

EXHIBIT 923

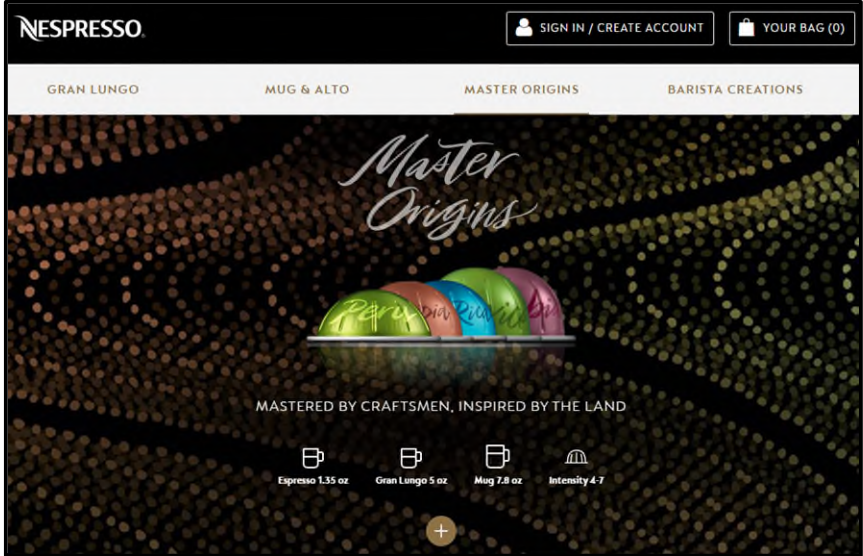
U.S. Patent No. 10,994,923 (“’923 Patent”)

Exemplary Accused Products

Defendants’ products, including at least each of the following products (and their submodels), infringe either literally or under the doctrine of equivalents at least Claims 1-16 of the ’923 Patent: Vertuo Next, VertuoPlus, Evoluo, and Vertuo beverage systems and capsules. The infringement chart below is based on the Vertuo beverage system and capsules, which is exemplary of the infringement of the ’923 Patent.

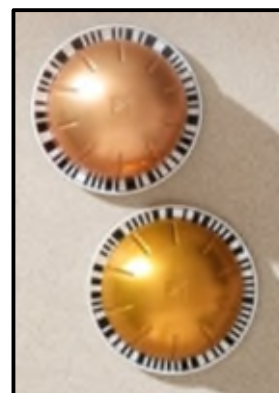
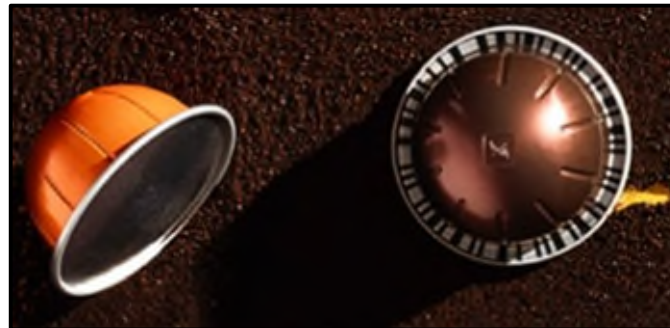
These infringement charts are provided based on information obtained to date and may not be exhaustive. K-fee’s investigation of Defendants’ infringement is ongoing. K-fee reserves the right to seek to supplement and/or amend these disclosures to identify additional asserted claims, accused instrumentalities, and/or to further identify where each element of each asserted claim is found in each accused instrumentality, including on the basis of discovery obtained from Defendants and from third parties during the course of this litigation.

The accused instrumentalities and associated documents discussed and/or cited herein are representative in all material aspects for all other accused instrumentalities identified in this chart. Based on information presently available to K-fee, each of the Defendants’ products is understood to operate in the same manner with respect to the contentions provided in this chart. Defendants have not yet produced discovery in this action, and K-fee reserves the right to amend its contentions as to these products should Defendants provide information showing any relevant differences among the products or any additional products containing the same functionality.

U.S. Patent No. 10,994,923	Representative Accused Product: Vertuo Beverage System and Capsules
[1a] Single-serve capsule for making a beverage, having a base element made of metal with a cavity that is free of a filter, and in which a raw beverage material is provided, the cavity including radially spaced and vertically oriented ribs, the capsule having a flange which is provided on the base element, and the cavity being closed by a metal cover, which is fastened on a top side of the flange, the base element comprises a wall region extending between the flange and a bottom region of the base element, the wall region includes radially spaced and vertically oriented grooves that are free from extending entirely to the bottom region.	The Vertuo beverage system includes a single-serve capsule for making a beverage, having a base element made of metal with a cavity that is free of a filter, and in which a raw beverage material is provided, the cavity including radially spaced and vertically oriented ribs, the capsule having a flange which is provided on the base element, and the cavity being closed by a metal cover, which is fastened on a top side of the flange, the base element comprises a wall region extending between the flange and a bottom region of the base element, the wall region includes radially spaced and vertically oriented grooves that are free from extending entirely to the bottom region. For example, the Vertuo beverage system includes a single-serve capsule for making a beverage. Several varieties of capsules for making a beverage are shown below. 

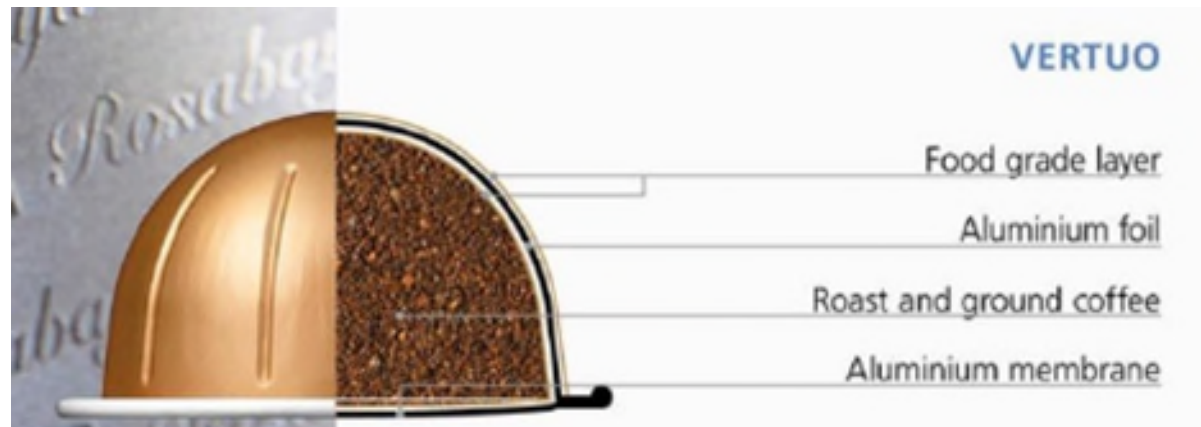
of the base element, the wall region includes radially spaced and vertically oriented grooves that are free from extending entirely to the bottom region,





See <https://www.nespresso.com/us/en/vertuo-coffee-capsules>.

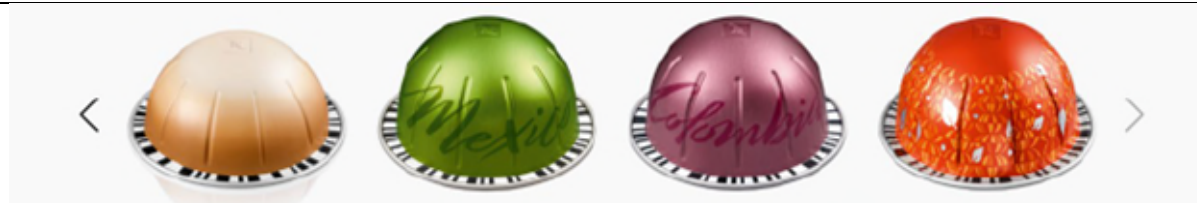
The single-serve capsule has a base element made of metal with a cavity that is free of a filter, and in which a raw beverage material is provided.



See <https://www.sustainability.nespresso.com/why-aluminium>.

