IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ATHALONZ, LLC, *Plaintiff*, v. UNDER ARMOUR, INC., *Defendant*.	§ § § § § § § § § §	Case No.: 2:23-cv-00193-JRG **DEMAND FOR JURY TRIAL**

PLAINTIFF'S DISCLOSURE OF ASSERTED CLAIMS
AND INFRINGEMENT CONTENTIONS

Pursuant to Local Patent Rule 3-1, Plaintiff Athalonz, LLC ("Plaintiff" or "Athalonz") provides this disclosure of asserted claims and infringement contentions. Athalonz is contemporaneously providing the document production accompanying disclosure required by P.R. 3-2 as ATHALONZ000001 - ATHALONZ00001770.

I. P.R. 3-1(a): Identification of Asserted Claims

Athalonz identifies the following claims of each patent in suit that are infringed by Under Armour. Athalonz reserves the right to supplement its identification of asserted claims as discovery proceeds.

Asserted Patent	Asserted Claims
11,013,291	1-5
11,064,760	1-11
10,674,786	1-8
11,510,456	1-5, 7, 9-15, 17
11,375,768[1]	1-5, 8

[1] Athalonz informed Under Armour on September 8, 2023 that it intended to amend the Complaint to assert U.S. Patent No. 11,375,768, which is related to the other Asserted Patents. The parties met and conferred on September 12. Under Armour informed Athalonz on the date of these contentions (September 14) that it did not oppose a motion to amend the Complaint. Athalonz is timely serving its contentions for the '768 patent on the date set by the Court, and will soon file an unopposed motion to amend the complaint to add the '768 patent.

Petitioner Under Armour, Inc.
Exhibit 1009

II. P.R. 3-1(b): Accused Instrumentalities

Athalonz identifies the Accused Instrumentalities (also referred to as the "Accused Products") below based solely on publicly available information. The Accused Instrumentalities are representative of all past and future releases of the same or substantially similar Accused Instrumentalities that incorporate the infringing features. For example, if a past or future release of the same Accused Instrumentality contains the same features and infringes the Asserted Claims for the same reasons as identified by Athalonz, those past or future releases are Accused Instrumentalities. Further, unrelated variations in the Accused Instrumentalities (such as variation of size, color, model year, low/high version, version number, cleat or bottom pattern, etc.) are also included as Accused Instrumentalities.

Accused Instrumentality	**Asserted Patent**				
	'291	**'760**	**'786**	**'456**	**'768**
Harper 5*				X	X
Harper 6*				X	X
Harper 7*				X	X
Harper 8*				X	X
HOVR Drive^	X	X	X	X	X
HOVR Drive 2^	X	X	X	X	X
HOVR Forge^				X	X
HOVR Show GTX^				X	X
Jordan Spieth 4 GTX^				X	X
UA Charged Curry^	X	X	X	X	X
Curry 4 FloTro^{+}	X	X	X	X	X
Curry 10$^{\#}$	X	X	X	X	X
Curry HOVR Splash	X	X	X		
Curry HOVR Splash 2$^{\&}$	X	X	X		
HOVR Highland Ace	X	X	X	X	X
HOVR Block City				X	X
UA Flow Dynamic	X	X	X		

** All designs of ST, TPU, Turf versions, which infringe for the same reasons.*

^ All designs of spiked and spikeless/SL versions, which infringe for the same reasons.

+ Representative of other Curry FloTro shoes, including at least all designs of Curry 1 FloTro and Curry 2 FloTro, which infringe for the same reasons.[2]

Representative of prior Curry shoes implementing same relevant features, including at least all designs of Curry 9 and Curry 8, which infringe for the same reasons, as well as future releases implementing the same relevant features.

& Representative of future Curry Splash shoes implementing same relevant features, including at least Curry Splash 3, which infringes for the same reasons.

III. P.R. 3-1(c) and (d): Infringement Claim Charts

Athalonz provides the claim charts attached as **Exhibits A – E** identifying specifically where each element of each asserted claim is found within each Accused Instrumentality.

Asserted Patent	Infringement Claim Chart
11,013,291	Exhibit A
11,064,760	Exhibit B
10,674,786	Exhibit C
11,510,456	Exhibit D
11,375,768	Exhibit E

These claim charts are exemplary and are not meant to limit the evidence Athalonz will use to prove infringement by Under Armour. For example, any measurements appearing in the claim charts are exemplary only and may vary depending on unrelated features such as shoe size. Athalonz reserves the right to use additional and/or different measurements. Athalonz also reserves the right to rely on physical samples of the Accused Instrumentalities to show infringement, including physical samples obtained from Under Armour during discovery. Athalonz further incorporates the documents produced at ATHALONZ00002565 - ATHALONZ00002568 and ATHALONZ00002586 - ATHALONZ00002706, which are public documents showing certain features of the Accused Instrumentalities. Athalonz reserves the right

[2] *See, e.g.*, ATHALONZ00002586 (Curry 4 FloTro is "[t]he first in a series of reimagined models set to debut this year.").

to use this information to show infringement as well as to show that certain Under Armour products are representative.

Athalonz reserves the right to supplement its infringement contentions based on information learned through discovery, including information provided by Under Armour. Athalonz reserves the right and expects to rely on documents, testimony, and other evidence obtained through discovery to prove infringement in this case. Athalonz reserves the right to rely on expert testimony to show infringement. These claim charts are not intended to and do not construe the claims of the Asserted Patents and do not limit Athalonz's contentions.

Athalonz contends that each element of each asserted claim is literally present in each Accused Instrumentality. To the extent Under Armour contends that any element of any asserted claim is not literally present in an Accused Instrumentality, Athalonz contends that such element is present under the doctrine of equivalents because the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result, as set forth in the attached claim charts.

IV. P.R. 3-1(e): Priority Date

The priority date to which each asserted patent is entitled is shown in the chart below.

Asserted Patent	Asserted Claims	Priority Date
11,013,291	1-5	March 8, 2011 (Provisional App. No. 61/450,485)
11,064,760	1-11	March 8, 2011 (Provisional App. No. 61/450,485)
10,674,786	1-8	March 8, 2011 (Provisional App. No. 61/450,485)
11,510,456	1-5, 7, 9-15, 17	March 8, 2011 (Provisional App. No. 61/450,485)
11,375,768	1-5, 8	March 8, 2011 (Provisional App. No. 61/450,485)

V. P.R. 3-1(f): Practice by Athalonz Products

Athalonz provides the claim charts attached as **Exhibits F – H** identifying specifically where each element of each claim practiced by the Athalonz Products is found within the Athalonz Products. These claim charts are exemplary and are not meant to limit the evidence Athalonz will

use to prove that its products practice the Asserted Patents. For example, any measurements appearing in the claim charts are exemplary only and may vary depending on unrelated features such as shoe size. Athalonz reserves the right to use additional and/or different measurements. Athalonz reserves the right to rely on physical samples of the Athalonz Products to show that they practice the Asserted Patents. Athalonz reserves the right to rely on expert testimony to show that its products practice the Asserted Patents. These claim charts are not intended to and do not construe the claims of the Asserted Patents and do not limit Athalonz's contentions.

Athalonz identifies the following patents and claims that are practiced by the Athalonz Products, and the corresponding claim chart.

Patent	Claims	Claim Chart
11,013,291	1-5	Exhibit F
11,064,760	1-11	Exhibit G
10,674,786	1-8	Exhibit H

In the attached claim charts, Athalonz has charted the Athalonz EnVe Golf Shoe and identified where each element of each claim is practiced by the EnVe. The Athalonz EnVe Golf shoe is representative of other Athalonz Products because it incorporates the claimed features in the same manner, including the following Athalonz Products: Athalonz GF1 cleat and shoe; Athalonz GF2 cleat and shoe. Athalonz further incorporates the documents produced at ATHALONZ00002569 - ATHALONZ00002585, which are public documents showing certain features of the Athalonz Products. Athalonz reserves the right to use this information to show practice, as well as to show that certain Athalonz products are representative.

Athalonz contends that each element of each asserted claim is literally present in each Athalonz Products. To the extent Under Armour contends that any element of any asserted claim is not literally present in an Athalonz Product, Athalonz contends that such element is present under the doctrine of equivalents because the Athalonz Products perform substantially the same

function, in substantially the same way, to achieve substantially the same result, as set forth in the attached claim charts.

VI. P.R. 3-2: Document Production Accompanying Disclosure

Athalonz is contemporaneously producing documents with the Bates numbers ATHALONZ000001 - ATHALONZ00001770. These documents correspond to P.R. 3-2(c), a copy of the file history for each patent in suit. Athalonz is not currently aware of any documents corresponding to the categories identified in P.R. 3-2(a) or 3-2(b).

Dated: September 14, 2023

Respectfully submitted,

/s/ Taylor N. Mauze

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Attorneys for Plaintiff Athalonz, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certified that a true and correct copy of the above and foregoing document has been served by electronic mail on September 14, 2023 to all counsel for Under Armour.

/s/ Taylor N. Mauze
Taylor N. Mauze

EXHIBIT A

INFRINGEMENT CLAIM CHART FOR U.S. PATENT NO. 11,013,291

Athalonz provides the following infringement claim chart subject to all reservations, objections, statements, and disclaimers set forth herein and in Athalonz's Infringement Contentions, as well as any amendment, supplement, or modification thereof, which are incorporated herein by reference in their entirety. These claim charts also incorporate by reference Athalonz's Complaint.

Athalonz contends that the shoes charted below are representative of other Under Armour Products, as set forth in Athalonz's infringement contentions.

Athalonz has prepared these infringement claim charts identifying, as specifically as possible at this stage of discovery, where each element of each asserted claim is found within the Accused Products. Athalonz contends that each element of the Asserted Claims is practiced literally by such Accused Products. To the extent Under Armour disputes literal infringement, Athalonz contends that any such disputed element is infringed by the Accused Products under the doctrine of equivalents. Athalonz reserves the right to update these charts, upon confirmation through discovery to the extent more information relating to the Accused Products or identification of additional products becomes available.

This claim chart is not intended to and does not construe the claims of the '291 Patent and does not limit Athalonz's contentions. Athalonz specifically reserves the right to modify and supplement this claim chart. This preliminary claim chart is provided to illustrate exemplary information practically available prior to discovery.

CLAIM CHART FOR U.S. PATENT NO. 11,013,291

Claim	Exemplary Evidence of Infringement
1[pre]: A shoe comprises:	To the extent the preamble is limiting, each of the Accused Products is a shoe. For example, the Curry 4 FloTro is a shoe.  The other Accused Products are also shoes, as shown below. **Charged Curry** 

Claim	Exemplary Evidence of Infringement
	Curry 10  **Curry Splash** 

Curry Splash 2



Flow Dynamic



HOVR Drive



HOVR Drive 2



Claim	Exemplary Evidence of Infringement
	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[a]: an upper section;	The Accused Products have an upper section. For example, the Curry 4 FloTro has an upper section, as shown below.  The other Accused Products similarly also have an upper section. **Charged Curry** 

Curry 10



Curry Splash



Curry Splash 2



Flow Dynamic



HOVR Drive



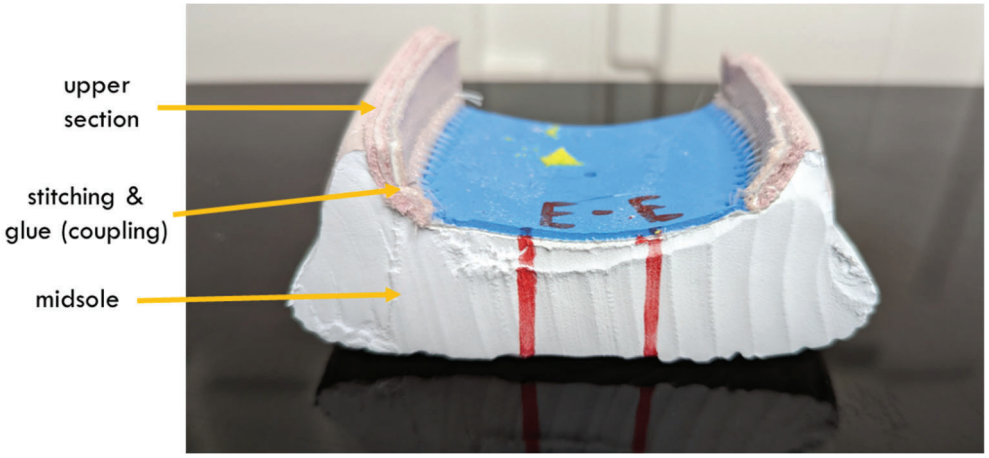
HOVR Drive 2



HOVR Highlight Ace



To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[b]: a midsole coupled to the upper section;	The Accused Products have a midsole coupled to the upper section. For example, the Curry 4 FloTro has a midsole. The midsole is coupled to the upper section with stitching and glue, as shown below.  The other Accused Products similarly also have a midsole coupled to the upper section with stitching and glue. **Charged Curry** 

