

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NINTENDO CO., LTD., and NINTENDO OF AMERICA INC.,
Petitioners,

v.

ANCORA TECHNOLOGIES, INC.,
Patent Owner.

U.S. Patent No. 6,411,941 B1

Case No.: IPR2021-01338

PATENT OWNER'S MANDATORY NOTICES UNDER 37 C.F.R. § 42.8

Pursuant to 37 C.F.R. § 42.8, the patent owner, Ancora Technologies Inc. (“Patent Owner”), hereby submits the following Mandatory Notices in response to the Petition for *Inter Partes* Review of U.S. Patent No. 6,411,941 B1 (“the ‘941 Patent”).

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

Patent Owner certifies that Ancora Technologies Inc. is the real party-in-interest in this proceeding.

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

Patent Owner asserts that Petitioners infringe the ‘941 Patent in *Ancora Technologies, Inc. v. Nintendo Co., Ltd.*, No. 6:21-cv-00738 (W.D. Tex.) (complaint filed July 16, 2021).

Patent Owner has asserted the ‘941 Patent against other parties in the following currently-pending district-court lawsuits: *Ancora Technologies, Inc. v. VIZIO, Inc.*, No. 6:21-cv-00739 (W.D. Tex.); *Ancora Technologies, Inc. v. Roku, Inc.*, No. 6:21-cv-00737 (W.D. Tex.); *Ancora Technologies, Inc. v. Google, LLC*, No. 6:21-cv-00735 (W.D. Tex.); *Ancora Technologies, Inc. v. Lenovo Group Limited*, No. 1:19-cv-01712 (D. Del.). Patent Owner also asserted the ‘941 Patent against other parties in the following recently-dismissed district-court lawsuits: *Ancora Technologies, Inc. v. LG Electronics, Inc.*, No. 1:20-cv-00034 (W.D. Tex.);

Ancora Technologies, Inc. v. HTC America, Inc., No. 2:16-cv-01919 (W.D. Wash.); *Ancora Technologies, Inc. v. TCT Mobile (US) Inc.*, Nos. 8:19-cv-02192, 2:20-cv-01252 (C.D. Cal.); *Ancora Technologies, Inc. v. Sony Corp.*, No. 1:19-cv-01703 (D. Del.); *Ancora Technologies, Inc. v. Samsung Electronics Co., Ltd.*, No. 6:19-cv-00385 (W.D. Tex.).

There are presently no *inter partes* review or other post-grant review proceedings pending with respect to the '941 Patent. The present Petition contains the same grounds of invalidity as the grounds that were instituted in the prior TCL IPR proceeding. *See* TCL Institution Decision (IPR2020-01609). Those same grounds were again instituted in the prior Sony IPR proceeding. *See* Sony Institution Decision (IPR2021-00663). Both of these two previously-instituted IPR proceedings were terminated due to settlement prior to any further activity after the respective institution decisions. *See* Decision re Settlement as to TCT and TCL After Institution of Trial, *TCT Mobile (US) Inc. v. Ancora Technologies, Inc.*, No. IPR2020-01609 (June 10, 2021) (Paper No. 21); Termination Due to Settlement After Institution of Trial, *Sony Mobile Commc 'ns AB v. Ancora Technologies, Inc.*, No. IPR2021-00663 (July 16, 2021) (Paper No. 20).

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

The Patent Owner identifies the following lead and back-up counsel:

Lead Counsel	Back-Up Counsel
Marc Lorelli (Reg. No. 43,759) BROOKS KUSHMAN P.C. 1000 Town Center, 22nd Floor Southfield, MI 48075 Telephone (248) 358-4400 Facsimile (248) 358-3351 mlorelli@brookskushman.com	John P. Rondini (Reg. No. 64,949) BROOKS KUSHMAN P.C. 1000 Town Center, 22nd Floor Southfield, MI 48075 Telephone (248) 358-4400 Facsimile (248) 358-3351 jrondini@brookskushman.com

Pursuant to 37 C.F.R. § 42.10(b), an appropriate Power of Attorney is filed concurrently.

D. Service Information - 37 C.F.R. § 42.8(b)(4)

Service information for lead and back-up counsel is provided in the designation of lead and back-up counsel above. Patent Owner consents to service by email at the following email address: ANCC0124IPR@brookskushman.com.

Dated: August 31, 2021

Respectfully submitted,

/Marc Lorelli/
Marc Lorelli (Reg. No. 43,759)
John P. Rondini (Reg. No. 64,949)
BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
(248) 358-4400

Attorneys for Patent Owner

Certificate of Service

The undersigned hereby certifies that on August 31, 2021, a complete and entire copy of **Patent Owner's Mandatory Notices**, was served via electronic mail to the attorneys listed below at PerkinsService-Nintendo-Ancora-IPR@perkinscoie.com:

LEAD COUNSEL	BACK-UP COUNSEL
Jerry A. Riedinger Reg. No. 30,582 riedinger-ptab@perkinscoie.com Perkins Coie LLP	Jose Villarreal, Reg. No. 43,969 villarreal-ptab@perkinscoie.com Perkins Coie LLP Kyle Canavera, Reg. No. 72,167 canavera-ptab@perkinscoie.com Perkins Coie LLP Theresa H. Nguyen (to be admitted <i>pro hac vice</i>) nguyen-ptab@perkinscoie.com Perkins Coie LLP Tara Kurtis, Reg. No. 74,846 kurtis-ptab@perkinscoie.com Perkins Coie LLP

Respectfully submitted,

/Marc Lorelli/
Marc Lorelli (Reg. No. 43,759)
John P. Rondini (Reg. No. 64,949)
BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
(248) 358-4400

Attorneys for Patent Owner