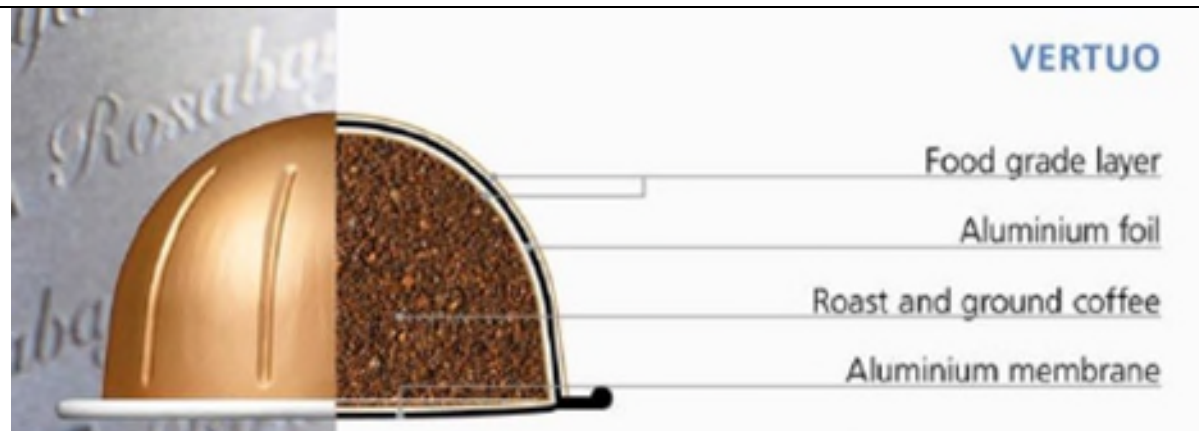
The cavity includes radially spaced and vertically oriented ribs.





See <https://www.nespresso.com/us/en/vertuo-coffee-capsules>.

The capsule has a flange which is provided on the base element, as shown below. Also, as shown below, the cavity is closed by a metal cover, which is fastened on a top side of the flange.



See <https://www.sustainability.nespresso.com/why-aluminium>.



	 See https://www.nespresso.com/us/en/vertuo-coffee-capsules. The base element comprises a wall region extending between the flange and a bottom region of the base element, the wall region includes radially spaced and vertically oriented grooves that are free from extending entirely to the bottom region. Each of these features is shown in the capsules above.
[1b] wherein the capsule has an identifier, which makes it possible to	The capsule has an identifier, which makes it possible to individualize the respective single-serve capsule, and the identifier is a barcode provided on a bottom side of the flange which is directed away from the metal cover.

individualize the respective single-serve capsule, and the identifier is a barcode provided on a bottom side of the flange which is directed away from the metal cover.

For example, the capsule has an identifier, which makes it possible to individualize the respective single-serve capsule, and the identifier is a barcode provided on a bottom side of the flange which is directed away from the metal cover. The below images of the capsules show these features.

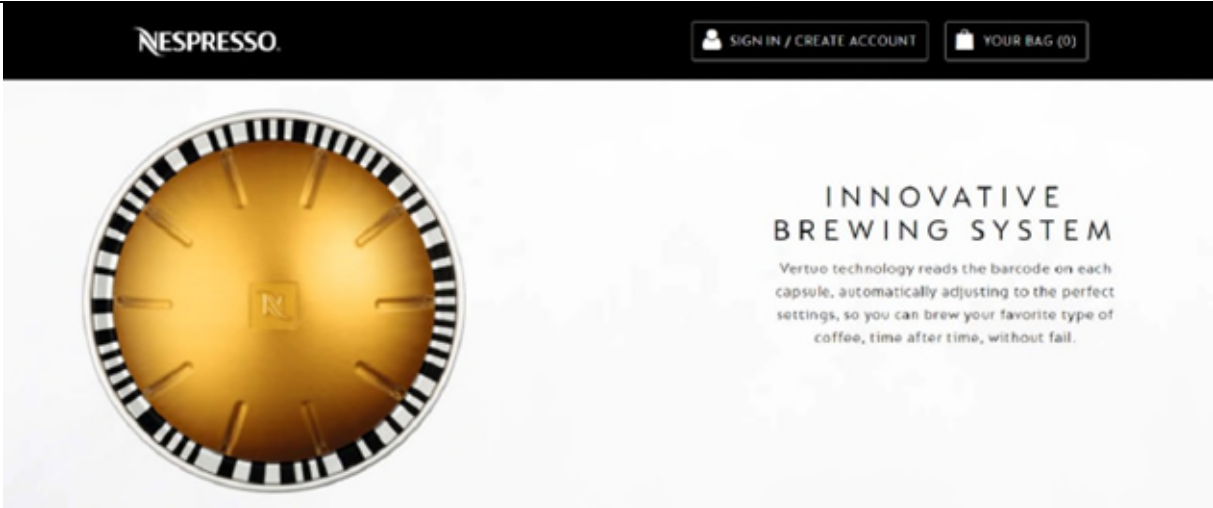


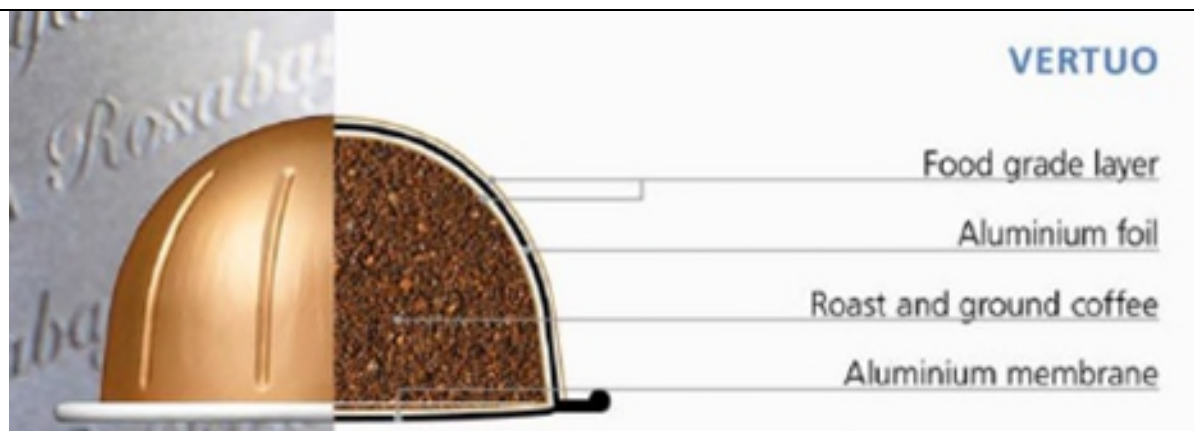


See <https://www.nespresso.com/us/en/vertuo-coffee-capsules>.



See https://www.youtube.com/watch?v=_KOHPZXzcs.

	 See https://www.nespresso.com/us/en/choose-your-technology-vertuo.
2. The single-serve capsule according to claim 1, wherein the base element comprises a circumferential border adjacent the flange, the border has a larger diameter compared to a diameter of the wall region.	The Vertuo beverage system includes the single-serve capsule according to claim 1, wherein the base element comprises a circumferential border adjacent the flange, the border has a larger diameter compared to a diameter of the wall region. For example, the base element comprises a circumferential border adjacent the flange, the border has a larger diameter compared to a diameter of the wall region. The cross-section of the capsule shown below shows these features.



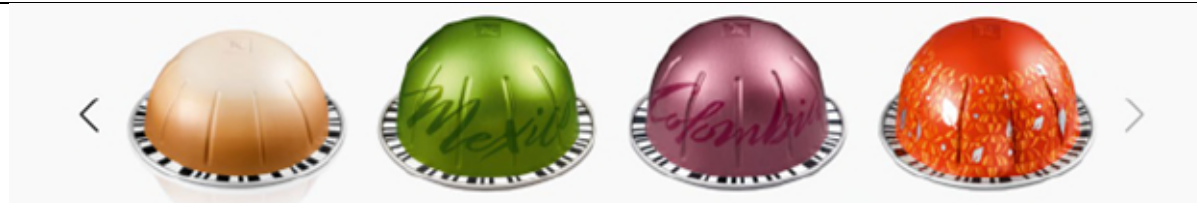
See <https://www.sustainability.nespresso.com/why-aluminium>.

3. The single-serve capsule according to claim 2, wherein the grooves extend into the border.

The Vertuo beverage system includes the single-serve capsule according to claim 2, wherein the grooves extend into the border.

