

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOHNSON HEALTH TECH CO., LTD.
et al.,

Case No. 3:22-cv-00606-JDP

Plaintiffs,

JURY TRIAL DEMANDED

v.

PELOTON INTERACTIVE, INC.,

Defendant.

PLAINTIFFS' PRELIMINARY INFRINGEMENT CONTENTIONS

Pursuant to the Court's Preliminary Pretrial Conference Order (Dkt. 24), Plaintiffs Johnson Health Tech Co., Ltd. and Johnson Health Tech North America, Inc. (collectively, "JHT") provide their preliminary infringement contentions to Defendant Peloton Interactive, Inc. ("Peloton"). JHT makes this disclosure based on information presently available to it, without the benefit of full discovery, or the production of any documents from Peloton. Peloton has identified the Tread and Tread+ products as "Accused Products" in Peloton's Objections and Responses to Plaintiffs' First Set of Interrogatories. Peloton, however, has not produced any documents showing the structure or operation of the Accused Products. JHT reserves the right to supplement or modify this disclosure at any time, including but not limited to the right to assert infringement of additional products, additional patents, and/or additional claims of direct or indirect infringement, either literally or under the doctrine of equivalents. This disclosure is without any concession, agreement, admission, or waiver of any ultimate

determination of relevance, admissibility, or discoverability of particular information for any purpose, and without waiver of any attorney-client, work product, or other privilege or immunity.

JHT presently asserts the Accused Products infringe claims 1, 3, 5, 6, 10, 11, 14, 16, 18, 19, and 20 of U.S. Patent No. 10,032,227 (“the ‘227 Patent”) directly and/or indirectly, either literally or under the doctrine of equivalents. Attached as Exhibit A is a chart identifying where each element of each of claims 1, 3, 4, 5, 6, 10, 11, 14, 16, 17, 18, 19, and 20 of the ‘227 patent is found in the Accused Products.

JHT also asserts the Accused Products infringe claims 1, 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, and 20 of U.S. Patent No. 10,796,375 (“the ‘375 patent”) directly and/or indirectly, either literally or under the doctrine of equivalents. Attached as Exhibit B is a chart identifying where each element of each of claims 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, and 20 of the ‘375 patent.

JHT also asserts the Accused Products infringe claims 1, 2, 5, 6, 7, 8, 9, 10, 12, 13, 14, 16, 18, 19, and 20 of U.S. Patent No. 11,227,340 (“the ‘340 patent”) directly and/or indirectly, either literally or under the doctrine of equivalents. Attached as Exhibit C is a chart identifying where each element of each of claims 1, 2, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 16, 17, 18, 19, and 20 of the ‘340 patent.

Dated: June 9, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 9, 2023, I caused a true and correct copy of the foregoing document to be served on the following counsel of record by email addressed to the following:

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EXHIBIT C

Exhibit C
Infringement of U.S. Patent No. 11,227,340

JHT presently asserts the Accused Products infringe claims 1, 2, 5, 6, 7, 8, 9, 10, 12, 13, 14, 16, 18, 19, and 20 of the '340 Patent directly and/or indirectly, either literally or under the doctrine of equivalents. JHT reserves the right to amend the following contentions as additional information becomes available.

'340 Patent	Peloton's Accused Products
1. An exercise apparatus comprising:	The Accused Products are exercise apparatuses.  https://www.onepeloton.com/tread/specs
a base;	The Accused Products include a base (identified by Peloton as a "platform").  https://www.onepeloton.com/tread/specs

'340 Patent	Peloton's Accused Products
an operating unit movable relative to the base;	The Accused Products include an operating unit (i.e. a belt) movable relative to the base. <i>See Peloton's Response to Request for Admission No. 1.</i>  https://www.onepeloton.com/tread/specs
a motor coupled to the operating unit;	The Accused Products utilize a "3 HP DC" motor that is coupled to the operating unit to simulate running speeds from "0 to 12.5 mph with 0.1 mph increments." PERFORMANCE Speed: 0 to 12.5 mph with 0.1 mph increments Incline: 0 to 12.5% grade with 0.5% increments Motor: 3 HP DC Screen adjustment: 0 - 50 deg vertical tilt, does not rotate horizontally Power rating: 120Vac, 60Hz, 12A https://www.onepeloton.com/tread/specs

a sensor operable to detect engagement of a user with the operating unit;

“The Accused Products utilize current sensors” to detect user engagement with the operating unit. *See Peloton’s Response to Interrogatory No. 10.*

Additionally, Peloton’s website states that “the belt on [the Accused Products] will come to a stop if it has been set to a speed above 0 mph and it does not detect a person running.”

Please note that even if you are in a class, the belt on your Peloton Tread or Peloton Tread+ will come to a stop if it has been set to a speed above 0 mph and it does not detect a person running.

<https://support.onepeloton.com/hc/en-us/articles/360060884531-Tread-Lock>

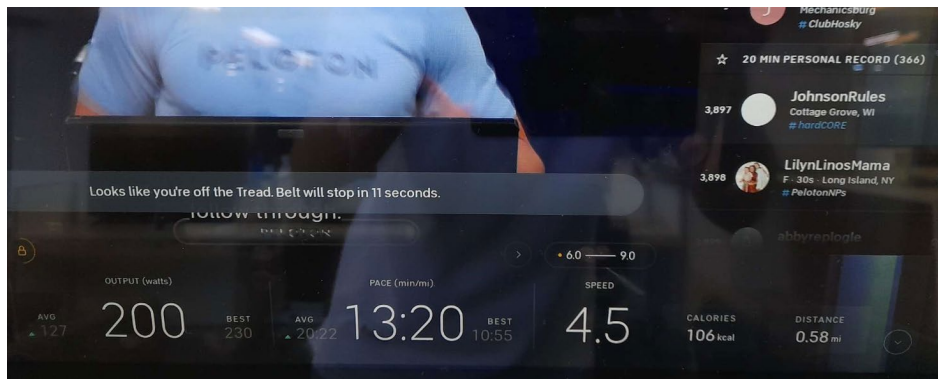
Based on testing, the Accused Products utilize software that (1) turns on a light around the stop button after a user has stepped off the operating unit (about 5 seconds after stepping off), and (2) displays a notification on the screen stating either: “Looks like you’re off the Tread. Belt will stop in 11 seconds” or “Your metrics are paused because you’re off the tread. Belt will stop in 10 seconds.”

