Counsel for Patent Owner

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Philips North America LLC's Mandatory Notices Under 37 C.F.R. § 42.8** was served on April 29, 2020, by email directed to the attorneys of record for the Petitioners at the following address:

PH-Fitbit-Philips-IPR@paulhastings.com

Dated: April 29, 2020

By: /George C. Beck/
George C. Beck
Registration No. 38,072
Counsel for Patent Owner