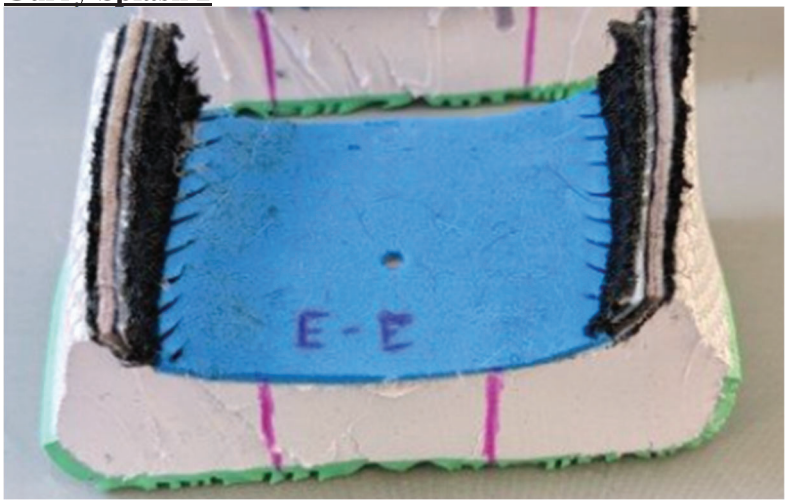
Curry 10



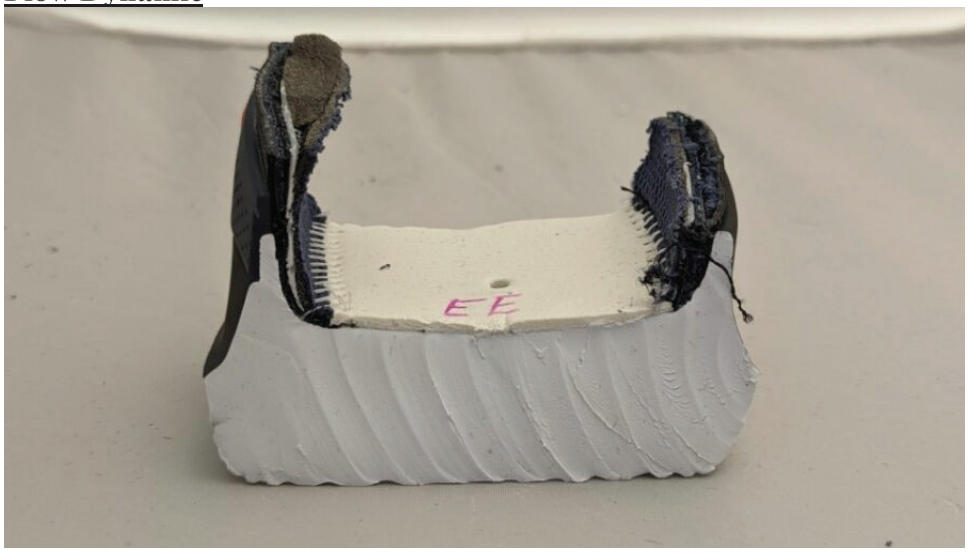
Curry Splash



Curry Splash 2



Flow Dynamic



HOVR Drive



HOVR Drive 2



	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[c]: an insole positioned proximal to the midsole and within the upper section; and	The Accused Products have an insole positioned proximal to the midsole and within the upper section. For example, the Curry 4 FloTro has an insole. When the shoe is assembled, the insole is positioned proximal to the midsole and is within the upper section. Shown below is the insole and midsole.  The other Accused Products also have an insole positioned proximal to the midsole and within the upper section, as shown below. **Charged Curry** 

Curry 10



Curry Splash



Curry Splash 2



Flow Dynamic



HOVR Drive



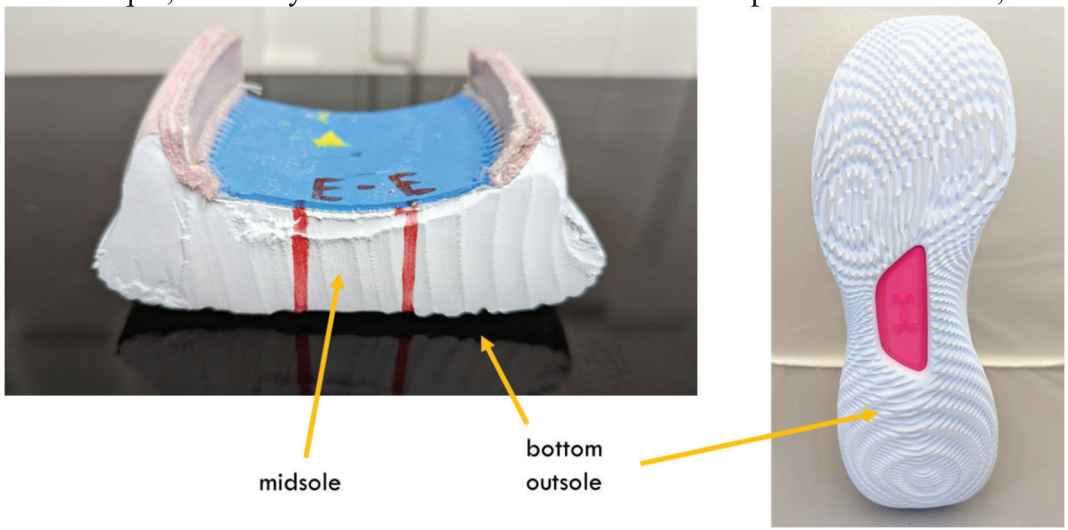
HOVR Drive 2



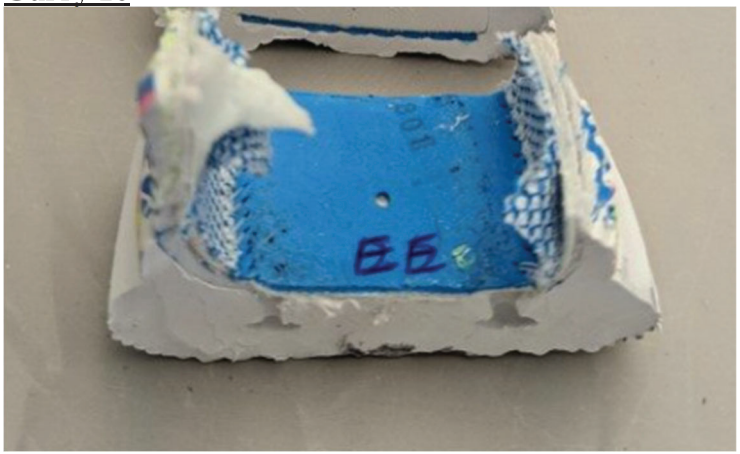
HOVR Highlight Ace

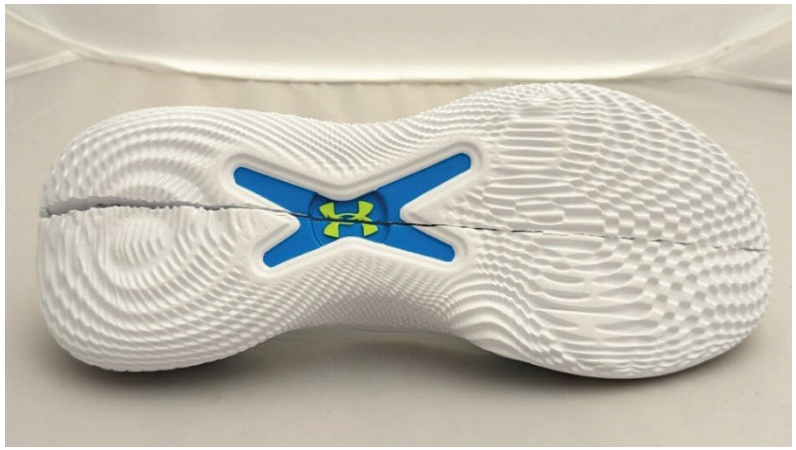


To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

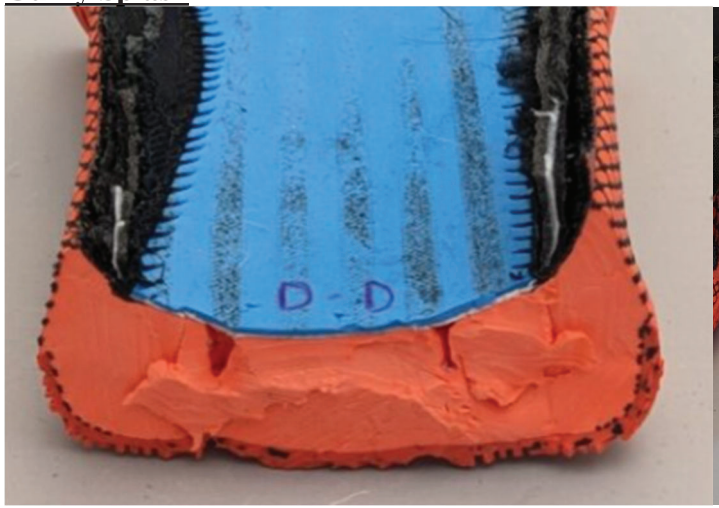
1[d]: a bottom outsole coupled to the midsole,	The Accused Products have a bottom outsole coupled to the midsole. For example, the Curry 4 FloTro has a bottom outsole coupled to the midsole, as shown below.  The other Accused Products have a bottom outsole coupled to the midsole, as shown below. **Charged Curry** 

