

Filed: May 5, 2025

On behalf of **lululemon usa inc.**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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LULULEMON USA INC.,  
Petitioner,

v.

NIKE, INC.,  
Patent Owner.

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Case No. IPR2024-00460  
U.S. Patent No. 8,266,749

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**PETITIONER'S UPDATED EXHIBIT LIST**

## LIST OF EXHIBITS

| Exhibit No. | Description                                                                                                                                                     |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1001        | U.S. Patent No. 8,266,749 to Dua, et al.                                                                                                                        |
| 1002        | Excerpts of Prosecution History for U.S. Patent No. 8,266,749                                                                                                   |
| 1003        | Declaration of Dr. David S. Brookstein                                                                                                                          |
| 1004        | International Patent Publication No. WO 92/22223 to Nishida (“Nishida”)                                                                                         |
| 1005        | English Translation of Nishida (Ex. 1005)                                                                                                                       |
| 1006        | U.S. Patent No. 1,803,554 to Knilans (“Knilans”)                                                                                                                |
| 1007        | U.S. Patent No. 2,147,197 to Glidden (“Glidden”)                                                                                                                |
| 1008        | U.S. Patent No. 2,047,724 to Zuckerman (“Zuckerman”)                                                                                                            |
| 1009        | Spencer, Knitting Technology: A Comprehensive Handbook and Practical Guide, Chapters 2-3, 6-9, 12-13, 16-18, 20, 24, and 28-29, Third Edition, 2001 (“Spencer”) |
| 1010        | Excerpts of Man-Made Fiber and Textile Dictionary, Fourth Edition, Issued 1978, Reprinted 1983                                                                  |
| 1011        | JP 2002-65303A to Tani, et al. (“Tani”)                                                                                                                         |
| 1012        | English Translation of Tani (Ex. 1011)                                                                                                                          |
| 1013        | U.S. Patent No. 5,345,638 to Nishida (“Nishida-US”)                                                                                                             |
| 1014        | Curriculum Vitae of Dr. David S. Brookstein                                                                                                                     |
| 1015        | Joint Disputed Claim Terms Chart, <i>Nike, Inc. v. lululemon usa inc.</i> , C.A. No. 1:23-cv-00771-AS (S.D.N.Y.)                                                |
| 1016        | Lewis, et al., A Machine Knitter’s Guide to Creating Fabrics, Part 1: Chapters 1-2 and Part 2: Chapters 1, 4, 6, and 13, 1986                                   |
| 1017        | U.S. Patent No. 2,675,631 to Doughty (“Doughty”)                                                                                                                |

| <b>Exhibit No.</b> | <b>Description</b>                                                                                                                                  |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| 1018               | <i>Adidas AG v. Nike, Inc.</i> , IPR2016-00922, Paper 2 (Petition for <i>Inter Partes</i> Review) (P.T.A.B. Apr. 19, 2016)                          |
| 1019               | <i>Adidas AG v. Nike, Inc.</i> , IPR2016-00922, Paper 6 (Institution Decision) (P.T.A.B. Oct. 10, 2016)                                             |
| 1020               | <i>Adidas AG v. Nike, Inc.</i> , IPR2016-00922, Paper 9 (Patent Owner Response) (P.T.A.B. Jan. 23, 2017)                                            |
| 1021               | <i>Adidas AG v. Nike, Inc.</i> , IPR2016-00922, Paper 21 (Final Written Decision) (P.T.A.B. Oct. 19, 2017)                                          |
| 1022               | <i>Adidas AG v. Nike, Inc.</i> , IPR2016-00922, Paper 31 (Decision on Remand) (P.T.A.B. Feb. 19, 2019)                                              |
| 1023               | Wingate, Excerpts of Fairchild's Dictionary of Textiles, Sixth Edition, 1979                                                                        |
| 1024               | Declaration of Brandon G. Smith in Support of <i>Pro Hac Vice</i> Motion                                                                            |
| 1025               | Excerpts from 6/12/24 Deposition Transcript of Dr. Christopher M. Pastore in <i>Nike, Inc. v. lululemon usa inc.</i> , No. 2023-cv-00771 (S.D.N.Y.) |
| 1026               | 1/14/25 Deposition Transcript of Dr. Christopher Pastore                                                                                            |
| 1027               | Court Endorsement on Claim Construction in <i>Nike, Inc. v. lululemon usa inc.</i> , No. 2023-cv-00771 (S.D.N.Y.)                                   |
| 1028               | Petitioner's Demonstratives for Oral Argument                                                                                                       |

Respectfully submitted,

Dated: May 5, 2025

/Jacob L. Peterson /

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies service on the Patent Owner, pursuant to 37 C.F.R. § 42.6(e) and by agreement of counsel, by electronic (e-mail) delivery of a true copy of the foregoing **PETITIONER'S UPDATED EXHIBIT LIST AND EXHIBIT 1028** are being served on May 5, 2025 to the following Counsel for Patent Owner via email:

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