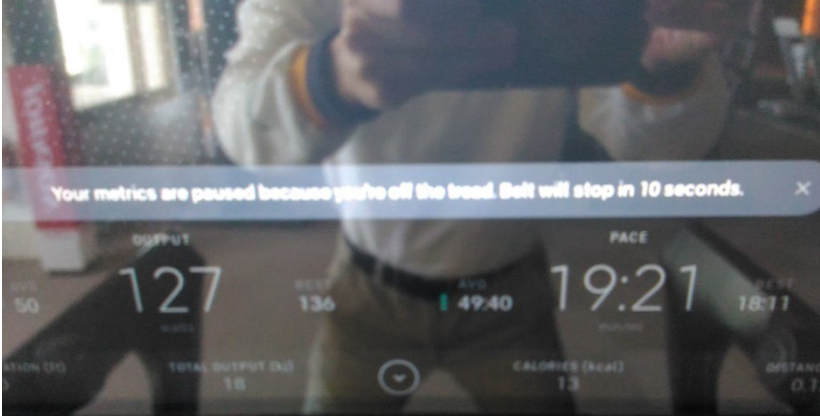


light before stepping off the Accused Products



light after stepping off the Accused Products



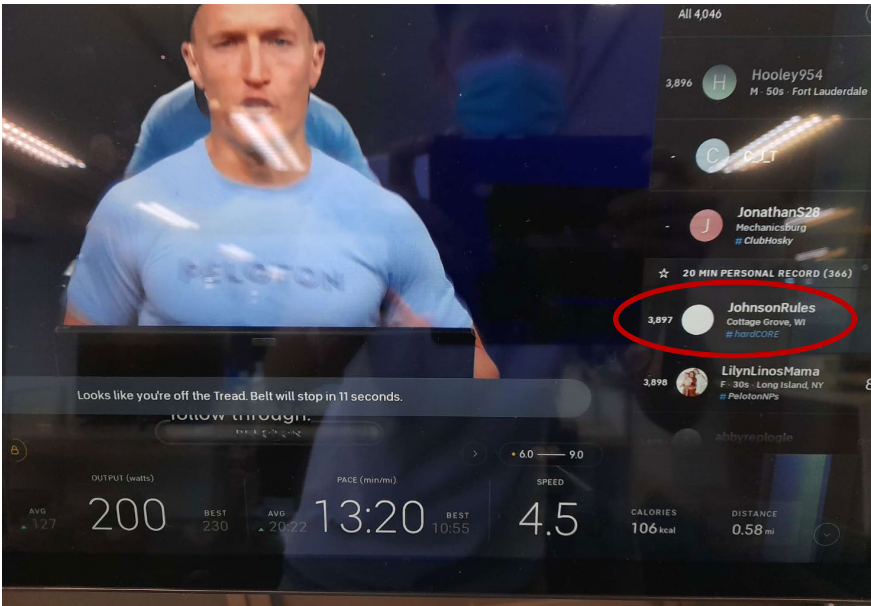
'340 Patent	Peloton's Accused Products
	 In order to detect a person running, the Accused Products must have a sensor that is operable to detect engagement of a user with the operating unit.
a controller in communication with the operating unit and the sensor,	The Accused Products utilize a controller. <i>See Peloton's Response to Request for Admission No. 9.</i> The Accused Products' controller is capable of communicating with a current sensor and the operating unit. <i>See Peloton's Response to Request for Admission Nos. 11 and 13.</i>

'340 Patent	Peloton's Accused Products
the controller configured to generate validated exercise use data in response to the sensor detecting engagement of the user with the operating unit and movement of the operating unit relative to the base.	The controller generates validated exercise use data (e.g., Total Output (kJ)) and "Distance (mi)" when a user is detected on the operating unit. This data is considered "validated" because the data is sensed when a user is detected to be in engagement with the operating unit, and the data ceases to be "validated" shortly after a user steps off the operating unit and is no longer detected as being engaged with the operating unit. In the first image below, the user has just started using the Accused Products. In the second image, the user has been on the operating unit for 18 seconds. As shown in the images, several metrics increase due to the user being detected on the operating unit, including but not limited to "Total Output (kJ)," which increases from 123 kJ to 292 kJ (left red circle in second picture) and "Distance (mi)," which increases from .83 miles to .86 miles (right red circle in the second picture). As such, the Accused Products' controller generates a validated exercise use data in response to the sensor detecting engagement of the user with the operating unit and movement of the operating unit relative to the base. 

'340 Patent	Peloton's Accused Products
2. The exercise apparatus of claim 1, wherein the controller is further configured to generate non-validated exercise use data in response to the sensor detecting the user not engaged with the operating unit and movement of the operating unit relative to the base.	Once a user steps off the Accused Products' operating unit and the current sensor no longer detects engagement of the user with the operating unit, the Accused Products continue to increment exercise use data, including "Total Output (kJ)", "Distance (mi)", and "Calories (kcal)," for about 5 seconds after a user has stepped off the operating unit. After that, calories continue to be calculated and displayed despite the user still being off the operating unit. Additionally, distance continues to be generated but is not communicated to the communication interface because it is "non-validated" data. This is shown in the pictures below. The first picture shows the "Calories (kcal)" after the sensor does not detect engagement of the user with the operating unit. The second picture shows how the "Calories (kcal)" continue to increase despite the user not being on the operating unit. The second picture was taken approximately 9 seconds after the user stepped off the operating unit. While the distance reflected on the screen does not increase after the user is no longer detected as being on the operating unit, the controller continues to generate distance, but does not report the non-validated distance to the communication interface. As such, the Accused Products' controller generates a non-validated exercise use data (e.g., calories, distance) in response to movement of the operating unit relative to the base and the sensor does not detect engagement of the user with the operating unit.  A screenshot of a Peloton bike's digital display. The screen shows various metrics: '0.0' for output, '288' for total output, '464' for best output, '13:16' for average pace, '8:34' for best pace, '5:25' for speed, and '0.87' for distance. The 'CALORIES (kcal)' value is highlighted with a red circle and shows '256'.  A second screenshot of the same Peloton bike display, taken approximately 9 seconds after the user stepped off. The 'CALORIES (kcal)' value has increased to '261', which is also highlighted with a red circle. A blue banner at the top of the screen reads: 'Looks like you're off the tread. Belt will stop in 15 seconds'.