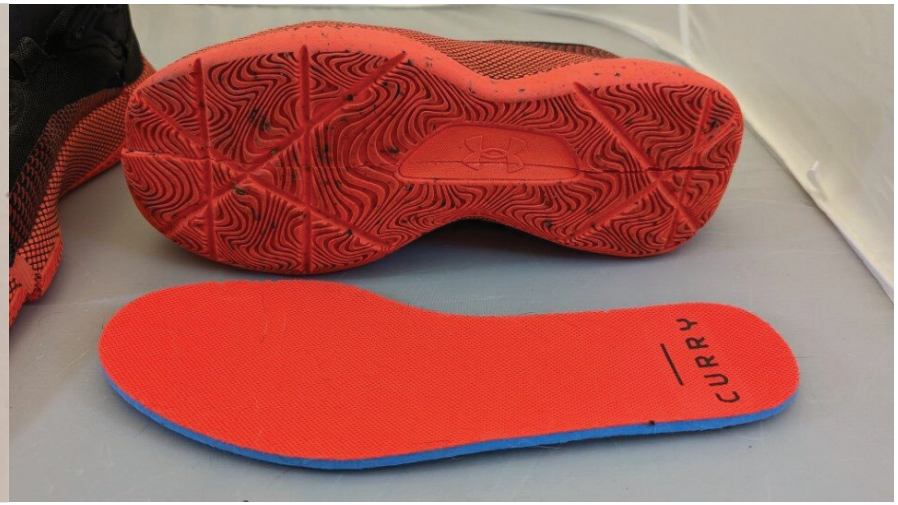
Curry 10



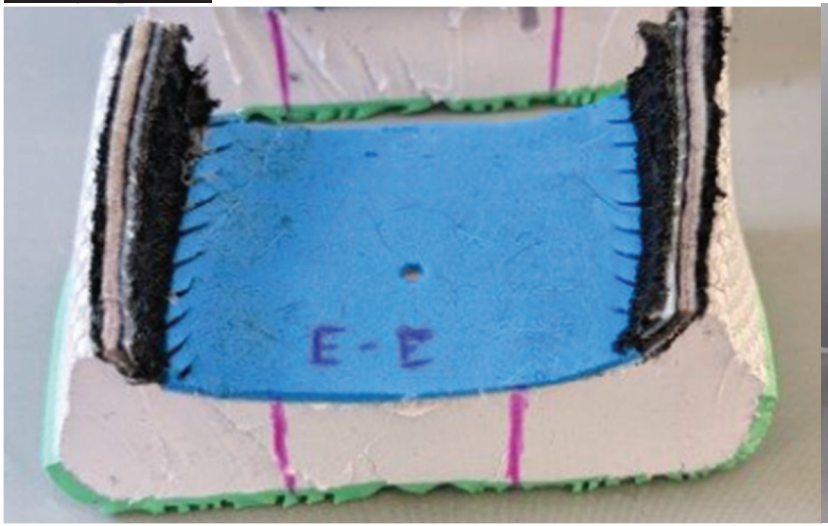


Curry Splash



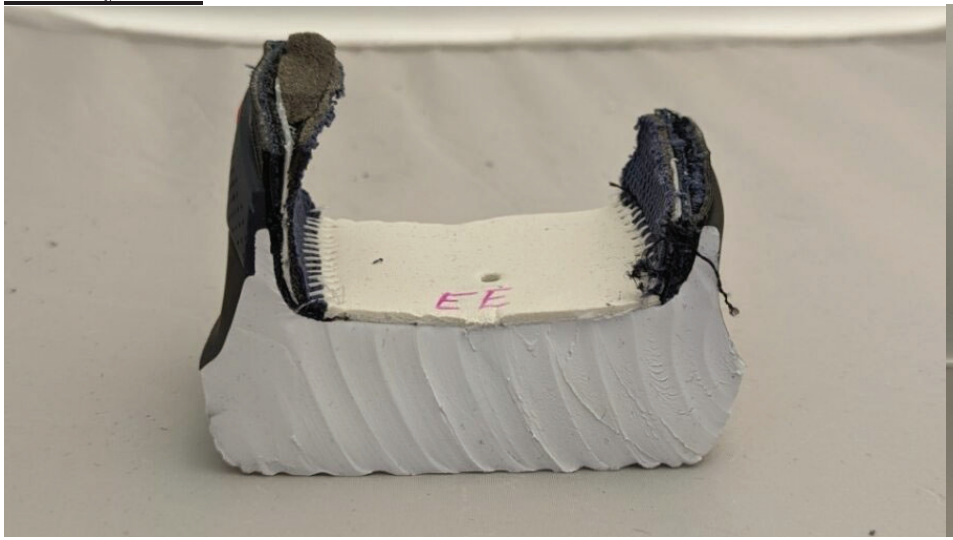


Curry Splash 2





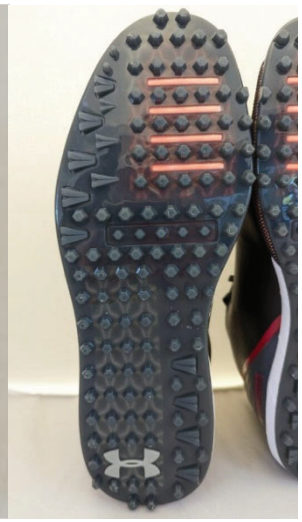
Flow Dynamic





HOVR Drive





HOVR Drive 2

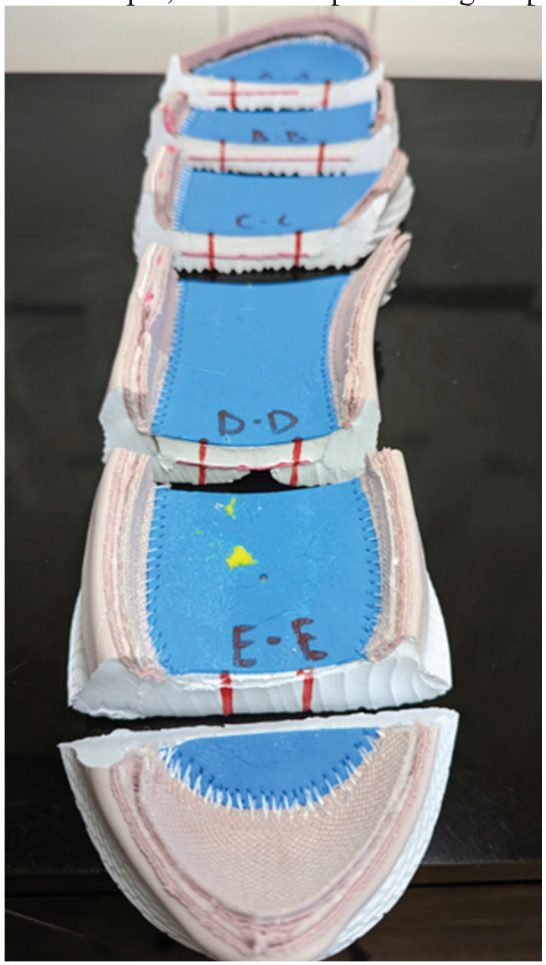




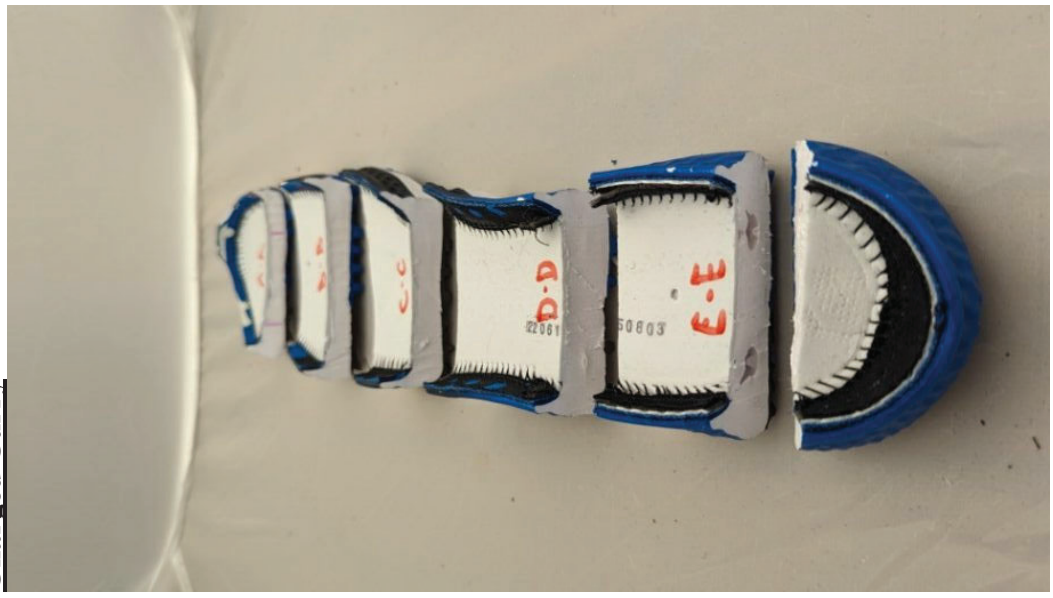
HOVR Highlight Ace



To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[e]: wherein a combination of the midsole, the insole, and the bottom outsole form an athletic positioning shape, wherein the athletic positioning shape has:	In the Accused Products, a combination of the midsole, the insole, and the bottom outsole form an athletic positioning shape. For example, the athletic positioning shape (which is further described below) is shown below in the Curry 4 FloTro:  The other Accused Products also have an athletic positioning shape.