For example, the grooves extend into the border in the below capsules.





See <https://www.nespresso.com/us/en/vertuo-coffee-capsules>.

4. The single-serve capsule according to claim 3, wherein the

The Vertuo beverage system includes the single-serve capsule according to claim 3, wherein the grooves are free from extending all the way to the flange.

grooves are free from extending all the way to the flange.

For example, the grooves are free from extending all the way to the flange in the below capsules.



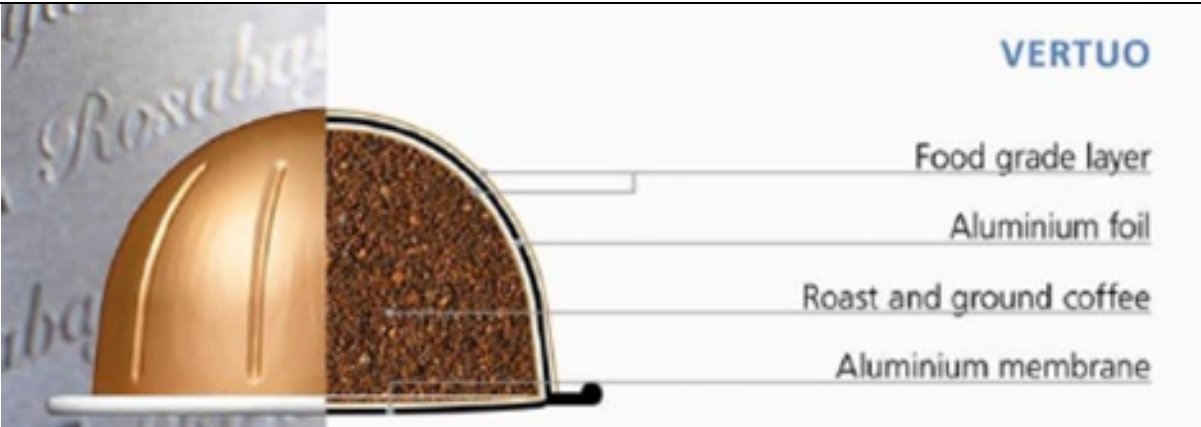


See <https://www.nespresso.com/us/en/vertuo-coffee-capsules>.

5. The single-serve capsule according to claim 1, wherein the wall region has an electrically conductive section.

The Vertuo beverage system includes the single-serve capsule according to claim 1, wherein the wall region has an electrically conductive section.

For example, the wall region has an electrically conductive section as shown in the below capsule. The wall region is indicated as having an aluminum foil section, which is electrically conductive.

	 See https://www.sustainability.nespresso.com/why-aluminium.
6. The single-serve capsule according to claim 1, wherein after the capsule is inserted into a coffee machine, a sensor/detection system of the coffee machine is configured to compare the identifier to a stored reference.	The Vertuo beverage system includes the single-serve capsule according to claim 1, wherein after the capsule is inserted into a coffee machine, a sensor/detection system of the coffee machine is configured to compare the identifier to a stored reference. For example, after the capsule is inserted into a coffee machine, a sensor/detection system of the coffee machine is configured to compare the identifier to a stored reference. The Vertuo machine detects the identifier and compares it to a stored reference. Nespresso’s website states as follows: “Make your perfect coffee every time as the unique barcode on each capsule adjusts the flow and volume of water, temperature, infusion time and capsule rotation precisely.”

02

BARCODE RECOGNITION

Make your perfect coffee every time as the unique barcode on each capsule adjusts the flow and volume of water, temperature, infusion time and capsule rotation precisely.



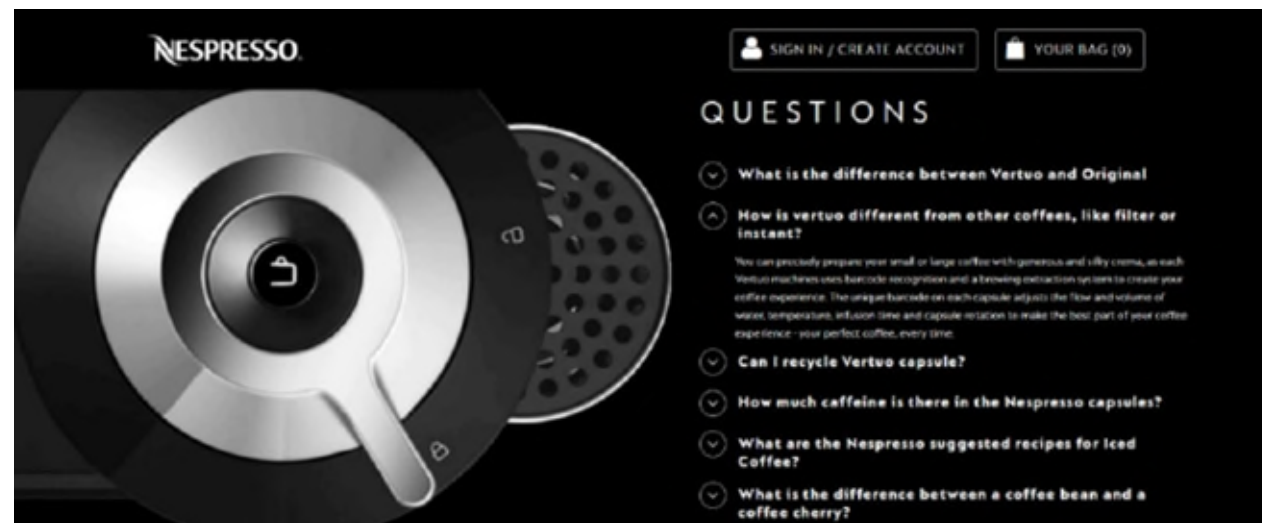
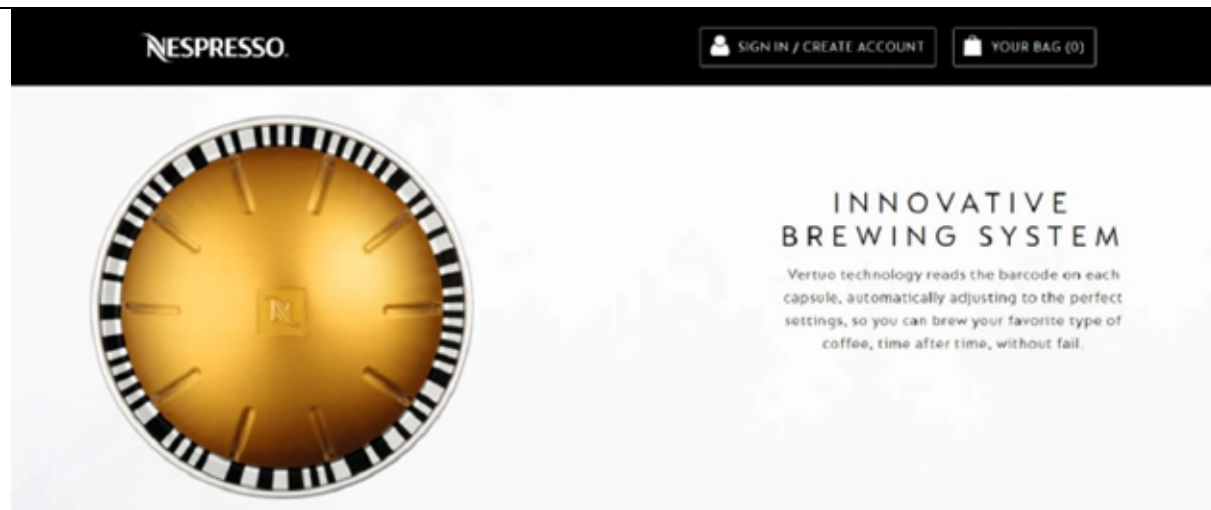
MEET VERTUO AND VERTUOPLUS

Prepare your small or large coffee style with generous crema, all at the touch of a button. Here's the secret: each Vertuo machine uses barcode recognition and a patented extraction system to create your favourite coffee.

You can also electronically open and close the head of the machine and conveniently position the water tank with VertuoPlus.

See <https://www.nespresso.com/de/en/nespresso-vertuo-kapselmaschinen-technologie>.

The Nespresso website further states that the Vertuo system “reads the barcode on each capsule, automatically adjusting to the perfect settings.” The Vertuo barcode is an identifier.





