

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KINGSTON TECHNOLOGY COMPANY, INC., KINGSTON TECHNOLOGY
CORPORATION, AND KINGSTON DIGITAL, INC.,
Petitioners

v.

VERVAIN, LLC,
Patent Owner

Case: IPR2025-00614
U.S. Patent No. 8,891,298

**PATENT OWNER'S MANDATORY NOTICES
UNDER 37 C.F.R. § 42.8(A)(2)**

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner, Vervain, LLC, hereby files its Mandatory Notices as follows:

I. Real Party of Interest (37 C.F.R. § 42.8(b)(1))

Pursuant to 37 C.F.R. § 42.8(b)(1), Patent Owner identifies Vervain, LLC as the real party in interest.

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

Pursuant to 37 C.F.R. § 42.8(b)(2), Patent Owner identifies the following proceedings that may affect, or be affected by, this proceeding:

- Patent Owner has asserted U.S. Patent No. 8,891,298 in Vervain, *LLC v. Phison Electronics Corporation.*, Civil Action No. 1:24-cv-259-ADA, filed in the U.S. District Court for the Western District of Texas on March 8, 2024.

- Patent Owner has asserted U.S. Patent No. 8,891,298 in Vervain, *LLC v. Kingston Technology Company, Inc. et al.*, Civil Action No. 1:24-cv-254, filed in the U.S. District Court for the Western District of Texas on March 7, 2024.

The '298 Patent is part of a family of related patents and applications which claim the benefit of or share the priority date of the '298 Patent. These include:

- U.S. Patent Application No. 14/525,411 filed 10/28/2014, issued as U.S. Patent No. 9,196,385 B2.

- U.S. Patent Application No. 14/950,553 filed 11/24/2015, issued as U.S. Patent No. 9,997,240.
- U.S. Patent Application No. 16/006,299 filed 06/12/2018, issued as U.S. Patent No. 10,950,300.
- U.S. Patent Application No. 17/203,385 filed 03/16/2021, issued as U.S. Patent No. 11,830,546.
- U.S. Patent Application No. 18/373,071 filed 09/26/2023, issued as U.S. Patent No. 11,854,612 B1.
- U.S. Patent Application No. 18/387,546 filed 11/07/2023 issued as U.S. Patent No. 11,967,369.
- U.S. Patent Application No. 18/390,193 filed 12/20/2023, issued as U.S. Patent No. 11,967,370.
- U.S. Patent Application No. 18/613,301, filed 03/22/2024, issued as U.S. Patent No. 12,136,455.
- U.S. Patent Application No. 18/613,466, filed 03/22/2024, issued as U.S. Patent No. 12,119,054.
- U.S. Patent Application No. 18/926,560, filed 10/25/2024, issued as U.S. Patent No. 12,224,005.

Patents related to the '298 Patent are subject to the following proceedings, which are currently pending:

- A Petition for *Post-Grant* Review of U.S. Patent No. 11,830,546 is before the Board in *Phison Electronics Corporation v. Vervain, LLC*, PGR2024-00047, filed on August 27, 2024.

- A Petition for *Post-Grant* Review of U.S. Patent No. 11,854,612 is before the Board in *Phison Electronics Corporation v. Vervain, LLC*, PGR2024-00048, filed on September 25, 2024.

- A Petition for *Inter Partes* Review of U.S. Patent No. 8,891,298 is before the Board in *Phison Electronics Corporation v. Vervain, LLC*, IPR2025-00212, filed on November 25, 2024.

- A Petition for *Inter Partes* Review of U.S. Patent No. 9,196,385 is before the Board in *Phison Electronics Corporation v. Vervain, LLC*, IPR2025-00213, filed on December 4, 2024.

- A Petition for *Inter Partes* Review of U.S. Patent No. 9,997,240 is before the Board in *Phison Electronics Corporation v. Vervain, LLC*, IPR2025-00214, filed on December 6, 2024.