Charged Curry



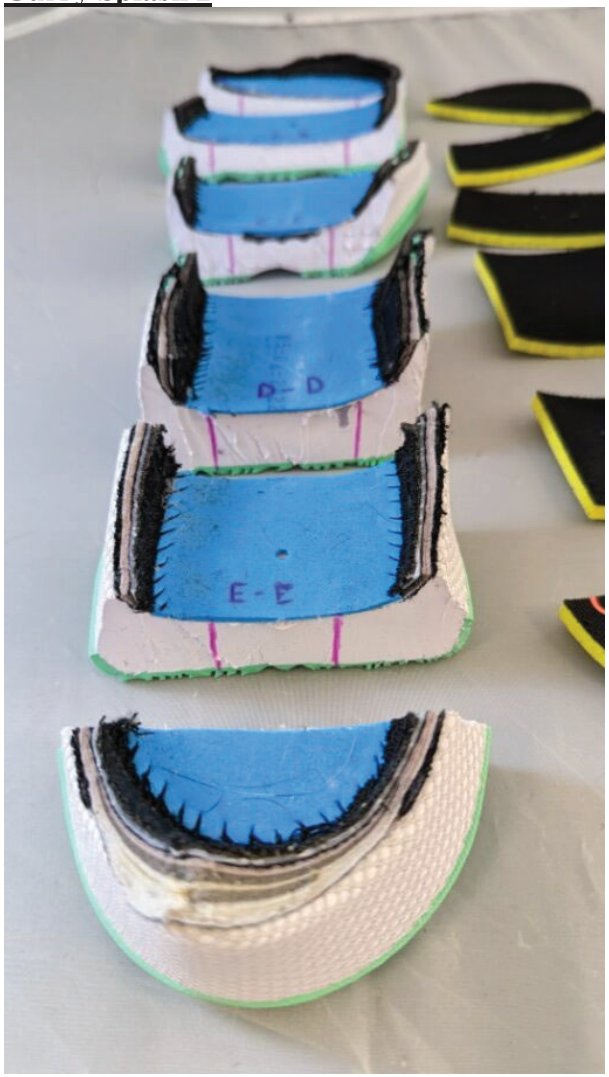
Curry 10



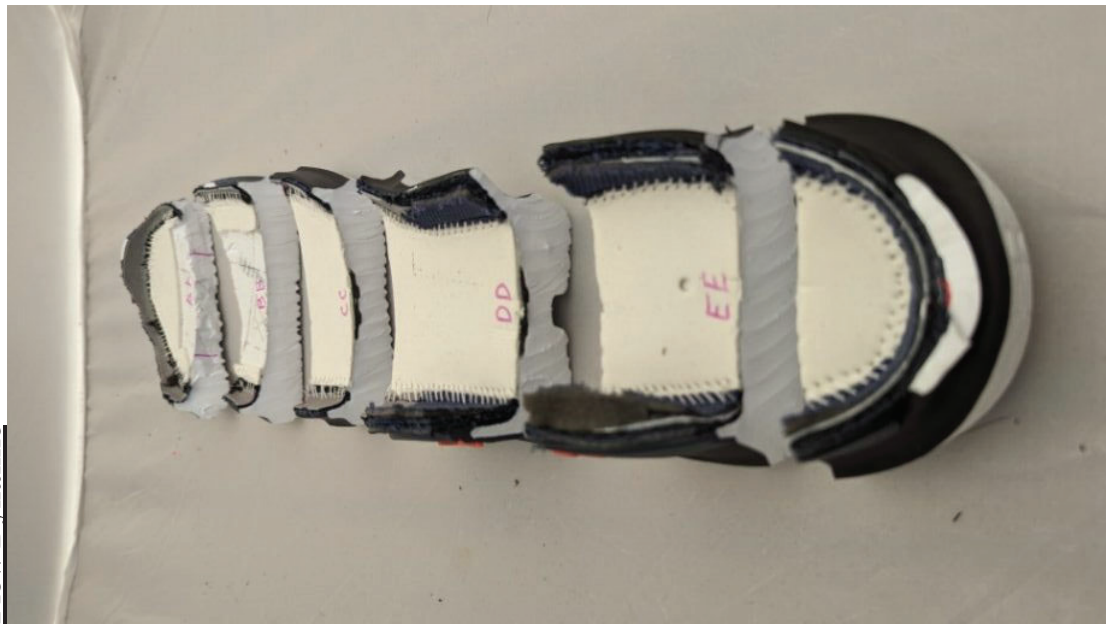
Curry Splash



Curry Splash 2



Flow Dynamic





HOVR Drive

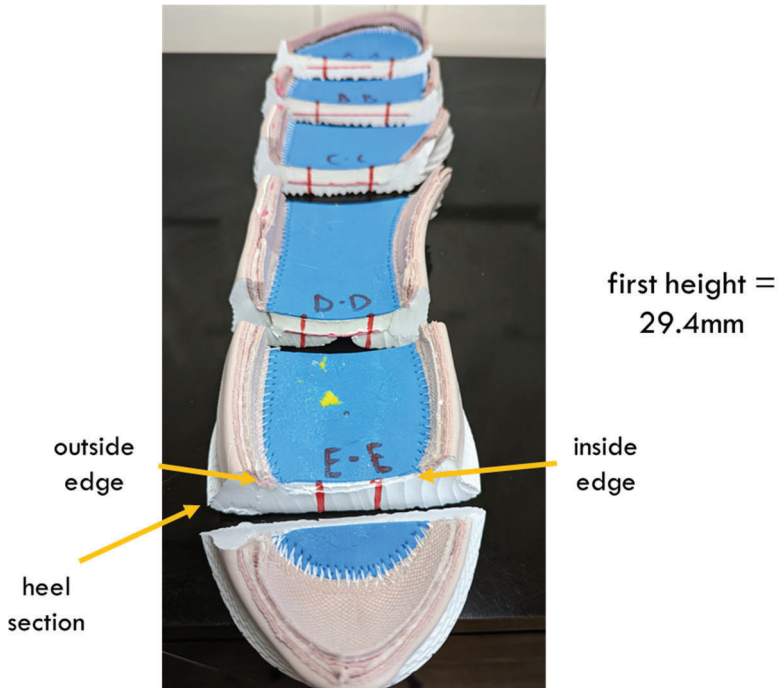
HOVR Drive 2



HOVR Highlight Ace

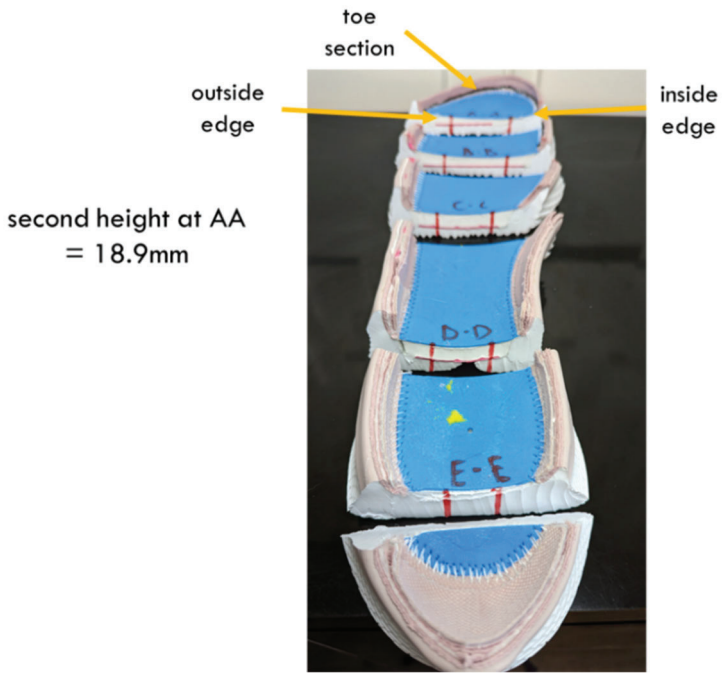


To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[f]: a first height at an inside edge and at an outside edge of the shoe along a heel section of the shoe,	The Accused Products have a first height at an inside edge and at an outside edge of the shoe along a heel section of the shoe. For example, the Curry 4 FloTro has a first height of 29.4mm at an inside edge and at an outside edge of the shoe along a heel section of the shoe, as shown below.  The other Accused Products also have a first height at an inside edge and at an outside edge of the shoe along a heel section of the shoe. **Accused Product** / **First Height (EE)** **Charged Curry** 20.1 **Curry 10** 24.5 **Curry Splash** 19.7

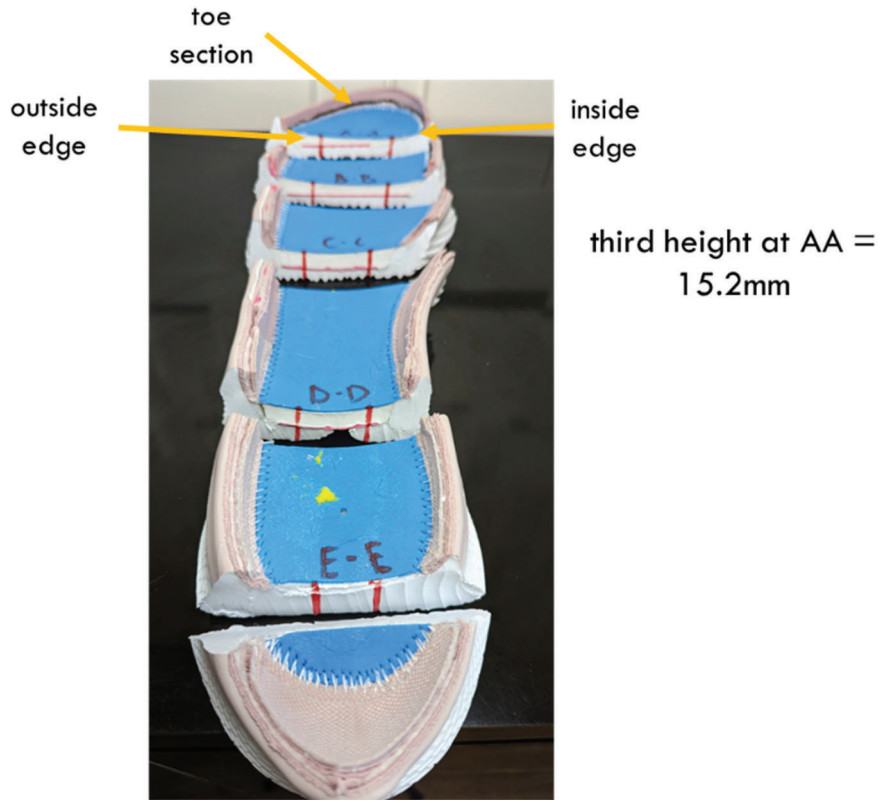
Curry Splash 2	18.7
Flow Dynamic	27.5
HOVR Drive	27.3
HOVR Drive 2	21.5
HOVR Highlight Ace	27.5

To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[g]: a second height on the outside edge of the shoe at a toe section of the shoe,	The Accused Products have a second height on the outside edge of the shoe at a toe section of the shoe. For example, the Curry 4 FloTro has a second height of 18.9mm on the outside edge of the shoe at a toe section of the shoe, as shown below.  The other Accused Products also have a second height on the outside edge of the shoe at a toe section of the shoe. **Accused Product** / **Second Height** **Charged Curry** 14 **Curry 10** 18.9 **Curry Splash** 14.1 **Curry Splash 2** 12.5 **Flow Dynamic** 17 **HOVR Drive** 16.3

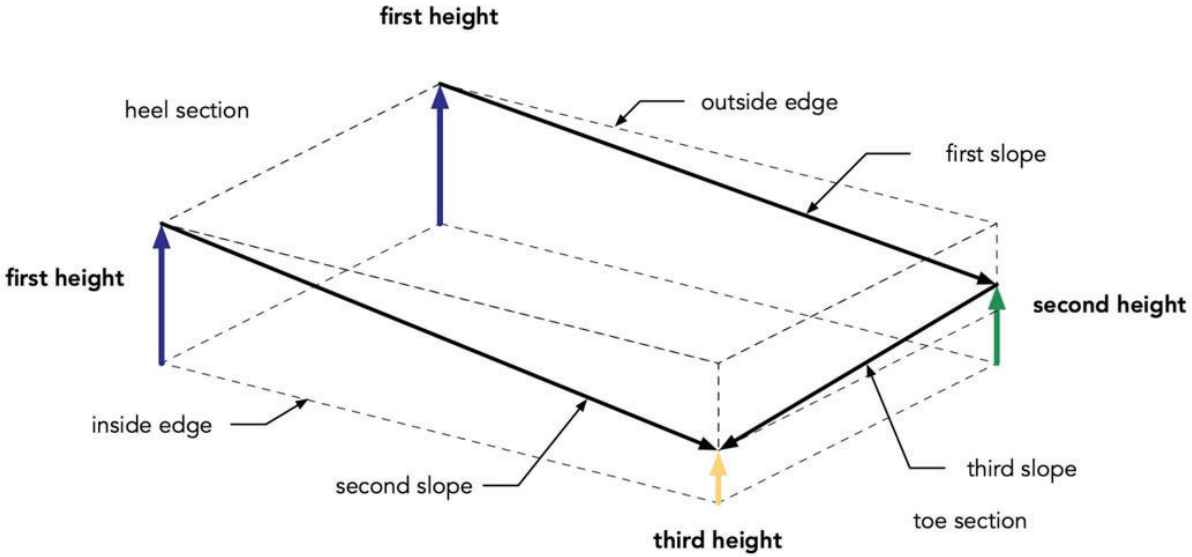
HOVR Drive 2	20.6
HOVR Highlight Ace	14.1

To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[h]: a third height on the inside edge of the shoe at the toe section of the shoe, and	The Accused Products have a third height on the inside edge of the shoe at the toe section of the shoe. For example, the Curry 4 FloTro has a third height of 15.2mm on the inside edge of the shoe at a toe section of the shoe, as shown below.  The other Accused Products also have a third height on the inside edge of the shoe at the toe section of the shoe. **Accused Product** / **Third Height** **Charged Curry** 11.1 **Curry 10** 14.4 **Curry Splash** 8.9

Curry Splash 2	8.6
Flow Dynamic	14.2
HOVR Drive	15.8
HOVR Drive 2	13.9
HOVR Highlight Ace	13.2

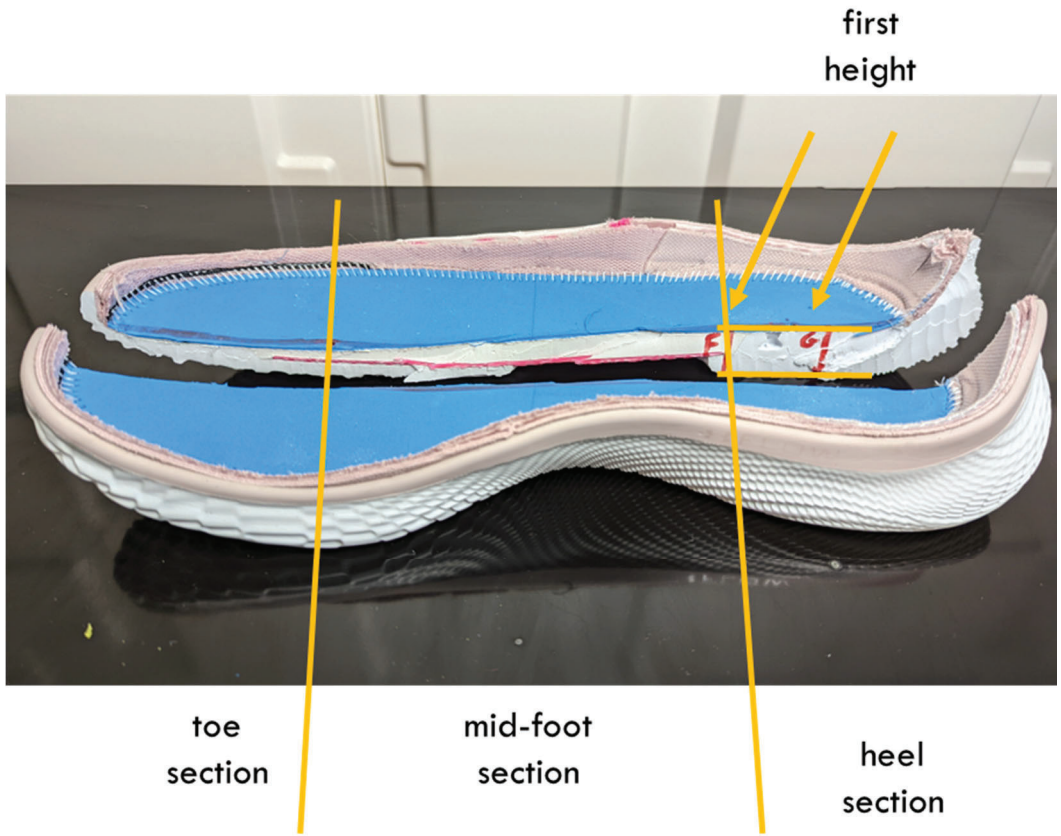
To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[i]: the first height being greater than the second height and the second height being greater than the third height, wherein a first slope is formed by the first height and the second height, wherein a second slope[] is formed by the first height and the third height, and wherein a third slope is formed by the second height and the third height.	The Accused Products have the first height being greater than the second height and the second height being greater than the third height, wherein a first slope is formed by the first height and the second height, wherein a second slope[] is formed by the first height and the third height, and wherein a third slope is formed by the second height and the third height. For example, the Curry 4 FloTro has a first height of 29.4mm, which is greater than a second height of 18.9mm, which is greater than a third height of 15.2mm. A first slope is formed by the first height and the second height, a second slope is formed by the first height and the third height, and a third slope is formed by the second height and the third height, as shown below.  The other Accused Products also have the first height being greater than the second height and the second height being greater than the third height, wherein a first slope is formed by the first height and the second height, wherein a second slope[] is formed by the first height and the third height, and wherein a third slope is formed by the second height and the third height.