'340 Patent	Peloton's Accused Products
5. The exercise apparatus of claim 1, wherein the validated exercise use data includes a distance traveled by the user, wherein the distance traveled is defined while the sensor detects engagement of the user with the operating member.	The controller generates exercise use data, including "Distance (mi)," when the sensor detects engagement of the user with the operating unit. This data is considered "validated" exercise use data because the data is sensed when a user is detected to be in engagement with the operating unit, and the data ceases to be "validated" shortly after a user steps off the operating unit and is no longer detected as being engaged with the operating unit. In the first image below, the user has just started using the Accused Products. In the second image, the user has been on the operating unit for 18 seconds. As shown in the images, the "Distance (mi)" (red circle in the second picture) increases from .83 miles to .86 miles because the sensor detected the user running on the operating unit. As such, the validated exercise use data includes a distance traveled by the user, wherein the distance traveled is defined while the sensor detects engagement of the user with the operating member.  The images show the Peloton bike's digital display. The top image shows the display at the start of a session with 'Distance (mi)' at 0.83. The bottom image shows the display after 18 seconds with 'Distance (mi)' at 0.86, which is circled in red.

'340 Patent	Peloton's Accused Products
6. The exercise apparatus of claim 1, wherein the controller is further configured to record the validated exercise use data in response to the sensor detecting engagement of the user with the operating unit.	The Accused Products' controller records validated exercise use data (e.g., "Total Output (kJ)", "Distance (mi)") in response to the sensor detecting engagement of the user with the operating unit. As shown in the image below, the Accused Products display at least some of the user's validated exercise data, including "Total Output (kJ)" (left red circle) and "Distance (mi)" (right red circle) to the user. As such, the controller records the validated exercise use data in response to the sensor detecting engagement of the user with the operating unit. The screenshot displays the Peloton app interface with a central video feed of a male instructor. Surrounding the video are various data panels: TIME REMAINING: 35:26 HEART RATE: 124 bpm, 50% max TIMELINE: Shows class segments and progress. LEADERBOARD: Lists participants with their scores. PACE: 9:41 per mile SPEED: 6.2 mph INCLINE: 0.0% OUTPUT: 255 watts (circled in red) TOTAL OUTPUT: 72 kJ (circled in red) DISTANCE: 1.05 miles (circled in red) WARNING: Heart rate monitoring systems may be inaccurate. Over-exercising may result in serious injury or death. If you feel faint stop exercising immediately. Use metrics on the screen for reference only. https://www.onepeloton.com/tread/specs

'340 Patent	Peloton's Accused Products
7. The exercise apparatus of claim 1, wherein the controller is configured to establish communication with a remote location, and wherein the controller is configured to maintain communication between the exercise apparatus and the remote location while the user is determined by the controller not to be engaged with the operating member.	The Accused Products have the capability of being connected with a remote server. <i>See Peloton's Response to Request for Admission No. 22.</i> Additionally, as shown in the image below, the controller maintains the communication between the exercise apparatus and the remote location while the user is determined by the controller not to be engaged with the operating member. In the below image, the user has stepped off the operating unit and is still registered on the Leaderboard despite no longer being engaged with the operating member. 
8. An exercise apparatus comprising:	The Accused Products are exercise apparatuses.  https://www.onepeloton.com/tread/specs

'340 Patent	Peloton's Accused Products
a motor;	The Accused Products utilize a "3 HP DC" motor. PERFORMANCE Speed: 0 to 12.5 mph with 0.1 mph increments Incline: 0 to 12.5% grade with 0.5% increments Motor: 3 HP DC Screen adjustment: 0 - 50 deg vertical tilt, does not rotate horizontally Power rating: 120Vac, 60Hz, 12A https://www.onepeloton.com/tread/specs

'340 Patent	Peloton's Accused Products
an operating member driven by the motor;	The Accused Products include an operating unit/member (i.e. a belt). <i>See Peloton's Response to Request for Admission No. 1.</i> https://www.onepeloton.com/tread/specs The operating member is coupled to the motor to simulate running speeds from "0 to 12.5 mph with 0.1 mph increments." PERFORMANCE Speed: 0 to 12.5 mph with 0.1 mph increments Incline: 0 to 12.5% grade with 0.5% increments Motor: 3 HP DC Screen adjustment: 0 - 50 deg vertical tilt, does not rotate horizontally Power rating: 120Vac, 60Hz, 12A https://www.onepeloton.com/tread/specs

a sensor operable to detect engagement of a user with the operating member;

“The Accused Products utilize current sensors” to detect user engagement with the operating unit. *See Peloton’s Response to Interrogatory No. 10.*

Additionally, Peloton’s website states that “the belt on [the Accused Products] will come to a stop if it has been set to a speed above 0 mph and it does not detect a person running.”

Please note that even if you are in a class, the belt on your Peloton Tread or Peloton Tread+ will come to a stop if it has been set to a speed above 0 mph and it does not detect a person running.

<https://support.onepeloton.com/hc/en-us/articles/360060884531-Tread-Lock>

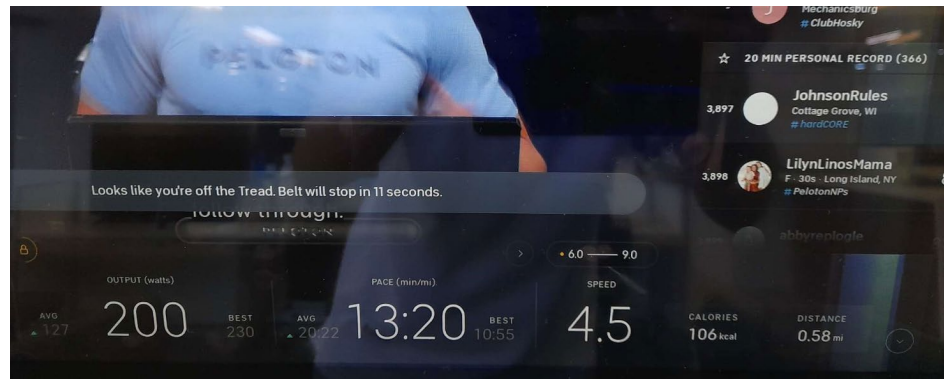
Based on testing, the Accused Products utilize software that (1) turns on a light around the stop button after a user has stepped off the operating unit (about 5 seconds after stepping off), and (2) displays a notification on the screen stating either: “Looks like you’re off the Tread. Belt will stop in 11 seconds” or “Your metrics are paused because you’re off the tread. Belt will stop in 10 seconds.”