- A Petition for *Inter Partes* Review of U.S. Patent No. 10,950,300 is before the Board in *Phison Electronics Corporation v. Vervain, LLC*, IPR2025-00215, filed on December 17, 2024.
- A Petition for *Post-Grant* Review of U.S. Patent No. 11,976,369 is before the Board in *Phison Electronics Corporation v. Vervain, LLC*, PGR2025-00010, filed on December 26, 2024.
- A Petition for *Post-Grant* Review of U.S. Patent No. 11,967,370 is before the Board in *Phison Electronics Corporation v. Vervain, LLC*, PGR2025-00011, filed on December 31, 2024.
- A Petition for *Inter Partes* Review of U.S. Patent No. 10,950,300 is before the Board in *Kingston Technology Company, Inc. et al v. Vervain, LLC*, IPR2025-00616, filed on February 21, 2025.

Patents related to the '298 Patent were previously subject to the following proceedings, which are no longer pending:

- A Petition for *Inter Partes* Review of U.S. Patent No. 8,891,298 was previously before the Board in *Micron Technology, Inc. v. Vervain, LLC*, IPR2021-01547, filed on September 21, 2021, and terminated on April 4, 2023.

- A Petition for *Inter Partes* Review of U.S. Patent No. 9,196,385 was previously before the Board in *Micron Technology, Inc. v. Vervain, LLC*, IPR2021-01548, filed on September 21, 2021, and terminated on April 4, 2023.
- A Petition for *Inter Partes* Review of U.S. Patent No. 9,997,240 was previously before the Board in *Micron Technology, Inc. v. Vervain, LLC*, IPR2021-01549, filed on September 13, 2021, and terminated on April 4, 2023.
- A Petition for *Inter Partes* Review of U.S. Patent No. 10,950,300 was previously before the Board in *Micron Technology, Inc. v. Vervain, LLC*, IPR2021-01550, filed on September 21, 2021, and terminated on April 4, 2023.
- Patent Owner previously asserted U.S. Patent Nos. 8,891,298, 9,196,385, 9,997,240 and 10,950,300 collectively in *Vervain, LLC v. Micron Technology, Inc.; Micron Semiconductor Products, Inc.; and Micron Technology Texas, LLC*, Civil Action No. 6:21-cv-00487, filed on May 5, 2021, and dismissed on April 21, 2023.
- Patent Owner previously asserted U.S. Patent Nos. 8,891,298, 9,196,385, 9,997,240 and 10,950,300 collectively in *Vervain, LLC v. Western Digital Corporation, Western Digital Technologies, Inc. and HGST*, Civil Action No. 6:21-cv-00488, filed on May 10, 2021, and dismissed on August 8, 2023.

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

Pursuant to 37 C.F.R. § 42.8(b)(3), Patent Owner identifies lead and back-up counsel as follows:

Lead Counsel	Back-up Counsel
<p>Alan Whitehurst Reg. No. 43,263 awhitehurst@mckoolsmith.com McKool SMITH, P.C. 1717 K St. NW, Suite 1000 Washington, DC 20006 Telephone: (202) 370-8307 Facsimile: (202) 370-8344</p>	<p>Arvind Jairam Reg. No. 62,759 ajairam@mckoolsmith.com McKool SMITH, P.C. 1717 K St. NW, Suite 1000 Washington, DC 20006 Telephone: (202) 370-8324 Facsimile: (202) 370-8344</p> <p>Christopher McNett Reg. No. 64,489 cmcnett@mckoolsmith.com McKool SMITH, P.C. 1717 K St. NW, Suite 1000 Washington, DC 20006 Telephone: (202) 370-8323 Facsimile: (202) 370-8344</p> <p>Christian Dorman Reg. No. 79,118 cdorman@mckoolsmith.com McKool SMITH, P.C. 1717 K St. NW, Suite 1000 Washington, DC 20006 Telephone: (202) 370-8287 Facsimile: (202) 370-8344</p> <p>Christopher Leone Reg. No. 80,966 cleone@mckoolsmith.com McKool SMITH, P.C. 1717 K St. NW, Suite 1000 Washington, DC 20006 Telephone: (202) 370-8329 Facsimile: (202) 370-8344</p>

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

Pursuant to 37 C.F.R. § 42.8(b)(4), Patent Owner requests that all non-electronic correspondence be directed to lead counsel and back-up counsel as shown above. Patent Owner consents to electronic service by email at

Vervain-Phison-MS@mckoolsmith.com

Dated: March 7, 2025

Respectfully submitted,

/Alan Whitehurst/

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CERTIFICATION OF SERVICE

The undersigned hereby certifies that a copy of this **PATENT OWNER'S MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(A)(2)** has been served on Petitioner via email on the following counsel of record for Petitioner:

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