Accused Product	First Height	Second Height	Third Height
Charged Curry	20.1	14	11.1
Curry 10	24.5	18.9	14.4
Curry Splash	19.7	14.1	8.9

Curry Splash 2	18.7	12.5	8.6
Flow Dynamic	27.5	17	14.2
HOVR Drive	27.3	16.3	15.8
HOVR Drive 2	21.5	20.6	13.9
HOVR Highlight Ace	27.5	14.1	13.2

To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
2: The shoe of claim 1 further comprises: the athletic positioning shape including the heel section, a mid-foot section, and a toe section, wherein the mid-foot section is between the heel section and the toe section, and wherein the heel section has the first height throughout.	The Accused Products have the athletic positioning shape including the heel section, a mid-foot section, and a toe section, wherein the mid-foot section is between the heel section and the toe section, and wherein the heel section has the first height throughout. For example, the Curry 4 FloTro has a heel section, a mid-foot section, and a toe section, wherein the mid-foot section is between the heel section and the toe section, as shown below. The heel section has the first height throughout. 

The other Accused Products also have the athletic positioning shape including the heel section, a mid-foot section, and a toe section, wherein the mid-foot section is between the heel section and the toe section, and wherein the heel section has the first height throughout.

Charged Curry



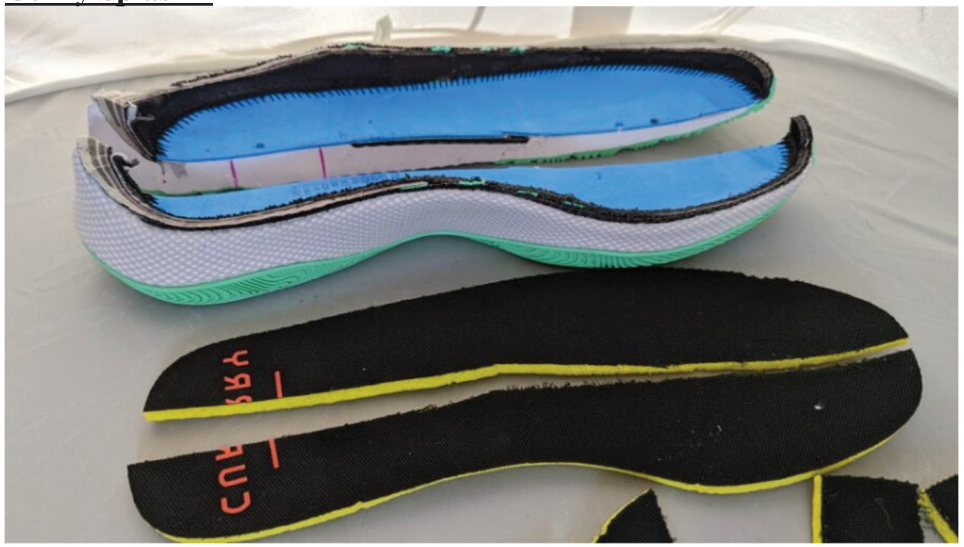
Curry 10



Curry Splash



Curry Splash 2

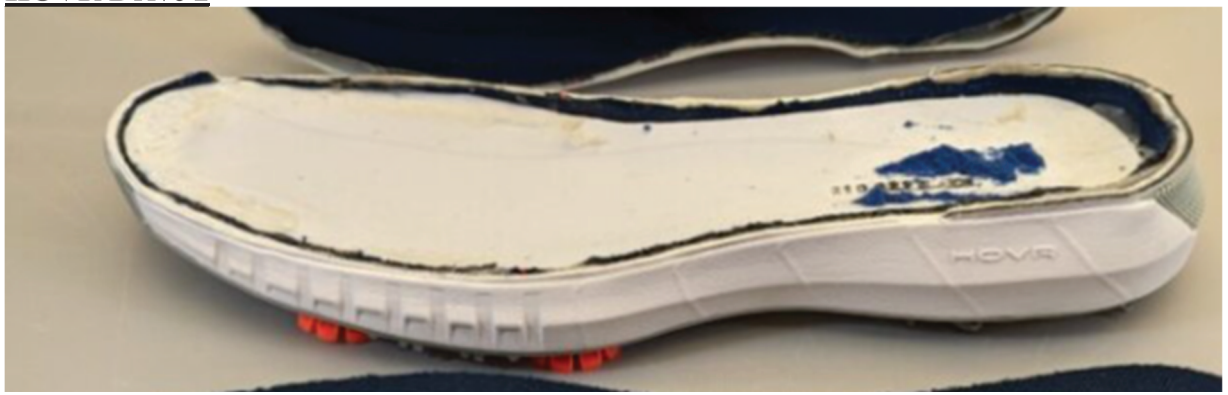
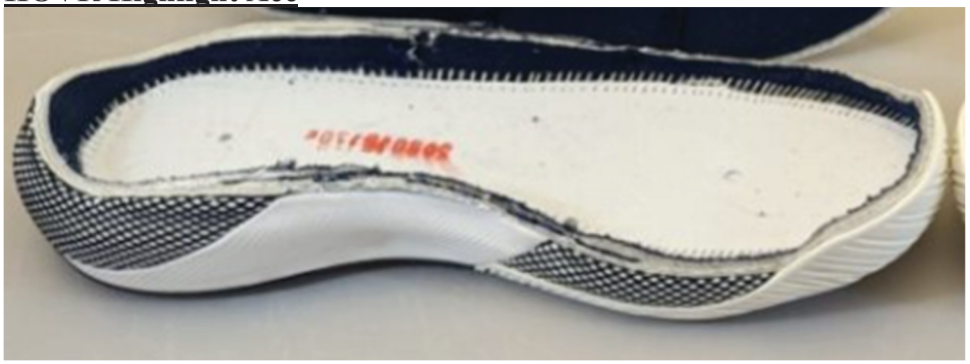


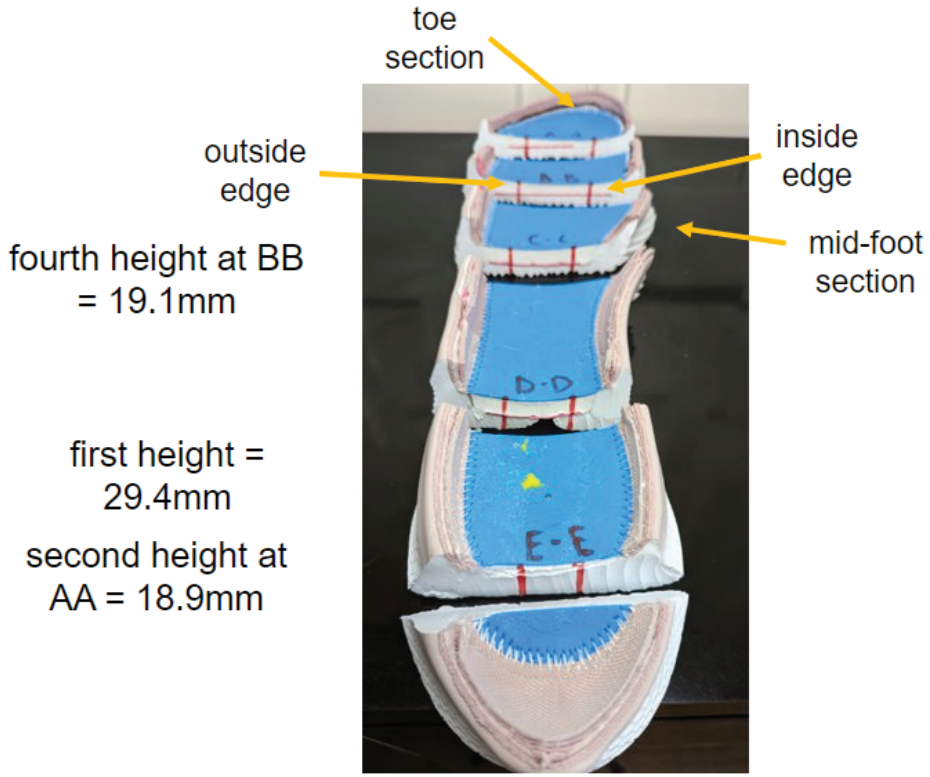
Flow Dynamic



HOVR Drive



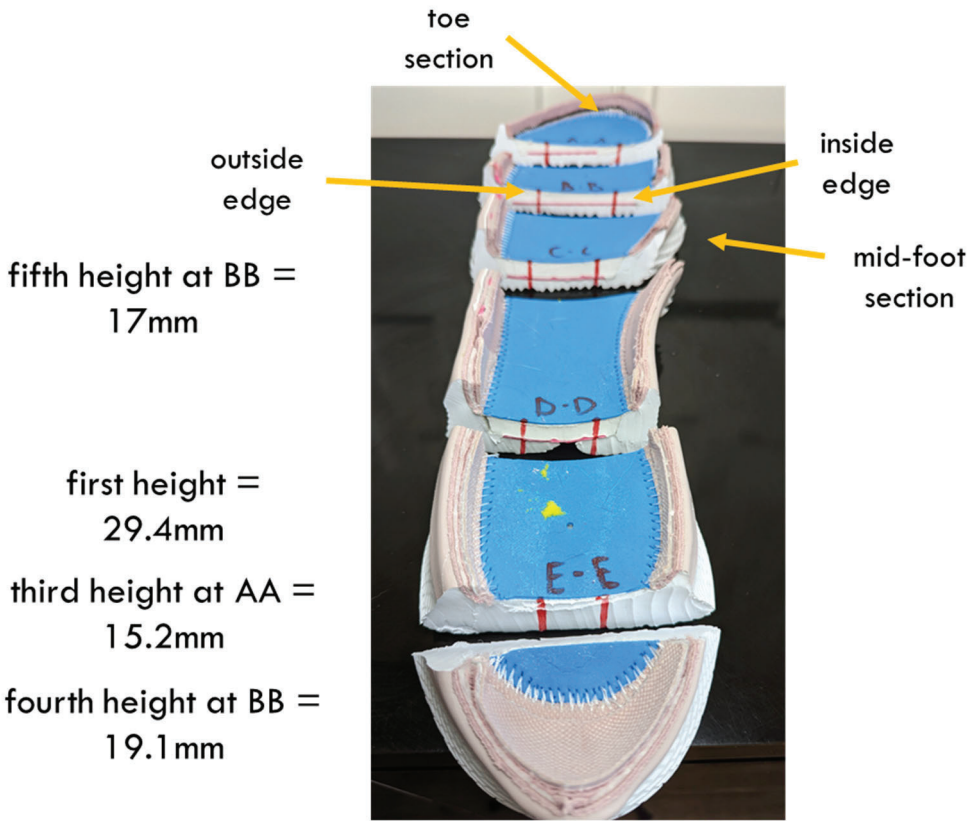
Claim	Exemplary Evidence of Infringement
	HOVR Drive 2  **HOVR Highlight Ace**  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
3: The shoe of claim 2 further comprises: a fourth height at the outside edge of the shoe at a transition from the mid-foot section to the toe section, wherein the fourth height is greater than the second height and wherein the fourth height is less than the first height.	The Accused Products have a fourth height at the outside edge of the shoe at a transition from the mid-foot section to the toe section, wherein the fourth height is greater than the second height and wherein the fourth height is less than the first height. For example, the Curry 4 FloTro has a fourth height of 19.1mm at a transition from the mid-foot section to the toe section. The fourth height of 19.1mm is greater than the second height of 18.9mm and less than the first height of 29.4mm.  The other Accused Products also have a fourth height at the outside edge of the shoe at a transition from the mid-foot section to the toe section, wherein the fourth height is greater than the second height and wherein the fourth height is less than the first height.

