

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Casper Sleep Inc.,
Petitioner,

v.

Werner Media Partners, LLC,
Patent Owner.

U.S. Patent 10,842,301
IPR 2024-00474

**PETITIONER'S NOTICE OF FILING OF TRANSCRIPT OF
CONFERENCE CALL OF JANUARY 8, 2025**

On January 8, 2025, the Board held a conference call with counsel for Petitioner and Patent Owner. Petitioner arranged for a court reporter to attend and transcribe the conference call. Later that day, the Board issued an Order “that a transcript of the conference call in this proceeding, held January 8, 2025, shall be filed as an exhibit as soon as possible.” (Paper 43, p. 4).

In compliance with this Order, Petitioner is filing a transcript of the January 8, 2025, conference call herewith as Exhibit 1087. Pursuant to 37 C.F.R. § 42.63(e), Petitioner is also including a current exhibit list, set forth below.

TABLE OF EXHIBITS

Exhibit No.	Description
1001	U.S. Patent No. 10,842,301 (“’301 Patent”)
1002	U.S. Patent Application No. 15/719,475 File History (“’475 Application”)
1003	U.S. Provisional Patent Application No. 62/367,840 File History (“’840 Application”)
1004	PCT Application PCT/US2017/54189 File History from WIPO (“’189 PCT Application”)
1005	U.S. Reexamination Request Control No. 90/015,251 File History (“’251 Reexam”)
1006	Declaration of David M. Brienza, Ph.D. (“Brienza Decl.”)
1007	Curriculum Vitae of David M. Brienza, Ph.D.
1008	JP 4817757 B2 to Ohta et al. (“Ohta”)
1009	Certified English Translation of Ohta
1010	WO 2016/090258 A1 to Schneider (“Schneider”)
1011	U.S. Publication No. 2014/0141233 A1 to Crawford et al. (“Crawford”)
1012	NL 1020305C2 to Lievestro (“Lievestro”)
1013	Certified English Translation of Lievestro
1014	<i>Websters New World College Dictionary</i> , 4 th Edition, 2001
1015	U.S. Patent No. 5,388,296 to Mansour (“Mansour”)

Exhibit No.	Description
1016	U.S. Publication No. 2015/0272354 A1 to Asklof et al. (“Asklof”)
1017	U.S. Publication No. 2012/0227185 A1 to Batiste et al. (“Batiste”)
1018	U.S. Publication No. 2003/0109908 A1 to Lachenbruch et al. (“Lachenbruch”)
1019	U.S. Publication No. 2004/0123391 to Call et al. (“Call”)
1020	U.S. Patent No. 5,033,136 to Elkins (“Elkins”)
1021	U.S. Publication No. 2002/0132091 A1 to Worley (“Worley”)
1022	U.S. Publication No. 2016/0166074 A1 to Rose et al. (“Rose”)
1023	U.S. Publication No. 2012/0193572 A1 to MacKay (“MacKay”)
1024	U.S. Publication No. 2015/0296994 A1 to Mikkelsen et al. (“Mikkelsen”)
1025	U.S. Publication No. 2008/0289073 A1 to Jones (“Jones”)
1026	Stipulated Background of Marc Werner
1027	Notice of Deposition of Andrew S. Gross
1028	Petition for IPR 2024-00474
1029	Order Granting Institution of IPR 2024-00747
1030	Patent Owner Response IPR 2024-00747
1031	U.S. Patent No. 9,538,855 to Gross et al.
1032	Photos of Element Samples (Exhibit 2020) and Email Correspondence

