

PROTECTIVE ORDER FINANCIAL MATERIAL

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIFECORE FITNESS, LLC d/b/a
ASSAULT FITNESS,

Petitioner,

v.

WOODWAY USA, INC.

Patent Owner.

IPR2024-00083
U.S. Patent No. 11,465,005

SUPPLEMENT TO PATENT OWNER RESPONSE

In addition to Patent Owner's commercial success of its CURVE® treadmills, (Paper 24, 58-61), Petitioner has also experienced extraordinary commercial success from exploiting Patent Owner's claimed inventions through sales of the Assault AirRunner, which Patent Owner alleges infringes the '005 Patent. *See* EX2084; *see also* EX2070, EX2078. Products embodying the claimed invention account for 100% of the market for curved manual treadmills since Patent Owner's introduction of the CURVE® line in 2009. (Paper 24 at 59.) Patent Owner's CURVE® treadmill sales steadily increased from 2009 until 2017 when Petitioner introduced the infringing AirRunner. *See* Fig. 2 (citing EX2084, EX2020, ¶¶17-29). Since the AirRunner introduction, Petitioner sold more than [REDACTED] units and generated over [REDACTED] in revenue, while Patent Owner's sales declined due to Petitioner's newly available cheaper infringing product. *See id.*; EX2020, ¶¶11, 12, 29. Collectively, Petitioner and Patent Owner sold nearly [REDACTED] treadmills embodying the claimed inventions, generating nearly [REDACTED] in revenue. *Id.*; EX2020, ¶8.

The sheer volume of Petitioner's sales coupled with its revenue underscore the commercial success of the claimed inventions.

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U.S. Patent No. 11,465,005

Patent Owner's Supplement to

Patent Owner's Response

Dated: August 30, 2024

By: /R.J. McKenna/
Richard J. McKenna
Registration No. 35,610
Counsel for Patent Owner

CERTIFICATE OF COMPLAINT

This Supplement to Patent Owner's Response complies with the type-volume limitations required by 27 C.F.R. §42.24 and does not exceed the authorized one-page supplement authorized by the Board. The word count in this paper totals 174 words. Patent Owner has relied upon the word count feature of Microsoft Word.

Dated: August 30, 2024

/R.J. McKenna/
Richard J. McKenna
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Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing
SUPPLEMENT TO PATENT OWNER'S RESPONSE was served on August 30,
2024, by email to Petitioner's counsel of record:

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