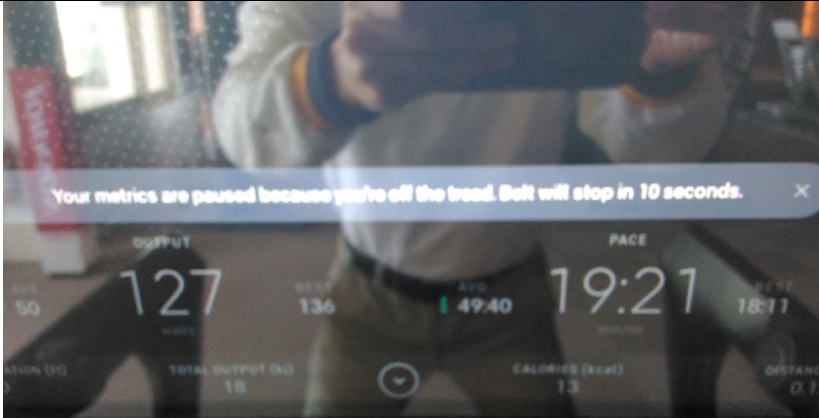


light before stepping off the Accused Products



light after stepping off the Accused Products



'340 Patent	Peloton's Accused Products
	 In order to detect a person running, the Accused Products must have a sensor that is operable to detect engagement of a user with the operating member.
a controller in communication with the operating member and the sensor; and	The Accused Products utilize a controller. <i>See Peloton's Response to Request for Admission No. 9.</i> The Accused Products' controller is capable of communicating with a current sensor and the operating unit. <i>See Peloton's Response to Request for Admission Nos. 11 and 13.</i>

a communication interface in communication with the controller,

The Accused Products have several communication interfaces, including a touchscreen. <https://www.onepeloton.com/tread/specs>



The Accused Products also utilize a communication interface in the form of internet connectivity options. Such options include “WiFi 802.11 a/b/g/n/ac – 2.4 GHz & 5GHz,” “ANT+ wireless,” and “100 Mbps (USB-C to Ethernet adapter only)” as shown in the image below.

CONNECTION

WiFi 802.11 a/b/g/n/ac - 2.4GHz & 5GHz

ANT+™ wireless

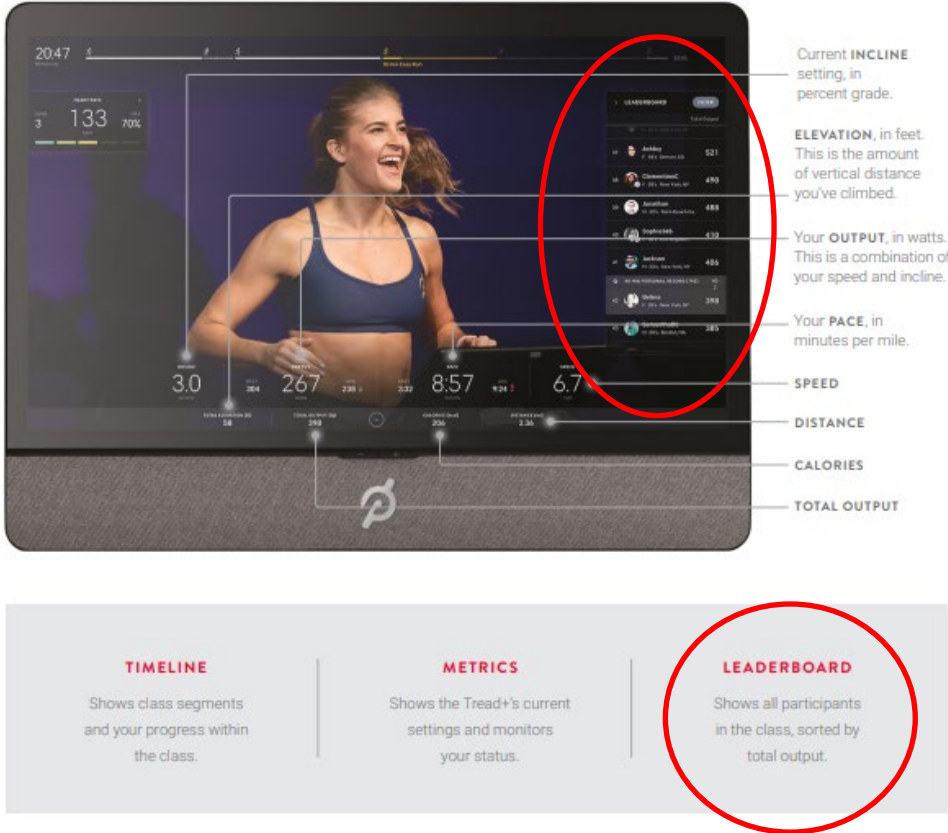
100 Mbps (USB-C to Ethernet adapter only, not included)

<https://www.onepeloton.com/tread/specs>

The Accused Products’ controller communicates with the current sensor and operating unit to gather exercise use data, including pace, incline, output, and mileage. The Accused Products’ controller then communicates the exercise use data to the communication interface to facilitate the user working out virtually alongside other members who can see at least some of the user’s exercise data, as well as tracking milestones, streaks, and badge awards, via Peloton’s Leaderboard. As such, the Accused Products have a communication interface that is in communication with the controller.

'340 Patent	Peloton's Accused Products
	FEATURES Access to live classes and thousands more on demand Individual profiles for household access (see user requirements) Tread Lock helps prevent unauthorized access ⓘ In-workout metrics like speed, mileage, elevation gain and heart rate Leaderboard to workout alongside other Members Training programs and challenges Workout history, milestone achievements, streaks and badges Special event programming https://www.onepeloton.com/tread and https://www.onepeloton.com/tread/specs

'340 Patent	Peloton's Accused Products
wherein the controller is configured to determine whether the user is engaged with the operating member in response to a signal from the sensor and movement of the operating member;	"The Accused Products utilize current sensors." See Peloton's Response to Interrogatory No. 10. The current sensor is operably connected to the motor and is configured to detect an input current into the motor while the operating unit is running. Additionally, the Accused Products' controller analyzes the input current detected by the current sensor to detect engagement of the user with the operating unit. In the first image below, the user has just started using the Accused Products. In the second image, the user has been on the operating unit for 18 seconds. As shown in the images, several metrics increase due to the user being detected on the operating unit, including but not limited to "Total Output (kJ)," which increased from 123 kJ to 292 kJ (left red circle in second picture) and "Distance (mi)," which increased from .83 miles to .86 miles (right red circle in the second picture). As a result, the controller is configured to determine whether the user is engaged with the operating member in response to a signal from the sensor and movement of the operating member. 