Claim	Exemplary Evidence of Infringement

Accused Product	First Height	Second Height	Fourth Height
Charged Curry	20.1	14	14.7
Curry 10	24.5	18.9	21.5
Curry Splash 2	18.7	12.5	14.3
Flow Dynamic	27.5	17	20.5
HOVR Drive	27.3	16.3	17.2
HOVR Highlight Ace	27.5	14.1	15.7

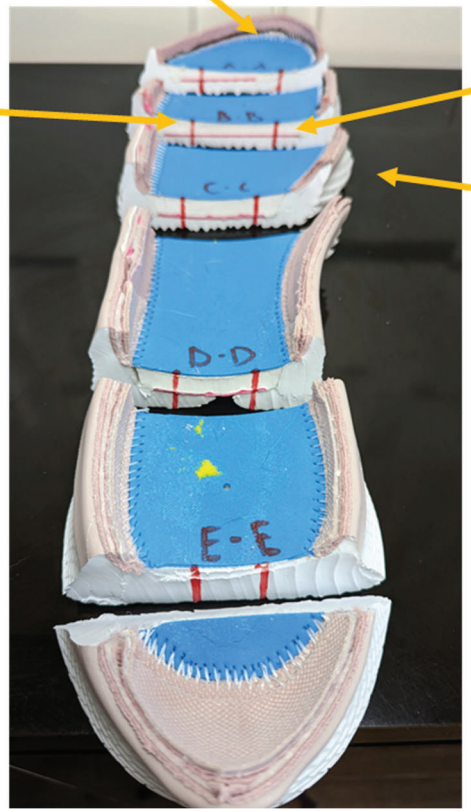
To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
4: The shoe of claim 3 further comprises: a fifth height at the inside edge of the shoe at the transition from the mid-foot section to the toe section, wherein the fifth height is greater than the third height and wherein the fifth height is less than the first height and less than the fourth height.	The Accused Products have a fifth height at the inside edge of the shoe at the transition from the mid-foot section to the toe section, wherein the fifth height is greater than the third height and wherein the fifth height is less than the first height and less than the fourth height. For example, the Curry 4 FloTro has a fifth height of 17mm at the inside edge of the shoe at the transition from the mid-foot section to the toe section. The fifth height of 17mm is greater than the third height of 15.2mm and less than the first height of 29.4mm and less than the fourth height of 19.1mm. 

<table>
<tr><th>Claim</th><th>Exemplary Evidence of Infringement</th></tr>
<tr><td></td><td>The other Accused Products also have a fifth height at the inside edge of the shoe at the transition from the mid-foot section to the toe section, wherein the fifth height is greater than the third height and wherein the fifth height is less than the first height and less than the fourth height.

<table>
<tr><th>Accused Product</th><th>First Height</th><th>Third Height</th><th>Fourth Height</th><th>Fifth Height</th></tr>
<tr><td>Charged Curry</td><td>20.1</td><td>11.1</td><td>14.7</td><td>13.7</td></tr>
<tr><td>Curry 10</td><td>24.5</td><td>14.4</td><td>21.5</td><td>18.5</td></tr>
<tr><td>Curry Splash 2</td><td>18.7</td><td>8.6</td><td>14.3</td><td>11.5</td></tr>
<tr><td>Flow Dynamic</td><td>27.5</td><td>14.2</td><td>20.5</td><td>18.5</td></tr>
<tr><td>HOVR Highlight Ace</td><td>27.5</td><td>13.2</td><td>15.7</td><td>15.6</td></tr>
</table>

To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.</td></tr>
</table>

Claim	Exemplary Evidence of Infringement
5: The shoe of claim 2 further comprises: a fourth height at the inside edge of the shoe at the transition from the mid-foot section to the toe section, wherein the fourth height is greater than the third height and wherein the fourth height is less than the first height.	The Accused Products have a fourth height at the inside edge of the shoe at the transition from the mid-foot section to the toe section, wherein the fourth height is greater than the third height and wherein the fourth height is less than the first height. For example, the Curry 4 FloTro has a fourth height of 17mm at the inside edge of the shoe at the transition from the mid-foot section to the toe section. The fourth height of 17mm is greater than the third height of 15.2mm and less than the first height of 29.4mm. toe section outside edge inside edge mid-foot section fourth height at BB = 17.0mm first height = 29.4mm third height at AA = 15.2mm 

<table>
<tr><th>Claim</th><th>Exemplary Evidence of Infringement</th></tr>
<tr><td></td><td>The other Accused Products also have a fourth height at the inside edge of the shoe at the transition from the mid-foot section to the toe section, wherein the fourth height is greater than the third height and wherein the fourth height is less than the first height.

<table>
<tr><th>Accused Product</th><th>First Height (EE)</th><th>Third Height (AA inner)</th><th>Fourth Height (BB inner)</th></tr>
<tr><td>Charged Curry</td><td>20.1</td><td>11.1</td><td>14.7</td></tr>
<tr><td>Curry 10</td><td>24.5</td><td>14.4</td><td>21.5</td></tr>
<tr><td>Curry Splash</td><td>19.7</td><td>8.9</td><td>13.4</td></tr>
<tr><td>Curry Splash 2</td><td>18.7</td><td>8.6</td><td>14.3</td></tr>
<tr><td>Flow Dynamic</td><td>27.5</td><td>14.2</td><td>20.5</td></tr>
<tr><td>HOVR Drive</td><td>27.3</td><td>15.8</td><td>17.2</td></tr>
<tr><td>HOVR Drive 2</td><td>21.5</td><td>13.9</td><td>15.5</td></tr>
<tr><td>HOVR Highlight Ace</td><td>27.5</td><td>13.2</td><td>15.7</td></tr>
</table>

To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.</td></tr>
</table>

EXHIBIT B

INFRINGEMENT CLAIM CHART FOR U.S. PATENT NO. 11,064,760

Athalonz provides the following infringement claim chart subject to all reservations, objections, statements, and disclaimers set forth herein and in Athalonz's Infringement Contentions, as well as any amendment, supplement, or modification thereof, which are incorporated herein by reference in their entirety. These claim charts also incorporate by reference Athalonz's Complaint.

Athalonz contends that the shoes charted below are representative of other Under Armour Products, as set forth in Athalonz's infringement contentions.

Athalonz has prepared these infringement claim charts identifying, as specifically as possible at this stage of discovery, where each element of each asserted claim is found within the Accused Products. Athalonz contends that each element of the Asserted Claims is practiced literally by such Accused Products. To the extent Under Armour disputes literal infringement, Athalonz contends that any such disputed element is infringed by the Accused Products under the doctrine of equivalents. Athalonz reserves the right to update these charts, upon confirmation through discovery to the extent more information relating to the Accused Products or identification of additional products becomes available.

This claim chart is not intended to and does not construe the claims of the '760 Patent and does not limit Athalonz's contentions. Athalonz specifically reserves the right to modify and supplement this claim chart. This preliminary claim chart is provided to illustrate exemplary information practically available prior to discovery.

CLAIM CHART FOR U.S. PATENT NO. 11,064,760

Claim	Exemplary Evidence of Infringement
1[pre]: A pair of shoes comprises:	To the extent the preamble is limiting, each of the Accused Products is a pair of shoes. For example, the Curry 4 FloTro are a pair of shoes.  The other Accused Products are also a pair of shoes. The Accused Products are sold as a pair of shoes, *see* ATHALONZ00002586 - ATHALONZ00002706. Even if only one shoe is pictured below, the Accused Products are a pair of shoes. **Charged Curry** 

Claim	Exemplary Evidence of Infringement
	Curry 10  **Curry Splash** 

Claim	Exemplary Evidence of Infringement
	Curry Splash 2  **Flow Dynamic**  

Claim	Exemplary Evidence of Infringement
	HOVR Drive  **HOVR Drive 2** 

Claim	Exemplary Evidence of Infringement
	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[a]: a left foot shoe including;	The Accused Products have a left foot shoe. In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons; therefore in certain images below the right foot shoe is pictured and is representative of the left foot shoe. *See* ATHALONZ00002586 - ATHALONZ00002706. For example, the Curry 4 FloTro has a left foot shoe.  The other Accused Products also have a left foot shoe. **<u>Charged Curry</u>** 

Curry 10



Curry Splash



Curry Splash 2



Flow Dynamic



HOVR Drive



HOVR Drive 2



	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
1[b]: a left upper shoe portion; and	The Accused Products have a left upper shoe portion. For example, the Curry 4 FloTro has a left upper shoe portion, as shown below. 

The other Accused Products also have a left upper shoe portion.

Charged Curry



Curry 10



Curry Splash



Curry Splash 2



Flow Dynamic



HOVR Drive



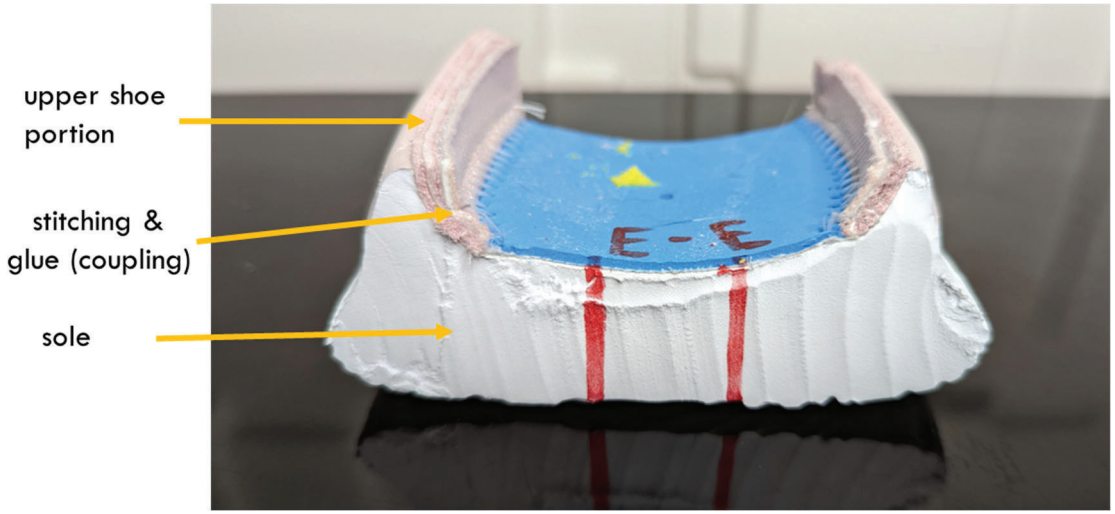
HOVR Drive 2



HOVR Highlight Ace



To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[c]: a left sole coupled to the left upper shoe portion;	The Accused Products have a left sole coupled to the left upper shoe portion. For example, the Curry 4 FloTro has a left sole coupled to the left upper shoe portion using stitching and glue, as shown below.  The other Accused Products also have a left sole coupled to the left upper shoe portion. **<u>Charged Curry</u>** 