How is vertuo different from other coffees, like filter or instant?

You can precisely prepare your small or large coffee with generous and silky crema, as each Vertuo machine uses barcode recognition and a brewing extraction system to create your coffee experience. The unique barcode on each capsule adjusts the flow and volume of water, temperature, infusion time and capsule rotation to make the best part of your coffee experience - your perfect coffee, every time.

See <https://www.nespresso.com/us/en/choose-your-technology-vertuo>.

02

BARCODE RECOGNITION

The unique barcode on each capsule adjusts the flow and volume of water, infusion time, temperature and capsule rotation precisely.



See <https://www.youtube.com/watch?v=VlBYwKalGoE>.

7. The single-serve capsule according to claim 1, wherein the cavity has grooves defined between the ribs, and the grooves in the cavity generate turbulence of water in the cavity.

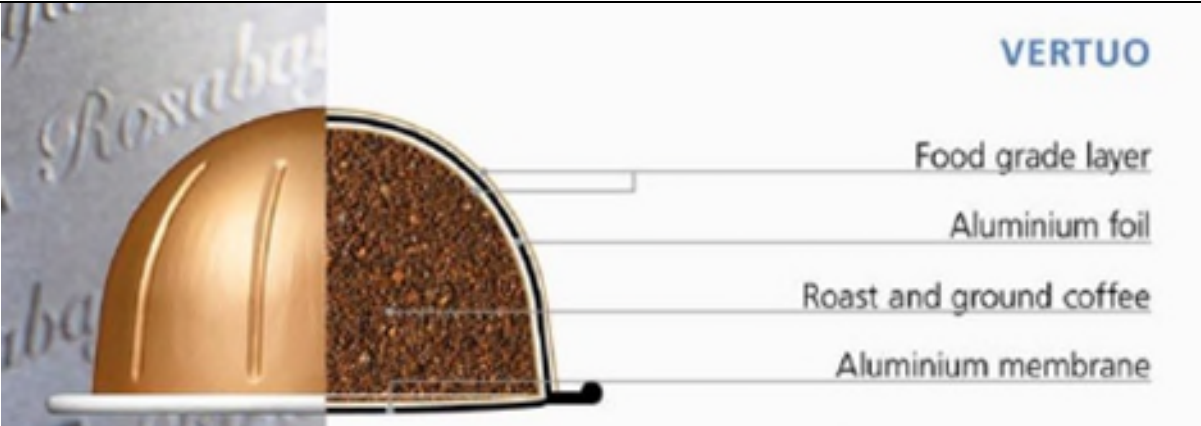
The Vertuo beverage system includes the single-serve capsule according to claim 1, wherein the cavity has grooves defined between the ribs, and the grooves in the cavity generate turbulence of water in the cavity.

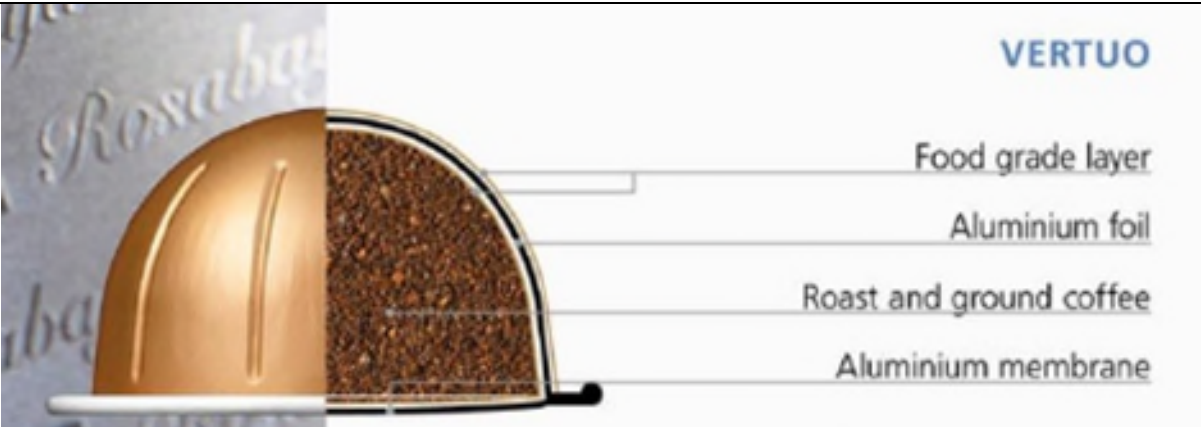
For example, the cavity has grooves defined between the ribs, and the grooves in the cavity generate turbulence of water in the cavity. The below capsules show the cavity, grooves, and ribs.

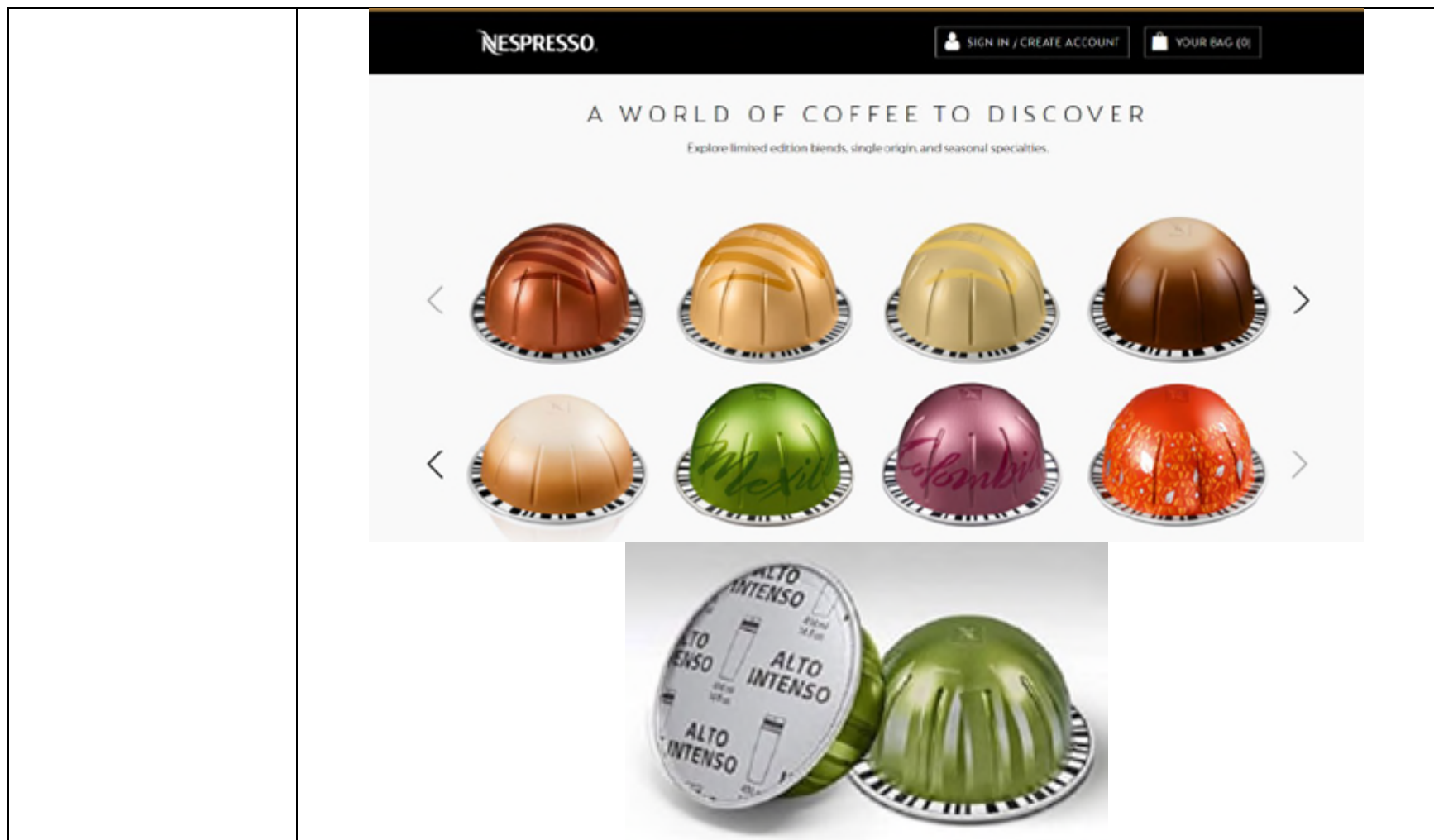




See <https://www.nespresso.com/us/en/vertuo-coffee-capsules>.