'340 Patent	Peloton's Accused Products
wherein the controller is configured to report exercise use data to the communication interface in response to the controller determining that the user is engaged with the operating member.	The Accused Products' controller communicates exercise use data (e.g., "Total Output (kJ)", "Distance (mi)") to the communication interface. As shown in the image below, the Accused Products display Peloton's Leaderboard on the right-hand side of the screen. The Leaderboard (circled below in red) shows all participants in a class and ranks the participants by Total Output (kJ). The Leaderboard also allows users to see where their Total Output (kJ) ranks among all users that have taken the class. Ranking users by Total Output (kJ) on the Leaderboard is only possible because each user's Accused Product transmits the exercise use data (Total Output (kJ)) to a communication interface (i.e., internet connectivity options) for transmission to a remote server for subsequent communication to others' exercise devices.  https://support.onepeloton.com/hc/en-us/article_attachments/4401927651860/Peloton_Tread_Plus_User_Manual.pdf

'340 Patent	Peloton's Accused Products
9. The exercise apparatus of claim 8, wherein the controller is configured to stop reporting the exercise use data to the communication interface in response to the controller determining that the user is not engaged with the operating member and the operating member is driven by the motor.	Once a user steps off the Accused Products' operating member and the sensor no longer detects engagement of the user with the operating member, the Accused Products continue to increment exercise use data, including "Total Output (kJ)", "Distance (mi)", and "Calories (kcal)," for about 5 seconds after a user has stepped off the operating unit. After that, distance continues to increment but is not communicated to the communication interface because it is "non-validated" data. This data is considered "non-validated" exercise use data because the controller continues to generate this data despite the user stepping off the operating unit and no longer detected as being engaged with the operating unit. This is shown in the pictures below. The first picture shows the "Distance (mi)" after the sensor does not detect engagement of the user with the operating unit. The second picture was taken approximately 9 seconds after the user stepped off the operating unit. While the distance reflected on the screen in the second picture does not increase after the user is no longer detected as being on the operating unit, the controller continues to generate distance, but does not report the non-validated distance to the communication interface. As such, the Accused Products' controller is configured to stop reporting the exercise use data to the communication interface in response to the controller determining that the user is not engaged with the operating member and the operating member is driven by the motor. 

10. The exercise apparatus of claim 8, wherein the controller is in communication with the communication interface while the operating member is driven by the motor and the user is determined by the controller not to be engaged with the operating member.

The Accused Products' controller communicates exercise use data (e.g., "Total Output (kJ)", "Distance (mi)") to the communication interface via its internet connectivity options (e.g., Wi-Fi, wireless, and ethernet) as shown in the image below.

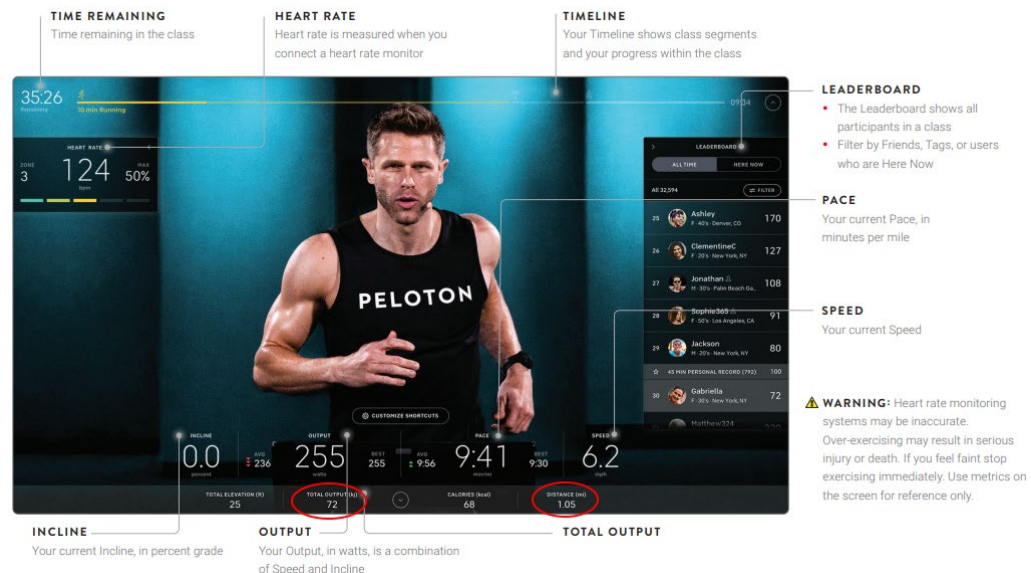
CONNECTION

WiFi 802.11 a/b/g/n/ac - 2.4GHz & 5GHz

ANT+™ wireless

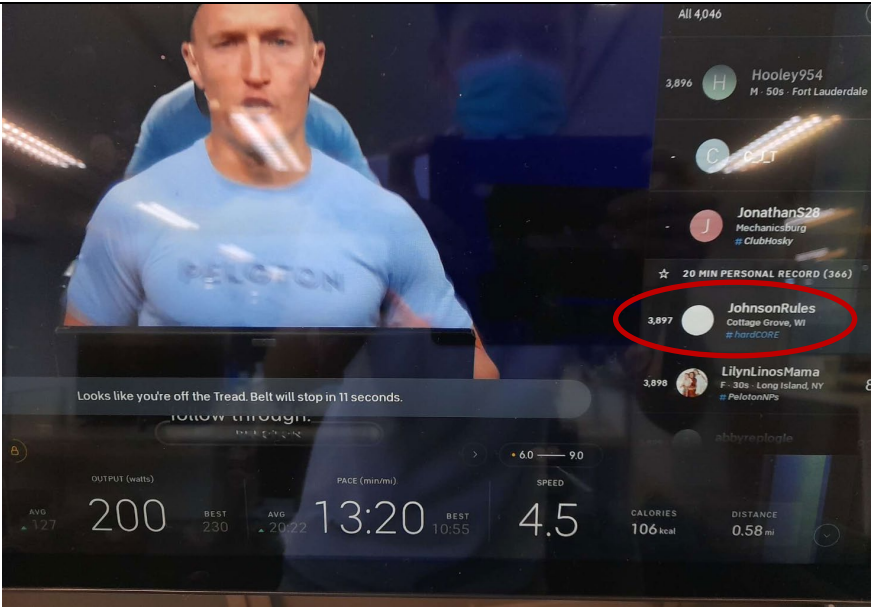
100 Mbps (USB-C to Ethernet adapter only, not included)

