From: Carter, R. Trevor
To: Steven A. Caloiaro; Ariana F. Pellegrino; John S. Artz
Cc: McCoy, Andrew M.; Spegele, Matthew J.; Dodge, Reid E.
Subject: RE: 633 Case Infringement Contentions
Date: Monday, November 28, 2022 9:12:33 AM

Counsel,

As we have previously notified you, we will soon be filing one or more IPR petitions to invalidate claims in the '633 Patent. Before doing so and to potentially streamline issues in the IPR process, please let us know if Bestway will covenant not to sue all Intex entities, upstream suppliers, etc, and downstream distributors, customers, etc. for the products included in your infringement contentions served in the '633 Patent case, Notices of Intent to File Lawsuit for the '633 Patent, and the products noted in the e-mail below for any claims of the '633 Patent not asserted in your infringement contentions (i.e. all claims other than 1, 2, 16, 19, and 20). Please let us know your response by December 1, 2022.

Please let us know if you have any questions or want to discuss.

Take care,

Trevor

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From: Carter, R. Trevor <trevor.carter@faegredrinker.com>
Sent: Wednesday, November 23, 2022 3:00 PM
To: Steven A. Caloiaro <SCaloiaro@dickinson-wright.com>; Ariana F. Pellegrino <APellegrino@dickinson-wright.com>; John S. Artz <JSArtz@dickinson-wright.com>
Cc: McCoy, Andrew M. <andrew.mccoy@faegredrinker.com>; Spegele, Matthew J. <matthew.spegele@faegredrinker.com>; Dodge, Reid E. <reid.dodge@faegredrinker.com>
Subject: 633 Case Infringement Contentions

Counsel,

Bestway's preliminary infringement contentions in the '633 case identify a single accused product: 54" x 75" x 24" Full Dura-Beam Deluxe High-Rise Pillow Top Airbed (SKU 64752WD). Bestway accused another product of infringing the '633 Patent in its December 21, 2021 Notice of Intent

Letter. Bestway referred to this other product as the "second generation Dream Lux Pillow-Top Airbed Mattress with Internal Pump" (the "Unaccused Products"). Based on Bestway's preliminary infringement contentions, we understand that Bestway is not alleging infringement of the Unaccused Products in this matter. These Unaccused Products are currently (or were recently) on the market and Bestway failed to accuse them of infringement in its preliminary infringement contentions:

- Full Dura-Beam Series Hi-Rise Airbed with Built-in-Pump (SKU 64415WL), which can be found at, https://www.walmart.com/ip/Intex-22-Air-Mattress-with-Built-in-Pump-Full/45983818.
- Queen Dura-Beam Series Hi-Rise Airbed with Built-in-Pump (SKU 64417E), which can be found at, https://www.walmart.com/ip/Intex-Queen-22-DuraBeam-High-Rise-Airbed-Mattress-with-Built-in-Pump/33563031.
- Queen Comfort-Plush Airbed with Fiber-Tech RP (SKU 64417ED), which can be found at, https://www.walmart.com/ip/Intex-Dura-Beam-Plus-Series-Hi-Rise-Airbed-With-IP-Queen/868469492.
- Queen Dura-Beam Series Hi-Rise Airbed with Built-in-Pump (SKU 64417EP), which can be found at, https://www.walmart.com/ip/Intex-22-Queen-Comfort-Plush-High-Rise-Durabeam-Airbed-Mattress-with-Built-In-Pump/340476874.
- Queen Dura-Beam Series Hi-Rise Airbed with Built-in-Pump (SKU 64417MW), which can be found at either, https://www.ebay.com/p/1775581070 or https://www.walmart.ca/en/ip/intex-dura-beam-comfort-plush-high-rise-air-mattress-with-built-in-pump-22in-queen-gray/6000191621175.
- Queen Dura-Beam Series Hi-Rise Airbed with Built-in-Pump (SKU 64417WL), which can be found at, https://www.ebay.com/itm/154802161566.
- Full Dura-Beam Dream Lux Pillow Top Airbed with Built-in-Pump (SKU 64747WA), which can be found at, https://intexcorp.com/products/air-mattresses/dura-beam-plus-series/22in-full-dura-beam-dream-lux-pillowtop-airbed-with-internal-pump-64747wa/.
- Full Dura-Beam Dream Hi-Rise Pillow Top Airbed with Built-in-Pump (SKU 64747WL), which can be found at, https://www.walmart.com/ip/Intex-Full-22-DuraBeam-Dream-Lux-Airbed-Mattress-with-Built-in-Pump/278148657.

Because these products have been and are publicly available in the U.S., we understand that Bestway is not accusing them of infringement in the '633 case.

Happy Thanksgiving to you and your families.

Take care,

Trevor

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