	 See https://www.sustainability.nespresso.com/why-aluminium. Nespresso's expert, Michael Jobin, opined that turbulence is generated inside capsules via ribs and grooves. See Declaration of Michael Jobin, IPR2021-01221, ¶¶ 278-81, 458-61; Declaration of Michael Jobin, IPR2021-01222, ¶¶ 326-30, 518-22; Declaration of Michael Jobin, IPR2021-01223, ¶¶ 306-13, 331, 372, 483-89, 507, 547.
8. The single-serve capsule according to claim 1, wherein a ratio of a diameter of the wall region of the base element that adjoins the flange to a diameter of the flange is between 0.85 and 0.89.	The Vertuo beverage system includes the single-serve capsule according to claim 1, wherein a ratio of a diameter of the wall region of the base element that adjoins the flange to a diameter of the flange is between 0.85 and 0.89. For example, the capsule below shows the wall region having a diameter and the flange having a diameter. The ratio of the diameters is between 0.85 and 0.89.

	 See https://www.sustainability.nespresso.com/why-aluminium.
[9pre] Single-serve capsule for making a beverage, comprising:	The preamble is not a limitation. To the extent the preamble is construed as a limitation, the Vertuo beverage system includes a single-serve capsule for making a beverage. For example, the Vertuo beverage system includes a single-serve capsule for making a beverage. Several varieties of capsules for making a beverage are shown below.



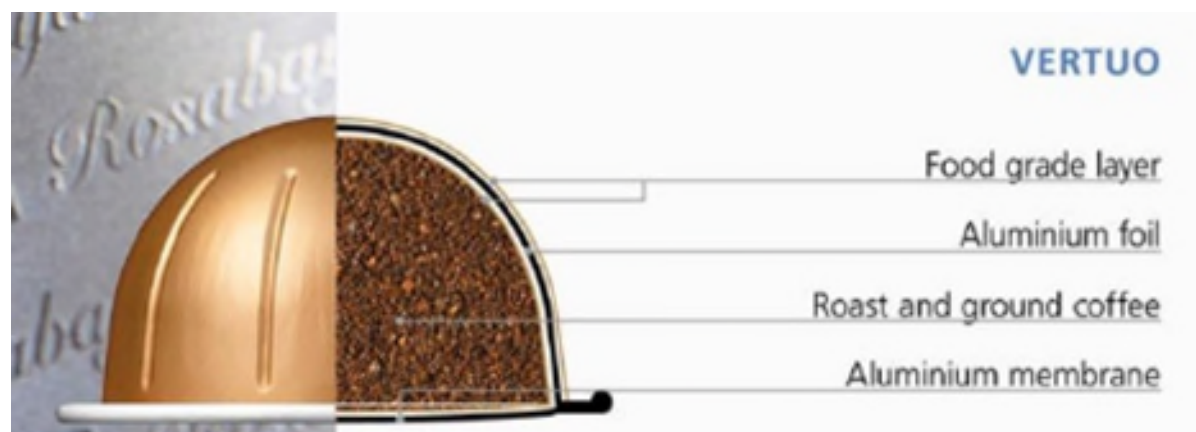
	 See https://www.nespresso.com/us/en/vertuo-coffee-capsules.
[9a] a base element with a cavity having radially spaced and vertically oriented ribs and in which a raw beverage material is provided, the capsule having a flange that extends from the base element, the cavity being closed by a cover, which is fastened on a top side of the flange, the base element comprises a wall	The Vertuo single-serve capsule includes a base element with a cavity having radially spaced and vertically oriented ribs and in which a raw beverage material is provided, the capsule having a flange that extends from the base element, the cavity being closed by a cover, which is fastened on a top side of the flange, the base element comprises a wall region extending between the flange and a bottom region of the base element, the wall region includes radially spaced and vertically oriented grooves that are free from extending entirely to the bottom region. For example, the single-serve capsule has a base element with a cavity having radially spaced and vertically oriented ribs and in which a raw beverage material is provided. The single-serve capsule also has a flange that extends from the base element. The cavity of the capsule is closed by a cover, which is fastened on a top side of the flange. The base element includes a wall region extending between the flange and a bottom region of the base element. The wall region includes radially spaced and vertically oriented grooves that are free from extending entirely to the bottom region. Each of these features is shown in the capsules below.

region extending between the flange and a bottom region of the base element, the wall region includes radially spaced and vertically oriented grooves that are free from extending entirely to the bottom region,





See <https://www.nespresso.com/us/en/vertuo-coffee-capsules>.



See <https://www.sustainability.nespresso.com/why-aluminium>.

[9b] wherein the capsule has a barcode provided on a bottom side of the flange that opposes

The Vertuo capsule has a barcode provided on a bottom side of the flange that opposes the top surface of the flange to which the cover is fastened.

the top surface of the flange to which the cover is fastened, and

For example, the capsule has a barcode provided on a bottom side of the flange that opposes the top surface of the flange to which the cover is fastened. The below images of the capsules show these features.