As shown in the image below, the Accused Products display, and allow other users to see, at least some of the user's exercise data, including "Total Output (kJ)" (left red circle) and "Distance (mi)" (right red circle) to facilitate working out virtually alongside other members. As such, the controller is in communication with the communication interface.



<https://www.onepeloton.com/tread/specs>

Additionally, as shown in the images below, the controller maintains the communication with the communication interface while the operating member is driven by the motor and the user is determined by the controller not to be engaged with the operating member. In the below image, the user has stepped off the operating unit while the operating member is driven by the motor and is still registered on the Leaderboard despite no longer being engaged with the operating member.

'340 Patent	Peloton's Accused Products
	 As a result, the controller is in communication with the communication interface while the operating member is driven by the motor and the user is determined by the controller not to be engaged with the operating member.

12. The exercise apparatus of claim 8, wherein the controller is configured to report the exercise use data to the communication interface only in response to the controller determining that the user is engaged with the operating member and the operating member is being driven by the motor.

The controller generates exercise use data (e.g., Total Output (kJ)" and "Distance (mi)") when a user is detected on the operating unit. This data is sensed when a user is detected to be in engagement with the operating unit.

Additionally, once the controller determines the user is engaged with the operating member, the controller reports the exercise use data (e.g., "Total Output (kJ)", "Distance (mi)") to the communication interface via its internet connectivity options (e.g., Wi-Fi, wireless, and ethernet) as shown in the image below.

CONNECTION

WiFi 802.11 a/b/g/n/ac - 2.4GHz & 5GHz

ANT+™ wireless

100 Mbps (USB-C to Ethernet adapter only, not included)

Moreover, the exercise use data is reported to the communication interface in response to the controller determining the user is engaged with the operating member and the operating member is being driven by the motor. In the first image below, the user has just started using the Accused Products. In the second image, the user has been on the operating unit for 18 seconds. As shown in the images, several metrics increase due to the user being detected on the operating unit, including but not limited to "Total Output (kJ)" (left red circle in second picture) and "Distance (mi)" (right red circle in the second picture) and these changes are shown on the communication interface.

As such, the Accused Products' controller is configured to report the exercise use data to the communication interface only in response to the controller determining that the user is engaged with the operating member and the operating member is being driven by the motor.



'340 Patent	Peloton's Accused Products
13. A method of verifying the use of an exercise apparatus, the method comprising:	The Accused Products include a method for verifying the use of an exercise apparatus. https://www.onepeloton.com/tread/specs

'340 Patent	Peloton's Accused Products
operating an operating member driven by a motor;	The Accused Products' method of verifying the use of an exercise apparatus includes an operating unit/member. <i>See Peloton's Response to Request for Admission No. 1.</i> https://www.onepeloton.com/tread/specs The operating member is driven by the motor to simulate running speeds from 0 to 12.5 mph. PERFORMANCE Speed: 0 to 12.5 mph with 0.1 mph increments Incline: 0 to 12.5% grade with 0.5% increments Motor: 3 HP DC Screen adjustment: 0 - 50 deg vertical tilt, does not rotate horizontally Power rating: 120Vac, 60Hz, 12A https://www.onepeloton.com/tread/specs Therefore, the Accused Products' method includes operating an operating member driven by a motor.

generating exercise use data in response to operating the operating member;

The Accused Products' method of verifying use of an exercise apparatus includes generating exercise use data in response to operating the motor-driven operating member. That is, the Accused Products' controller generates exercise use data (i.e., in-workout metrics or real-time metrics) when the operating member is driven by the motor. As shown in the images below, the Accused Products generate exercise use data, including pace, speed, mileage, elevation gain, output, and heart rate when the operating member is driven by the motor.

On-screen metrics

Track performance in class and over time with a range of connected metrics.

REAL-TIME METRICS

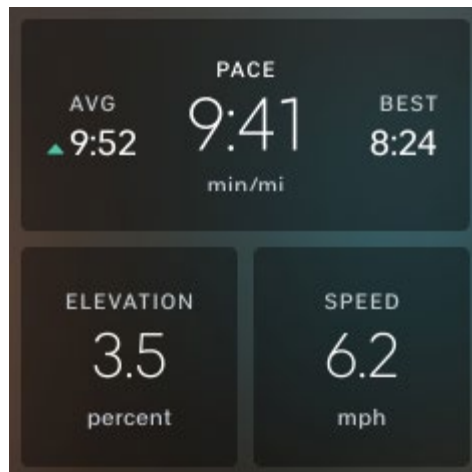
See in-class metrics like pace, incline, output, mileage, heart rate, and more.

TRACK PROGRESS OVER TIME

Check workout streaks, personal bests, goals achieved, and more.

LEADERBOARD

See who's in class, give out high-fives, and chase others up the Leaderboard for some friendly competition.



