

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NJOY, LLC and NJOY HOLDINGS, INC.,

Petitioners,

v.

JUUL LABS, INC.

Patent Owner.

Case No. IPR2026-00161
U.S. Patent No. 12,156,533

**PATENT OWNER'S NOTICE OF INTENT TO DESIGNATE
PROVISIONALLY RECOGNIZED PTAB ATTORNEY THOMAS H.
WINTNER AS BACK-UP COUNSEL UNDER 37 C.F.R. § 42.10(c)(2)**

EXHIBIT LIST

Exhibit	Description
2001	Declaration of Thomas H. Wintner in Support of Patent Owner's Notice of Intent to Designate a Provisionally Recognized PTAB Attorney Under 37 C.F.R. § 42.10(c)(2)

Pursuant to 37 C.F.R. § 42.10(c)(2), Patent Owner JUUL Labs, Inc. (“Patent Owner”) respectfully notifies the Board of its intent to designate provisionally recognized PTAB attorney Thomas H. Wintner as Back-Up Counsel in this proceeding.

I. Lead Counsel

Registered practitioner Peter J. Cuomo (Reg. No. 58,481) is serving as Lead Counsel for Patent Owner in this proceeding.

II. The Most Recent Prior Proceeding in Which the Person Seeking to Appear Was Recognized *Pro Hac Vice* by Order of the PTAB

Mr. Wintner was most recently recognized *pro hac vice* by Order of the Board, pursuant to a motion of the type described in 37 C.F.R. § 42.10(c)(1), in the following proceedings: *Eyenovia, Inc. v. Sydnexis, Inc.*, IPR2022-00384, Paper 18 (Oct. 14, 2022); *Eyenovia, Inc. v. Sydnexis, Inc.*, IPR2022-00414, Paper 19 (Oct. 14, 2022); and *Eyenovia, Inc. v. Sydnexis, Inc.*, IPR2022-00415, Paper 18 (Oct. 14, 2022).

III. Certification of the Individual Seeking *Pro Hac Vice* Recognition

This notice is accompanied by a certification in the form of a declaration executed by Mr. Wintner (Ex2001), in which Mr. Wintner attests to satisfying all the requirements set forth by the Board for *pro hac vice* recognition of a provisionally recognized PTAB attorney (Paper 3 at 5-6).

IV. Power of Attorney and Mandatory Notices

Patent Owner has filed a Power of Attorney and Mandatory Notices in this proceeding authorizing Mr. Wintner to appear on behalf of Patent Owner as Back-Up Counsel pending his recognition *pro hac vice* (Papers 5 and 6, respectively). Patent Owner will also file an updated Mandatory Notice after the expiration of the applicable time period set forth in 37 C.F.R. § 42.10(c)(2)(iii).

Patent Owner respectfully submits that Mr. Wintner has satisfied all requirements to be deemed admitted *pro hac vice* in this proceeding.

Respectfully submitted,

Dated: December 29, 2025

/s/ Peter J. Cuomo

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C.F.R. § 42.10(c)(2) pending)
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Counsel to Patent Owner JUUL Labs, Inc.

CERTIFICATE OF SERVICE

I certify that a copy of Patent Owner's Notice of Intent to Designate Provisionally Recognized PTAB Attorney Thomas H. Wintner as Back-Up Counsel Under 37 C.F.R. § 42.10(c)(2), and Exhibit 2001 filed therewith, was served by electronic mail on the following counsel of record:

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Dated: December 29, 2025

/s/ Peter J. Cuomo
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