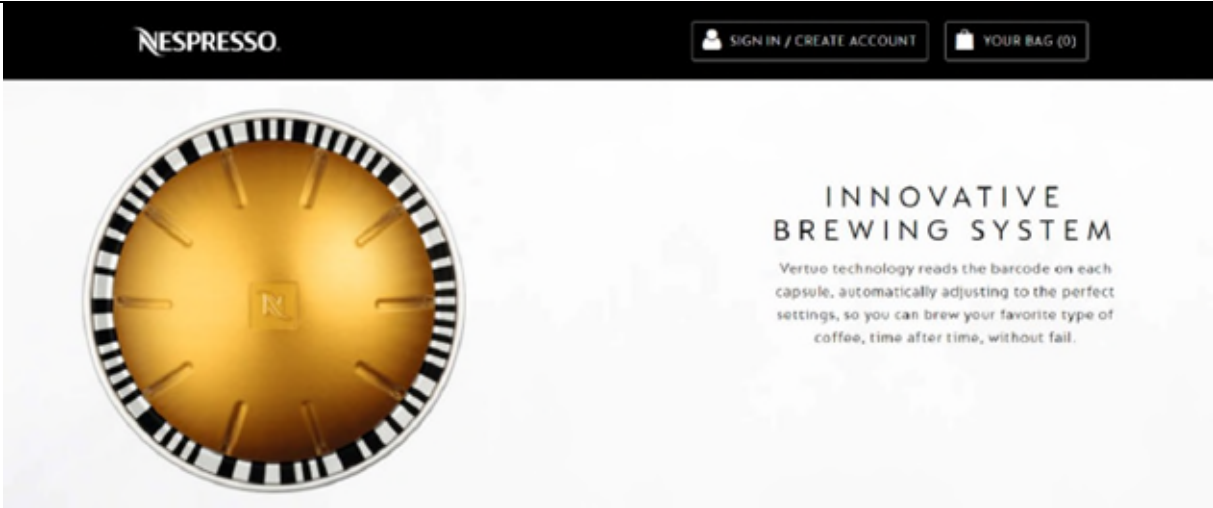


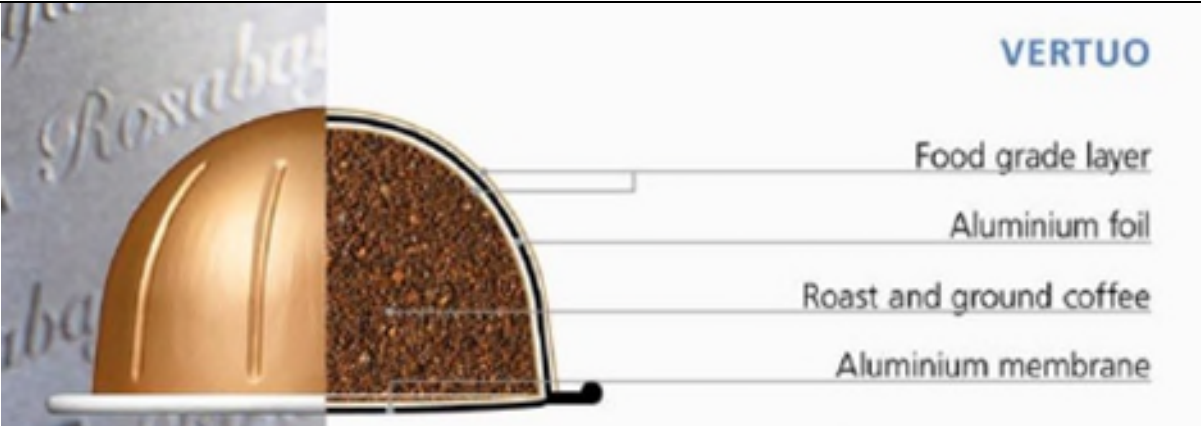


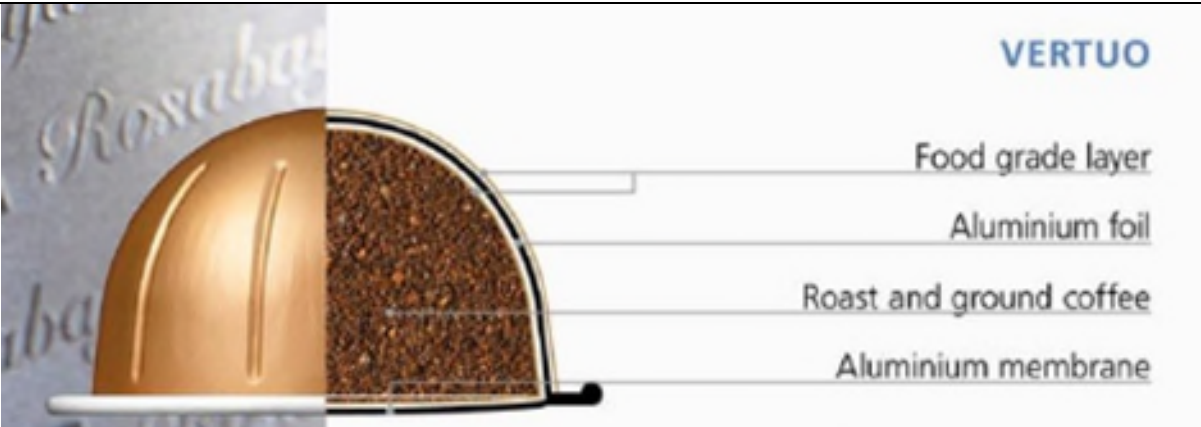
See <https://www.nespresso.com/us/en/vertuo-coffee-capsules>.

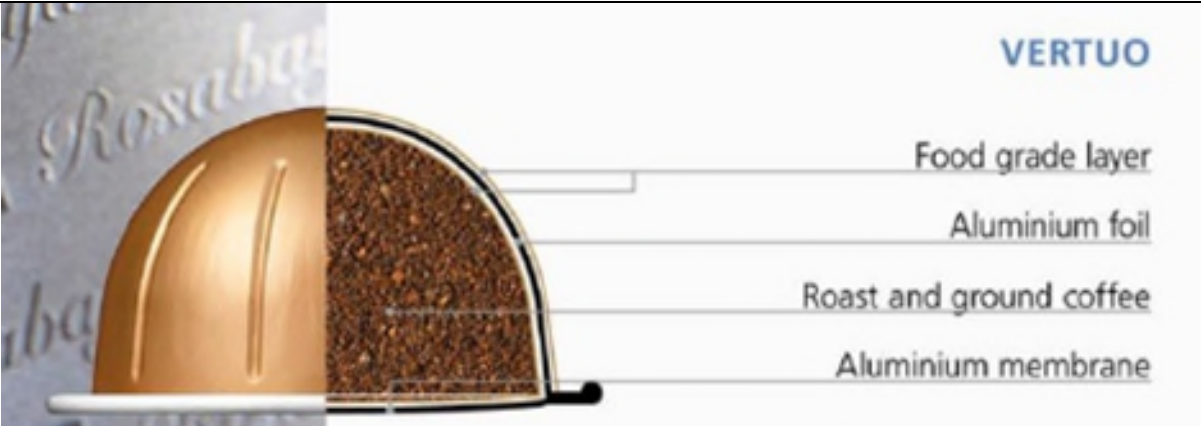


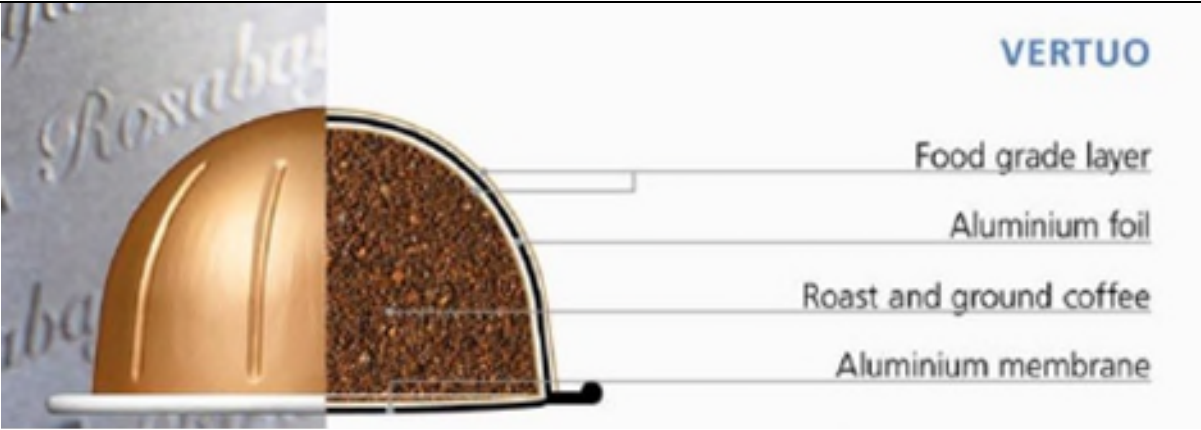
See https://www.youtube.com/watch?v=_KOHPZXzcs.

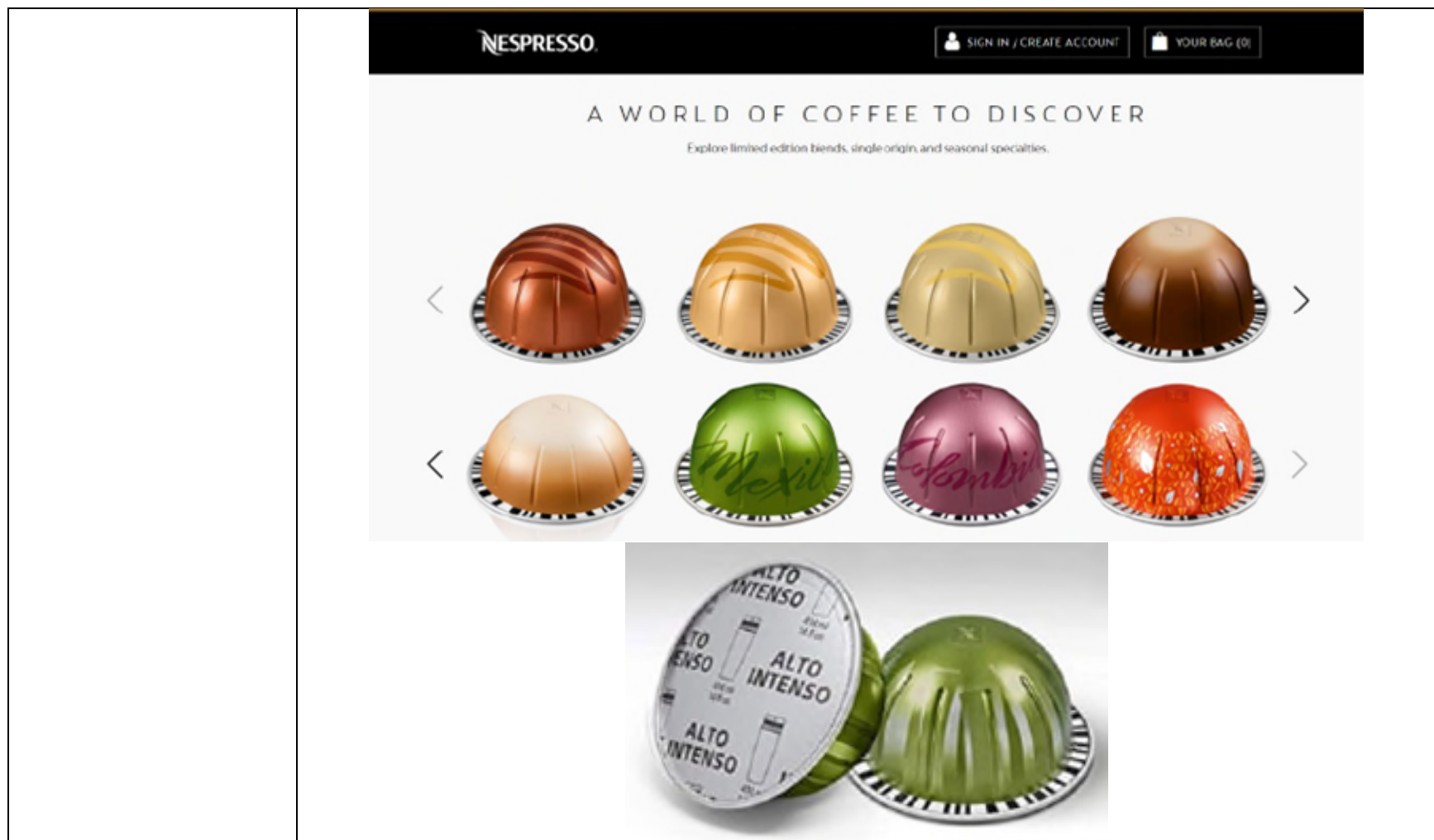
	 See https://www.nespresso.com/us/en/choose-your-technology-vertuo.
[9c] wherein the base element comprises a circumferential border adjacent the flange, the border has a larger diameter compared to a diameter of the wall region.	The base element of the Vertuo capsule comprises a circumferential border adjacent the flange, the border has a larger diameter compared to a diameter of the wall region. For example, the base element has a circumferential border adjacent the flange. The border has a larger diameter compared to a diameter of the wall region. The cross-section of the capsule shown below shows these features.