'340 Patent	Peloton's Accused Products
	 The screenshot displays the Peloton Tread app interface during a running session. At the top left, the timer shows 35:26 with a 'Resting' status and a '10 min Running' goal. Below this, the heart rate is 124 bpm, with a 'Zone 3' indicator and a '50%' max heart rate. The central part of the screen features a live video feed of a male instructor wearing a black 'PELOTON' tank top. To the right, a 'LEADERBOARD' is visible, showing a list of participants with their names, avatars, and scores. At the bottom, a row of metrics includes 'INCLINE' (0.0%), 'OUTPUT' (255 watts), 'PACE' (9:41 min/mile), and 'SPEED' (6.2 mph). Below these, a secondary row shows 'TOTAL ELEVATION (ft)' (25), 'TOTAL OUTPUT (kcal)' (72), 'CALORIES (kcal)' (68), and 'DISTANCE (mi)' (1.05). A 'CUSTOMIZE SHORTCUTS' button is located above the bottom metrics row. https://www.onepeloton.com/tread and https://support.onepeloton.com/hc/en-us/article_attachments/4406174535828/Peloton_Tread_Manual_NA.pdf

'340 Patent	Peloton's Accused Products
receiving, at a controller, sensor data from a sensor.	The Accused Products' method for verifying the use of an exercise apparatus includes receiving, at a controller, sensor data from a sensor. The Accused Products utilize a controller. <i>See</i> Peloton's Response to Request for Admission No. 9. The Accused Products' controller is capable of communicating with a current sensor and the operating unit. <i>See</i> Peloton's Response to Request for Admission Nos. 11 and 13. "The Accused Products utilize current sensors" to detect user engagement with the Accused Products' operating member. <i>See</i> Peloton's Response to Interrogatory No. 10. The Accused Products' current sensors detect whether a user is engaged with the motor-driven operating member by detecting a current change in the input current that is caused by user footfall. Peloton's website states that "the belt on [the Accused Product] will come to a stop if it has been set to a speed above 0 mph and it does not detect a person running." Please note that even if you are in a class, the belt on your Peloton Tread or Peloton Tread+ will come to a stop if it has been set to a speed above 0 mph and it does not detect a person running. https://support.onepeloton.com/hc/en-us/articles/360060884531-Tread-Lock As such, the Accused Products have a sensor that that accumulates sensor data.

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comparing, at the controller, the sensor data with a known data parameter that is indicative of a user not engaging the operating member; and	"The Accused Products utilize current sensors" to detect user engagement with the Accused Products' operating member. <i>See Peloton's Response to Interrogatory No. 10.</i> The current sensor is operably connected to the motor and detects an input current into the motor while the operating unit is running. This input current signal is transmitted from the current sensor to the controller and serves as the data parameter indicative of a user not engaging the operating member. When a user steps on the operating member during operation of the operating unit, the motor draws more current. The current sensor detects whether or not a user is engaging the motor-driven operating member by detecting the change in input current caused by the user footfall. The current sensor then transmits the current signal proportional to the input current to the controller so that the controller can determine whether a user is engaging the operating member. As a result, the Accused Products' method for verifying use of an exercise apparatus includes a controller comparing the received sensor data with a known data parameter indicative of a user not engaging the motor-driven operating member.

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reporting, by the controller, the exercise use data to a communication interface in response to the comparison step indicating that the user is engaged with the operating member.	The Accused Products' controller reports exercise use data (e.g., total output (kJ), distance (mi)) to the communication interface via its internet connectivity options (e.g., Wi-Fi, wireless, and ethernet) as shown in the image below. CONNECTION WiFi 802.11 a/b/g/n/ac - 2.4GHz & 5GHz ANT+™ wireless 100 Mbps (USB-C to Ethernet adapter only, not included) As shown in the image below, the Accused Products display at least some of the user's exercise data, including total output (kJ) (left red circle) and distance (mi) (right red circle) to facilitate working out virtually alongside other members. As such, the Accused Products' method for verifying use of an exercise apparatus comprises reporting the exercise use data to a communication interface in response to the comparison step indicating that the user is engaged with the motor-driven operating member. TIME REMAINING Time remaining in the class HEART RATE Heart rate is measured when you connect a heart rate monitor TIMELINE Your Timeline shows class segments and your progress within the class LEADERBOARD • The Leaderboard shows all participants in a class • Filter by Friends, Tags, or users who are Here Now PACE Your current Pace, in minutes per mile SPEED Your current Speed WARNING: Heart rate monitoring systems may be inaccurate. Over-exercising may result in serious injury or death. If you feel faint stop exercising immediately. Use metrics on the screen for reference only. INCLINE Your current Incline, in percent grade OUTPUT Your Output, in watts, is a combination of Speed and Incline TOTAL OUTPUT https://www.onepeloton.com/tread/specs

14. The method of claim 13, further comprising ceasing reporting of the exercise use data to the communication interface in response to the controller determining that the user is not engaged with the operating member while the operating member is driven by the motor.

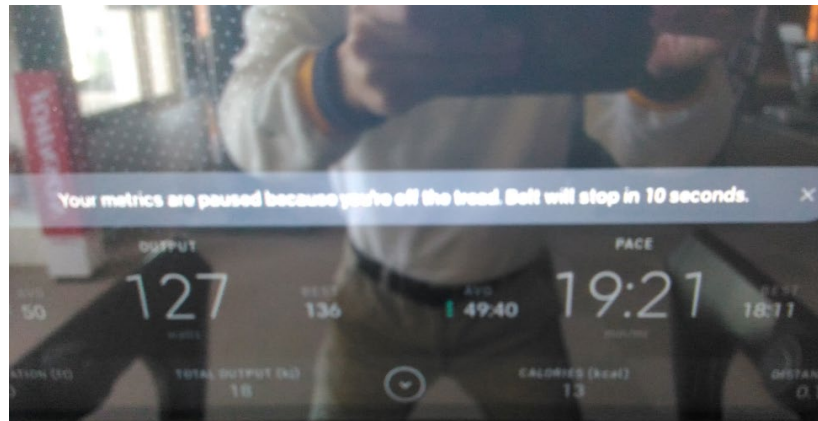
Based on testing, the Accused Products utilize software that (1) turns on a light around the stop button after a user has stepped off the operating unit (about 5 seconds after stepping off), and (2) displays a notification on the screen stating either: “Looks like you’re off the Tread. Belt will stop in 11 seconds” or “Your metrics are paused because you’re off the tread. Belt will stop in 10 seconds.”



light before stepping off
the Accused Products



light after stepping off
the Accused Products



Additionally, the Accused Products’ controller stops reporting the exercise use data (e.g., total output (kJ), distance (mi)) to the communication interface when the user is no longer detected as being engaged with the operating member (i.e., after about five seconds).

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	This is shown in the pictures below. The first picture shows the "Distance (mi)" after the sensor does not detect engagement of the user with the operating unit. The second picture shows how the "Distance (mi)" remains the same (.87 miles) despite the operating member continuing to be driven by the motor because the user is not detected as engaged with the operating unit. The second picture was taken approximately 9 seconds after the user stepped off the operating unit.  As a result, the Accused Products' method for verifying use of an exercise apparatus comprises ceasing to report the exercise use data to the communication interface in response to the controller determining that the user is not engaged with the operating member while the operating member is driven by the motor.