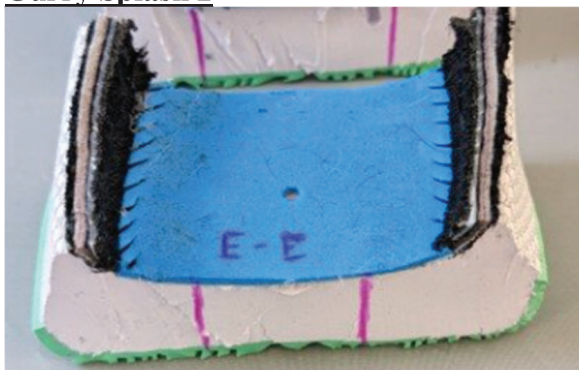
Curry 10



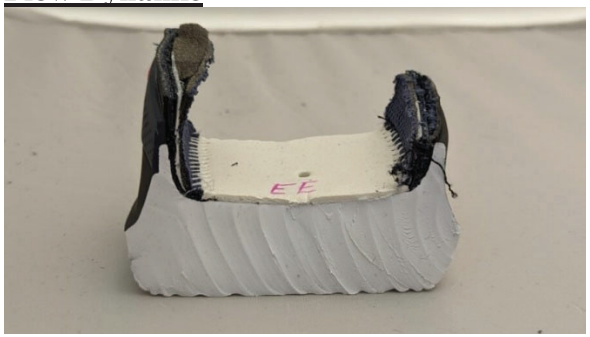
Curry Splash



Curry Splash 2



Flow Dynamic



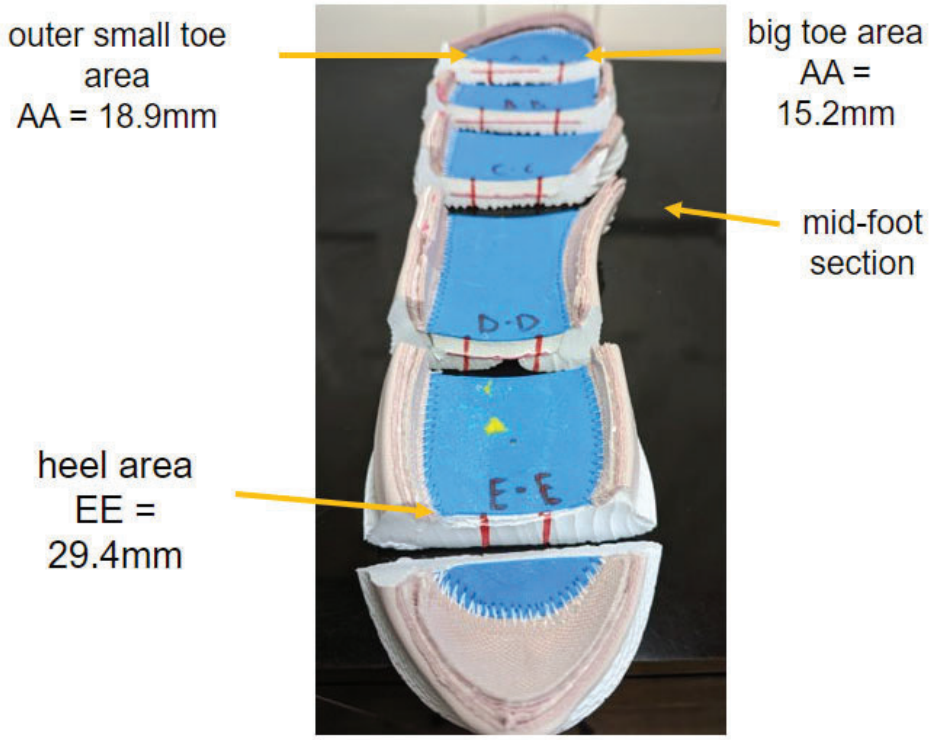
HOVR Drive



HOVR Drive 2



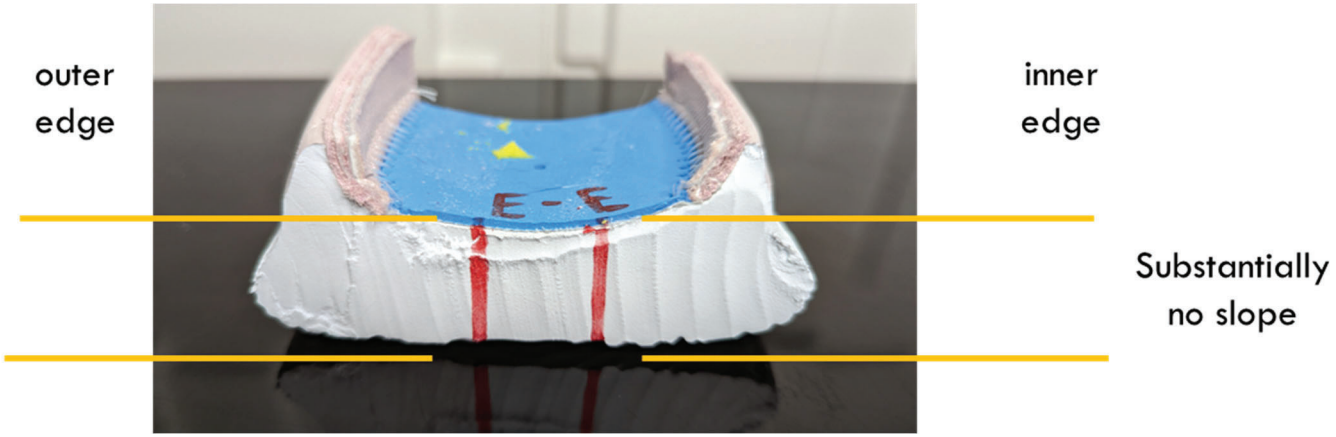
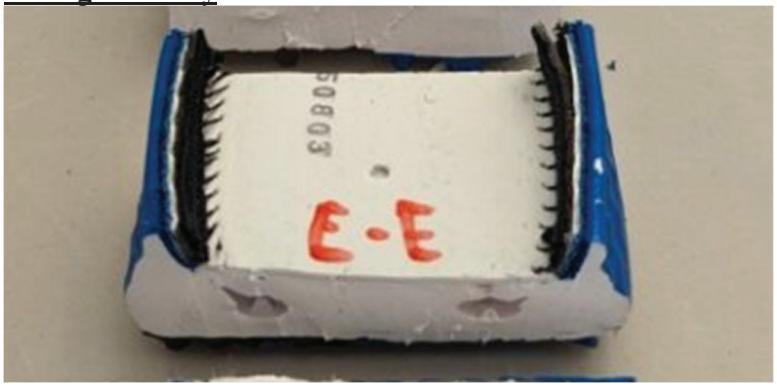
	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[d]: wherein a foot platform of the left sole provides an athletic positioning of a left big toe area at a lower position than a left heel area of the left shoe and at a lower position than an outer small toe area of the left shoe, wherein,	In the Accused Products, a foot platform of the left sole provides an athletic positioning of a left big toe area at a lower position than a left heel area of the left shoe and at a lower position than an outer small toe area of the left shoe. For example, the Curry 4 FloTro has a foot platform of the left sole and a left heel area of a left shoe, as shown below. The foot platform of the left sole provides an athletic positioning of a left big toe area at a lower position than a left heel area of the left shoe and at a lower position than an outer small toe area of the left shoe. The left heel area has a height of 29.4mm, the left big toe area is at a lower position at a height of 15.2mm and the outer small toe area of the left shoe has a height of 18.2mm, as shown below. 

The other Accused Products also have a foot platform of the left sole provides an athletic positioning of a left big toe area at a lower position than a left heel area of the left shoe and at a lower position than an outer small toe area of the left shoe.

Accused Product	Heel	Outer Small Toe	Inner Big Toe
Charged Curry	20.1	14	11.1
Curry 10	24.5	18.9	14.4
Curry Splash	19.7	14.1	8.9
Curry Splash 2	18.7	12.5	8.6
Flow Dynamic	27.5	17	14.2
HOVR Drive	27.3	16.3	15.8
HOVR Drive 2	21.5	20.6	13.9
HOVR Highlight Ace	27.5	14.1	13.2

To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[e]: from an inner edge to an outer edge of the left shoe, the left heel area has substantially no slope, and wherein,	In the Accused Products, from an inner edge to an outer edge of the left shoe, the left heel area has substantially no slope. For example, in the Curry 4 FloTro, from an inner edge to an outer edge of the left shoe, the left heel area has substantially no slope, as shown below.  The other Accused Products also have, from an inner edge to an outer edge of the left shoe, the left heel area has substantially no slope. **Charged Curry** 