	 See https://www.sustainability.nespresso.com/why-aluminium.
10. The single-serve capsule according to claim 9, wherein the base element is made of metal and the cavity is free of a filter.	The Vertuo single-serve capsule according to claim 9, wherein the base element is made of metal and the cavity is free of a filter. For example, the base element is made of metal and the cavity is free of a filter as shown in the Vertuo capsule below. The base element includes an aluminum foil layer, which is metal, and the cavity does not have a filter.

	 See https://www.sustainability.nespresso.com/why-aluminium.
11. The single-serve capsule according to claim 9, wherein the wall region has an electrically conductive section and the grooves extend into the border.	The Vertuo single-serve capsule according to claim 9, wherein the wall region has an electrically conductive section and the grooves extend into the border. For example, the wall region of the Vertuo capsule has an aluminum foil section, which is electrically conductive. The grooves of the Vertuo capsule extend into the border. These features are shown in the below Vertuo capsule.

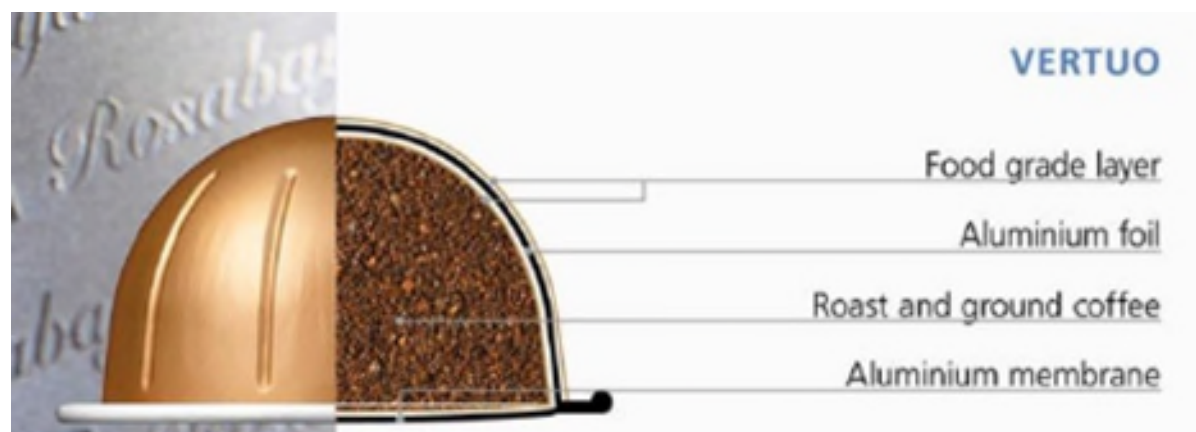
	 See https://www.sustainability.nespresso.com/why-aluminium.
12. The single-serve capsule according to claim 9, wherein the cover is made of metal and the grooves extend into the border.	The Vertuo single-serve capsule according to claim 9, wherein the cover is made of metal and the grooves extend into the border. For example, the cover of the Vertuo capsule is made of an aluminum membrane, which is metal. The grooves of the Vertuo capsule extend into the border. These features are shown in the below Vertuo capsule.

	 See https://www.sustainability.nespresso.com/why-aluminium.
13. The single-serve capsule according to claim 9, wherein the cavity has grooves defined between the ribs, and the grooves in the cavity generate turbulence of water in the cavity.	The Vertuo single-serve capsule according to claim 9, wherein the cavity has grooves defined between the ribs, and the grooves in the cavity generate turbulence of water in the cavity. For example, the cavity of the Vertuo capsule has grooves defined between the ribs, as shown in the capsules below.





See <https://www.nespresso.com/us/en/vertuo-coffee-capsules>.



See <https://www.sustainability.nespresso.com/why-aluminium>.

Nespresso's expert, Michael Jobin, opined that turbulence is generated inside capsules via ribs and grooves. See Declaration of Michael Jobin, IPR2021-01221, ¶¶ 278-81, 458-61; Declaration of Michael Jobin, IPR2021-01222, ¶¶ 326-30, 518-22; Declaration of Michael Jobin, IPR2021-01223, ¶¶ 306-13, 331, 372, 483-89, 507, 547.

14. The single-serve capsule according to claim 9, wherein after the capsule is inserted into a coffee machine, a sensor/detection system of the coffee machine is configured to compare the barcode a stored reference.

The Vertuo single-serve capsule according to claim 9, wherein after the capsule is inserted into a coffee machine, a sensor/detection system of the coffee machine is configured to compare the barcode to a stored reference.

For example, after the Vertuo capsule is inserted into a Vertuo coffee machine, a sensor/detection system of the Vertuo coffee machine is configured to compare the barcode to a stored reference.

Nespresso's website states as follows: "Make your perfect coffee every time as the unique barcode on each capsule adjusts the flow and volume of water, temperature, infusion time and capsule rotation precisely."

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BARCODE
RECOGNITION

Make your perfect coffee every time as the unique barcode on each capsule adjusts the flow and volume of water, temperature, infusion time and capsule rotation precisely.