16. The method of claim 13, further comprising reporting, by the controller, the exercise use data to the communication interface only in response to the controller determining that the user is engaged with the operating member.

The controller generates exercise use data (e.g., Total Output (kJ) and Distance (mi)) when a user is detected on the operating unit. This data is sensed when a user is detected to be in engagement with the operating unit.

Additionally, once the controller determines the user is engaged with the operating member, the controller reports the exercise use data (e.g., "Total Output (kJ)", "Distance (mi)") to the communication interface via its internet connectivity options (e.g., Wi-Fi, wireless, and ethernet) as shown in the image below.

CONNECTION

WiFi 802.11 a/b/g/n/ac - 2.4GHz & 5GHz

ANT+™ wireless

100 Mbps (USB-C to Ethernet adapter only, not included)

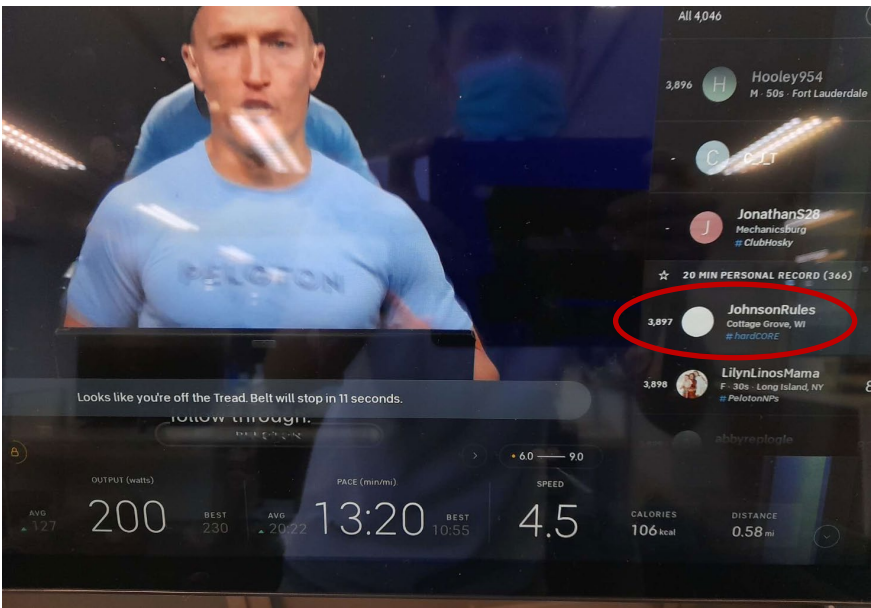
Moreover, the exercise use data is reported to the communication interface in response to the controller determining the user is engaged with the operating member and the operating member is being driven by the motor. In the first image below, the user has just started using the Accused Products. In the second image, the user has been on the operating unit for 18 seconds. As shown in the images, several metrics increase due to the user being detected on the operating unit, including but not limited to "Total Output (kJ)" (left red circle in second picture) and "Distance (mi)" (right red circle in the second picture) and these changes are shown on the communication interface.

As such, the Accused Products' controller is configured to report the exercise use data to the communication interface only in response to the controller determining that the user is engaged with the operating member and the operating member is being driven by the motor.



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	As such, the Accused Products' method for verifying the use of an exercise apparatus includes reporting, by the controller, the exercise use data to the communication interface only in response to the controller determining that the user is engaged with the operating member.
18. The method of claim 13, wherein the known data parameter is recognized by the controller during operational use of the operating member.	The Accused Products' method of verifying the use of an exercise apparatus utilizes current sensors. <i>See</i> Peloton's Response to Interrogatory No. 10. The Accused Products' current sensor is operably connected to the motor and detects an input current into the motor while the operating unit is running. This input current signal is transmitted from the current sensor to the controller and serves as the data parameter indicative of a user not engaging the operating member. The data parameter is also preprogrammed into the controller so that when the controller receives an input current equal to the preprogrammed parameter from the sensor the controller can determine a user is not engaged with the operating member. As shown in the images below, the Accused Products display the following message when the controller receives an input current equal to the preprogrammed parameter from the current sensor (i.e., the user is determined to not be engaged with the operating member): "Looks like you're off the Tread. Belt will stop in 15 seconds." As a result, the Accused Products' method of verifying the use of an exercise apparatus comprise a known data parameter, wherein the known data parameter is recognized by the controller during operational use of the operating member.

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19. The method of claim 13, wherein the reported exercise use data is defined as validated exercise use data.	The controller generates validated exercise use data (e.g., Total Output (kJ)) and "Distance (mi)" when a user is detected on the operating unit. This data is considered "validated" because the data is sensed when a user is detected to be in engagement with the operating unit, and the data ceases to be "validated" shortly after a user steps off the operating unit and is no longer detected as being engaged with the operating unit. In the first image below, the user has just started using the Accused Products. In the second image, the user has been on the operating unit for 18 seconds. As shown in the images, several metrics increase due to the user being detected on the operating unit, including but not limited to "Total Output (kJ)," which increased from 123 kJ to 127 kJ (left red circle in second picture) and "Distance (mi)," which increased from .83 miles to .86 miles (right red circle in the second picture). As such, the Accused Products' method for verifying the use of an exercise apparatus includes the reported exercise use data being defined as validated exercise use data. 

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20. The method of claim 13, further comprising connecting the exercise apparatus with a remote location, communicating the exercise use data to the remote location, and maintaining communication between the exercise apparatus and an remote location while the operating member is driven by the motor and the user is determined by the controller not to be engaged with the operating member.	The Accused Products have the capability of being connected with a remote server. <i>See Peloton's Response to Request for Admission No. 22.</i> Additionally, as shown in the image below, the controller maintains the communication between the exercise apparatus and the remote location while the user is determined by the controller not to be engaged with the operating member. In the below image, the user has stepped off the operating unit and is still registered on the Leaderboard despite no longer being engaged with the operating member.  As a result, the Accused Products' method of verifying the use of an exercise apparatus includes connecting the exercise apparatus with a remote location, communicating the exercise use data to the remote location, and maintaining communication between the exercise apparatus and an remote location while the operating member is driven by the motor and the user is determined by the controller not to be engaged with the operating member.