Exhibit No.	Description
1033	CONFIDENTIAL Email Correspondence Regarding GhostPillow Production Steps (Exhibit 2022)
1034	Notice of Deposition of Jeff Quinn
1035	[Reserved]
1036	[Reserved]
1037	Gross Hand Drawings
1038	[Reserved]
1039	Amazon Casper Snow Foam Pillow, Standard, White (ASIN B09MV5BNQB) (10/31/2024)
1040	Amazon Casper Snow Foam Pillow, Standard, White King (ASIN B09MV75TXZ) (10/31/2024)
1041	Amazon Casper Sleep Hybrid Snow Pillow, Standard, White (ASIN B0C66FFVY1) (10/31/2024)
1042	Amazon Casper Sleep Hybrid Snow Pillow, King, White (ASIN B0C66J82H3) (10/31/2024)
1043	Amazon Search: “Molded Gel Memory Foam PCM pillow with punched holes” (10/31/2024)
1044	[Reserved]
1045	Amazon Columbia Cooling Gel Memory Foam Pillow - King (ASIN B084YTJM4V) (10/31/2024)
1046	[Reserved]

Exhibit No.	Description
1047	David Perry, Purchases at the Top, BedTimes Magazine, July 27, 2022
1048	[Reserved]
1049	[Reserved]
1050	Fortune Business Insights U.S. Pillow Market Size, 2023-2030
1051	Q _{max} Overlay
1052	[Reserved]
1053	[Reserved]
1054	(Physical Exhibit) GhostPillow Core
1055	Picture of GhostPillow Core
1056	Amazon Standard Identification Number – Wikipedia
1057	Brooklyn Bedding Cooling Gel with PCM
1058	Fohm Pillow Kickstarter
1059	Fohm Pillow Shipment
1060	(Physical Exhibit) “GBSolidfoam” Element Sample #1
1061	Picture of Physical Exhibit 1060
1062	(Physical Exhibit) “3315” Solid Foam Element Sample #2
1063	Picture of Physical Exhibit 1062
1064	(Physical Exhibit) “3315” Solid Foam Element Sample #3

Exhibit No.	Description
1065	Picture of Physical Exhibit 1064
1066	(Physical Exhibit) “GBPunchedPCM” Element Sample #1
1067	Picture of Physical Exhibit 1066
1068	(Physical Exhibit) “3315 w/400g/sm Punched” Element Sample #2
1069	Picture of Physical Exhibit 1068
1070	(Physical Exhibit) “3315 w/400g PCM Punched” Element Sample #3
1071	Picture of Physical Exhibit 1070
1072	(Physical Exhibit) 3 Airflow Element Samples, No Punch, No PCM
1073	Picture of Physical Exhibit 1072
1074	CONFIDENTIAL Signed Transcript of Deposition of Andrew Gross (October 29, 2024)
1075	CONFIDENTIAL Second Declaration of David M. Brienza, Ph.D.
1076	CONFIDENTIAL Declaration of David Shiroff
1077	Curriculum Vitae of David Shiroff
1078	CONFIDENTIAL Signed Transcript of Deposition of Jeff Quinn (November 4, 2024)
1079	(Video Exhibit) https://www.youtube.com/watch?v=vflxKFL24s4
1080	Screenshots of Video Exhibit 1079

Exhibit No.	Description
1081	Boerstech Foam Pillow Drill 9101 Variable (https://www.boerstech.eu/-foam-pillow-drill-9101-variable-)
1082	CONFIDENTIAL Casper Pillow Sales January 2022-September 2024
1083	(Video Exhibit) https://vimeo.com/111694480
1084	Screenshots of Video Exhibit 1083
1085	WO 2011/107849 A1 to Rossi (“Rossi”)
1086	Email string regarding ER-20
1087	January 8, 2025, Transcript of Conference Call with the Board

Respectfully submitted,

Dated: January 10, 2025

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CERTIFICATE OF SERVICE

The undersigned certifies that, in accordance with 37 C.F.R. § 42.6(e), service was made on Patent Owner as detailed below.

Date of Service January 10, 2025

Manner of Service Email to patent@assoulineberlowe.com,
contact@pearsonip.com, wais@cotmanlaw.com,
ed@cotmanlaw.com

Document Served - This Petitioner's Notice of Filing of Transcript of Hearing of January 8, 2025; and
- Exhibit 1087

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