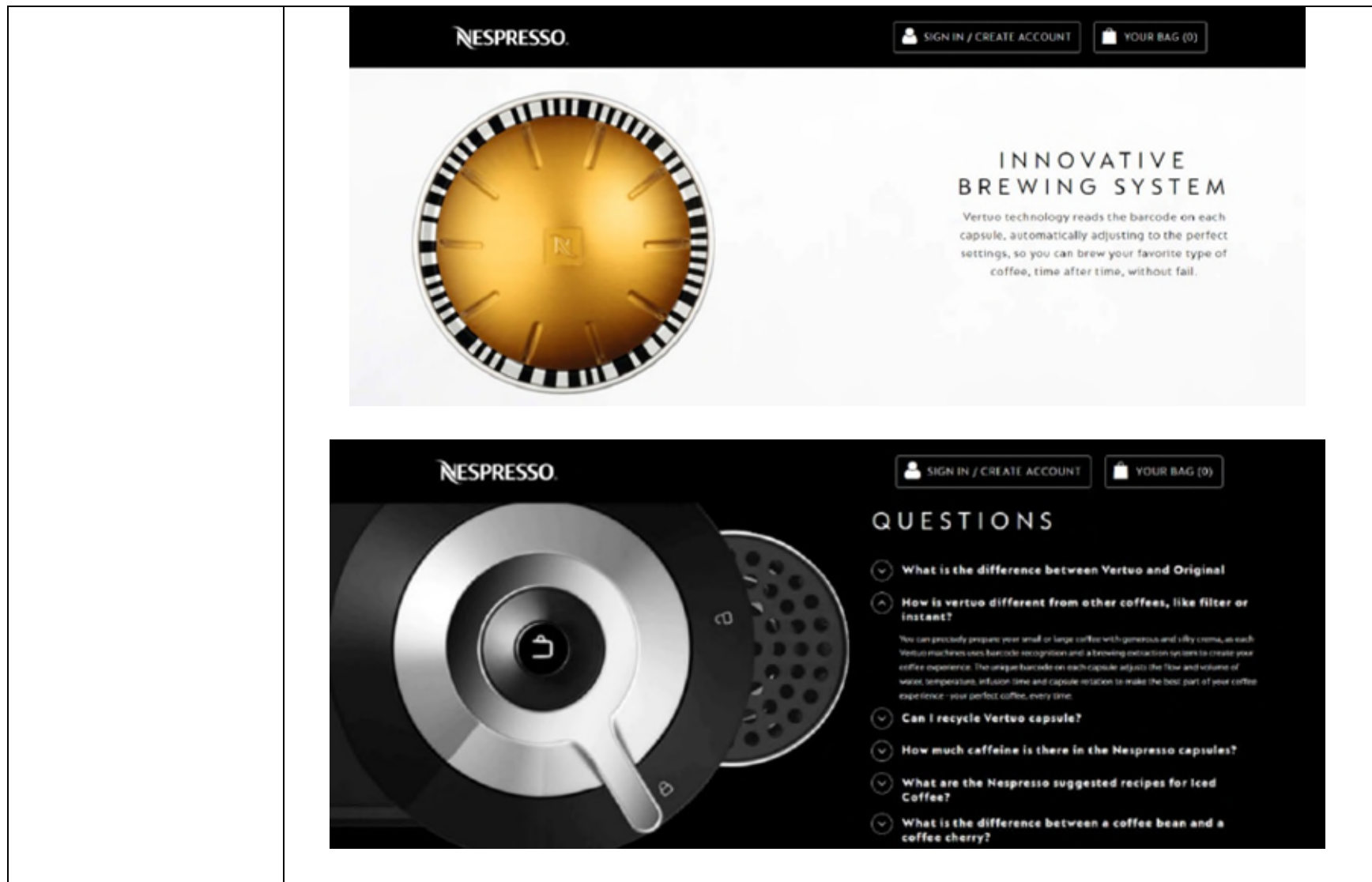
MEET VERTUO AND VERTUOPLUS

Prepare your small or large coffee style with generous crema, all at the touch of a button. Here's the secret: each Vertuo machine uses barcode recognition and a patented extraction system to create your favourite coffee.

You can also electronically open and close the head of the machine and conveniently position the water tank with VertuoPlus.

See <https://www.nespresso.com/de/en/nespresso-vertuo-kapselmaschinen-technologie>.

The Nespresso website further states that the Vertuo system “reads the barcode on each capsule, automatically adjusting to the perfect settings.”





How is vertuo different from other coffees, like filter or instant?

You can precisely prepare your small or large coffee with generous and silky crema, as each Vertuo machine uses barcode recognition and a brewing extraction system to create your coffee experience. The unique barcode on each capsule adjusts the flow and volume of water, temperature, infusion time and capsule rotation to make the best part of your coffee experience - your perfect coffee, every time.

See <https://www.nespresso.com/us/en/choose-your-technology-vertuo>.

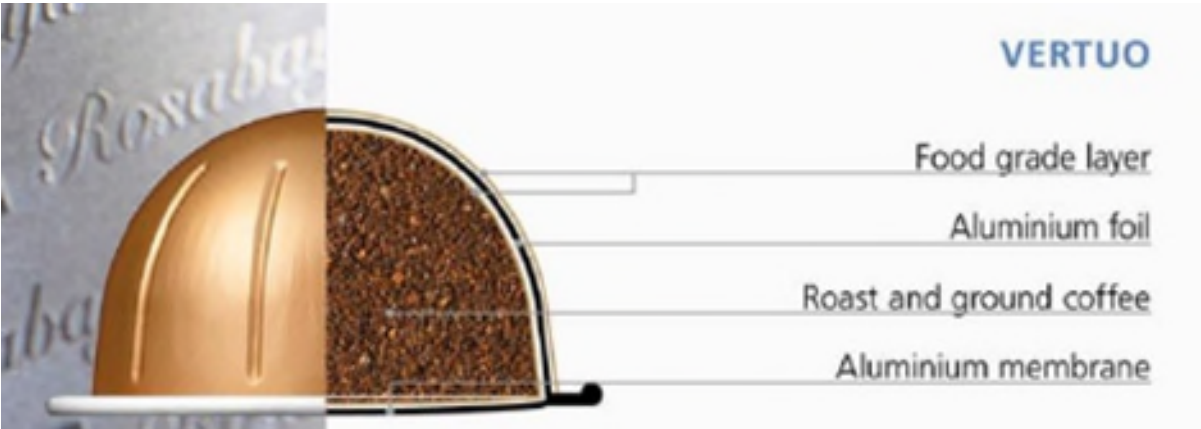
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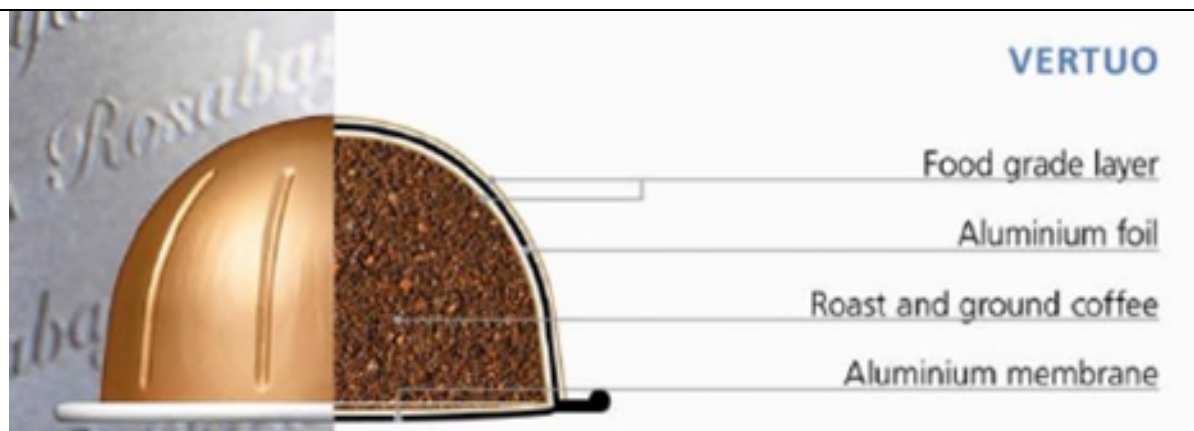
BARCODE RECOGNITION

The unique barcode on each capsule adjusts the flow and volume of water, infusion time, temperature and capsule rotation precisely.



See <https://www.youtube.com/watch?v=VlBYwKalGoE>.

15. The single-serve capsule according to claim 9, wherein a ratio of a diameter of the wall region of the base element that adjoins the flange to a diameter of the flange is between 0.85 and 0.89.	The Vertuo single-serve capsule according to claim 9, wherein a ratio of a diameter of the wall region of the base element that adjoins the flange to a diameter of the flange is between 0.85 and 0.89. For example, the Vertuo capsule below shows the wall region having a diameter and the flange having a diameter. The ratio of the diameters is between 0.85 and 0.89.
	See https://www.sustainability.nespresso.com/why-aluminium.
16. The single-serve capsule according to claim 10, wherein the cover is made of metal and the grooves extend into the border.	The Vertuo single-serve capsule according to claim 10, wherein the cover is made of metal and the grooves extend into the border. For example, the cover of the Vertuo capsule is made of an aluminum membrane, which is a metal. The grooves of the Vertuo capsule extend into the border. These features are shown in the below Vertuo capsule.



See <https://www.sustainability.nespresso.com/why-aluminium>.