

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, LLC
Petitioner

v.

MEMORYWEB, LLC
Patent Owner

Case No. IPR2021-01413
Patent 10,621,228

PETITIONER'S UPDATED MANDATORY NOTICES

Pursuant to 37 C.F.R. § 42.8(b)(1), Unified Patents, LLC (“Unified” or “Petitioner”) certifies that Unified is the sole real party-in-interest and certifies that no other party exercised control or could exercise control over Unified’s participation in this proceeding, filing this petition, or conduct in any ensuing trial. On March 8, 2023, the Board issued an order finding “that Apple, Inc. and Samsung Electronics Co., Ltd. are Real Parties in Interest to this Proceeding[.]” Paper 56, 34. Unified disagrees with this finding and is in the process of seeking review of it. The Order required Petitioner to update its mandatory notices consistent with the order. *Id.* This filing is a response to that requirement.

Petitioner does not waive any rights to seek review, appeal, or otherwise challenge the findings of Paper 56 by this filing.

The Board has approved of similar actions taken by other petitioners when a finding regarding real party-in-interest has been contested. *Proppant Express Investments, LLC, et al. v. Oren Techs., LLC*, IPR2018-00733, Paper 34, 6 (PTAB Feb. 20, 2019) (“we see nothing wrong with this approach as the identification fulfills the key purposes of identifying the real parties in interest—namely, ‘identifying potential conflicts, and to assure proper application of the statutory estoppel provisions.’”); *Intel Corp. v. Hera Wireless S.A.*, IPR2018-01372, Paper 24

(PTAB Jan. 9, 2019) (allowing Petitioner to update Mandatory Notices “without conceding that they would be determined to be real parties in interest under the governing legal standard”); Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,759 (Aug. 14, 2012).

Respectfully submitted,

Date: March 10, 2023

/Roshan Mansinghani/
Roshan Mansinghani
Reg. No. 62,429
Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **PETITIONER'S UPDATED MANDATORY NOTICES** was served on March 10, 2023, via electronic mail, as agreed to by counsel, upon the following counsel for Patent Owner:

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