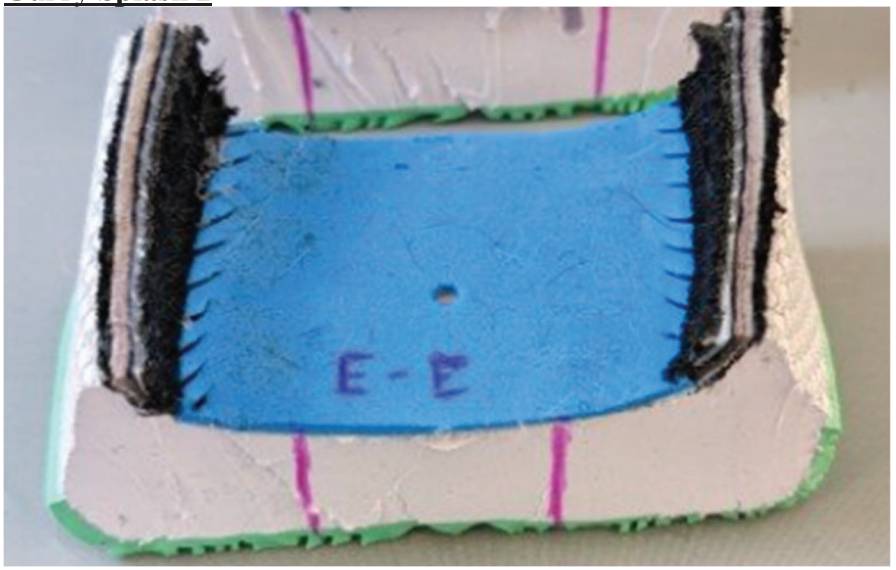
Curry 10



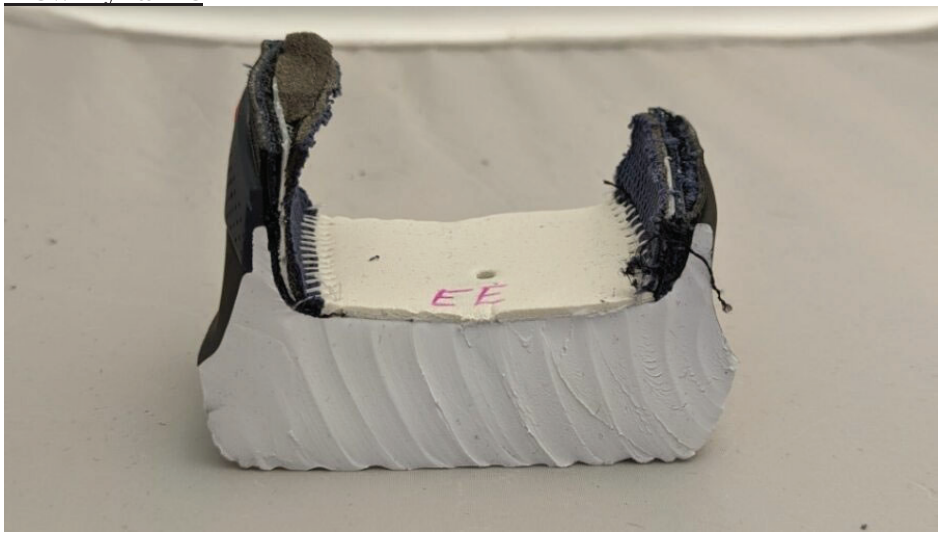
Curry Splash



Curry Splash 2



Flow Dynamic



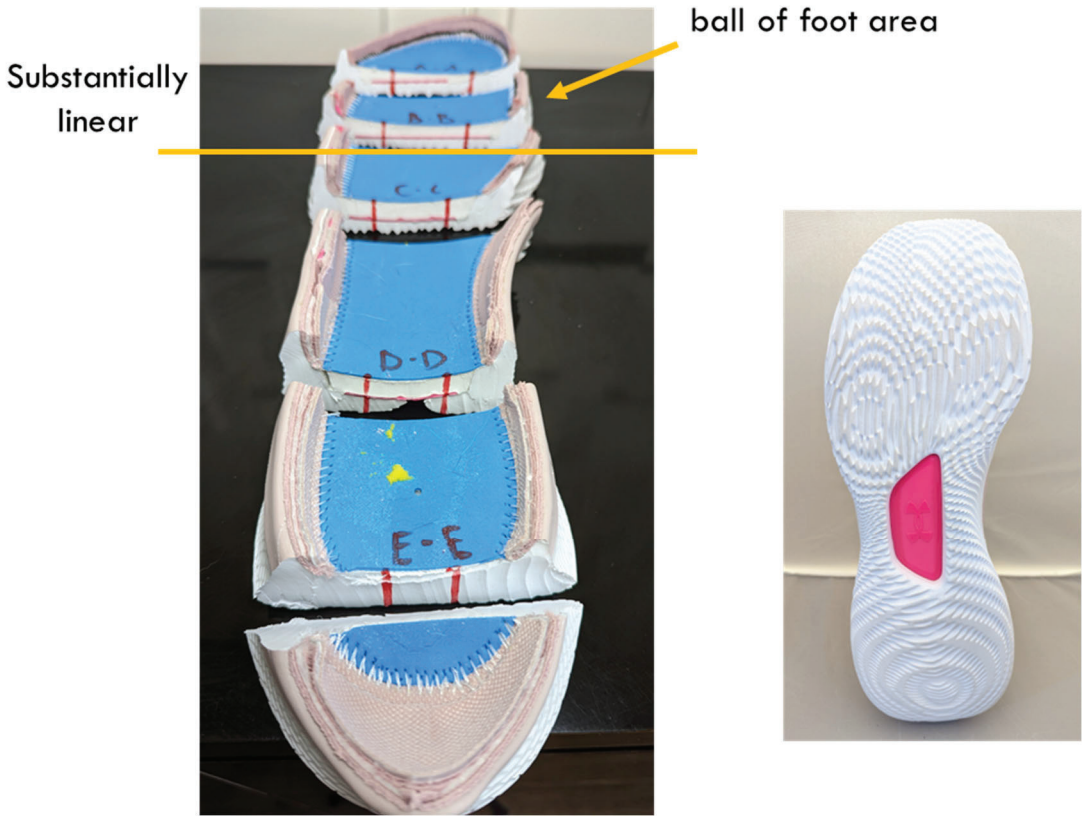
HOVR Drive



HOVR Drive 2



	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

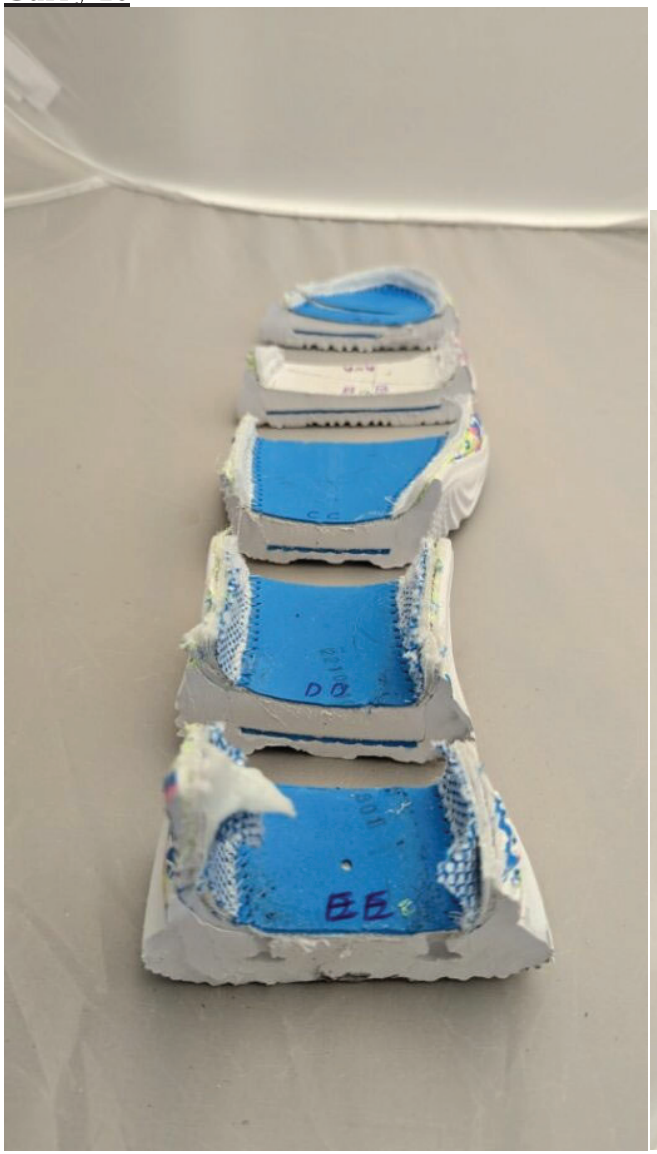
1[f]: from the inner edge to the outer edge of the left shoe at a cross section at a ball of a ball, a bottom of the left sole is substantially linear; and	In Accused Products, from the inner edge to the outer edge of the left shoe at a cross section at a ball of a ball, a bottom of the left sole is substantially linear. For example, in the Curry 4 FloTro, from the inner edge to the outer edge of the left shoe at a cross section at a ball of a ball, a bottom of the left sole is substantially linear, as shown below. The bottom of the shoe is also shown, which is substantially linear.  The other Accused Products also have, from the inner edge to the outer edge of the left shoe at a cross section at a ball of a ball, a bottom of the left sole is substantially linear.

Charged Curry





Curry 10



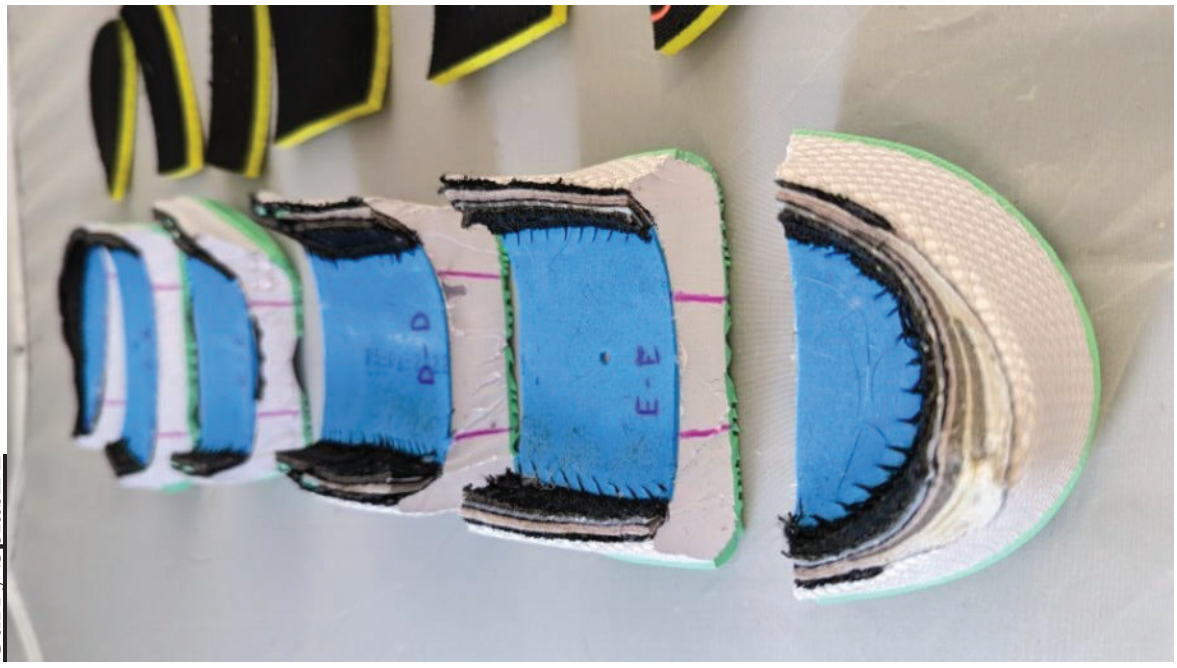


Curry Splash



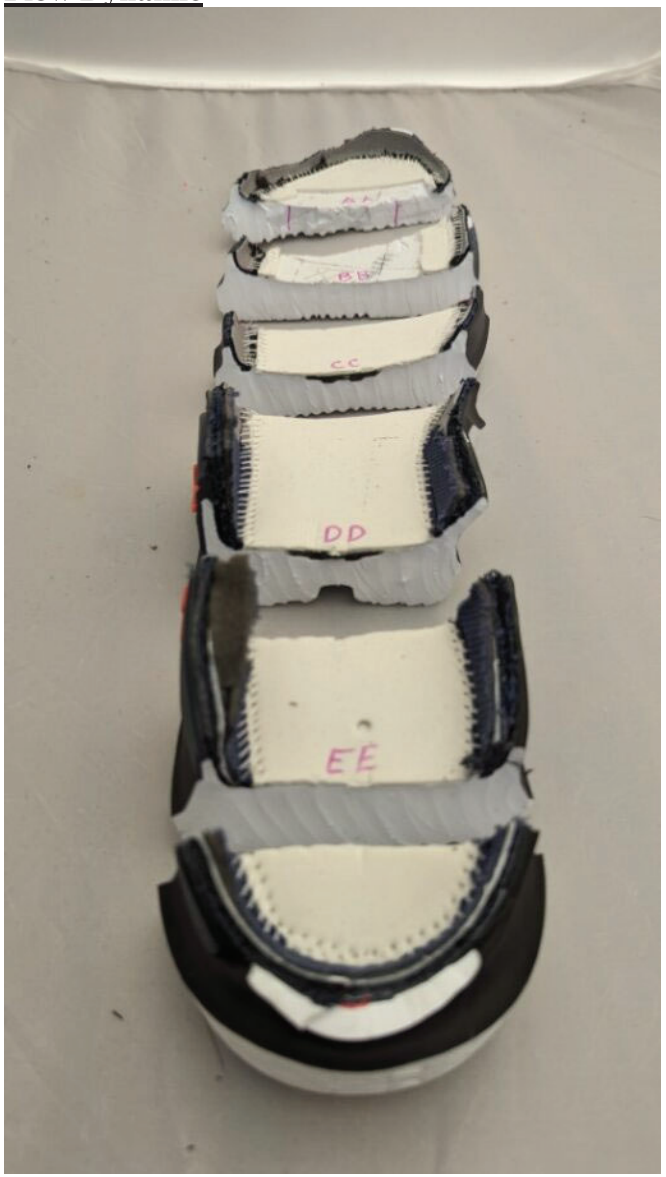






Curry Splash 2

Flow Dynamic









HOVR Drive

34

HOVR Drive 2





HOVR Highlight Ace





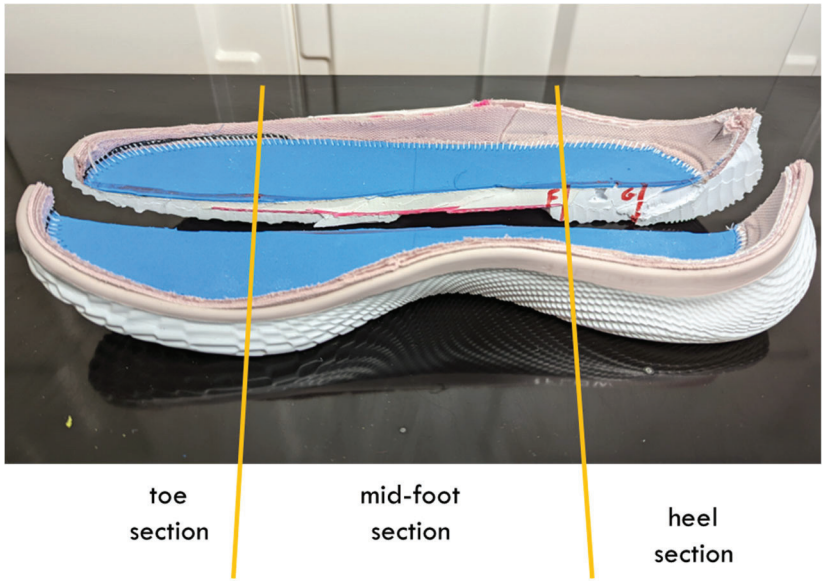
To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[g]: a right foot shoe including:	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. For example, the Curry 4 FloTro has a right foot shoe.  The other Accused Products also have a right foot shoe. *See* claim 1[a]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
1[h]: a right upper shoe portion; and	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 1[b].

	To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
1[i]: a right sole coupled to the right upper shoe portion,	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 1[c]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
1[j]: wherein a foot platform of the right sole provides an athletic positioning of a right big toe area of the right shoe at a lower position than a right heel area of the right shoe and at a lower position than an outer small toe area of the right shoe and wherein,	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 1[d]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
1[k]: from an inner edge to an	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons.

outer edge of the right shoe, the right heel area has substantially no slope, and wherein,	*See* claim 1[e]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
1[l]: from the inner edge to the outer edge of the right shoe at a cross section at a ball of ball, a bottom of the right sole is substantially linear.	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 1[f]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
2[pre]: The pair of shoes of claim 1, wherein the foot platform of the left sole comprises:	The Accused Products have a foot platform of the left sole. *See* claim 1[d]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
2[a]: a heel section that, from the inner edge to the outer edge of the left shoe, has substantially no slope;	The Accused Products have a heel section that, from the inner edge to the outer edge of the left shoe, has substantially no slope. *See* claim 1[e]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
2[b]: a toe section that provides the left big toe area of the left shoe at the lower position than the left heel area of the left shoe and at the lower position than the outer small toe area of the left shoe; and	The Accused Products have a toe section that provides the left big toe area of the left shoe at the lower position than the left heel area of the left shoe and at the lower position than the outer small toe area of the left shoe. *See* claim 1[d]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

2[c]: a mid-foot section having a shape to transition from the heel section to the toe section.	The Accused Products have a mid-foot section having a shape to transition from the heel section to the toe section. For example, the Curry 4 FloTro has a mid-foot section with a shape to transition from the heel section to the toe section, as shown below.  The other Accused Products also have a mid-foot section having a shape to transition from the heel section to the toe section. **Charged Curry** 

Curry 10



Curry Splash



Curry Splash 2



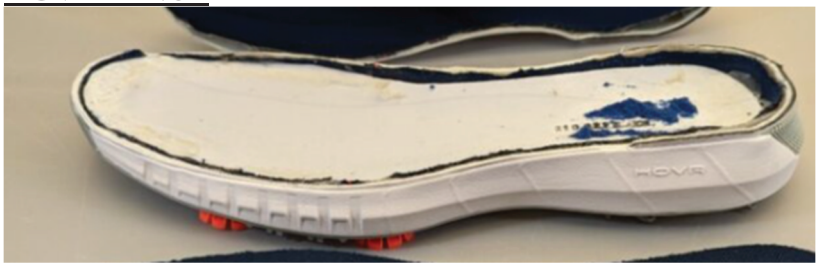
Flow Dynamic



HOVR Drive



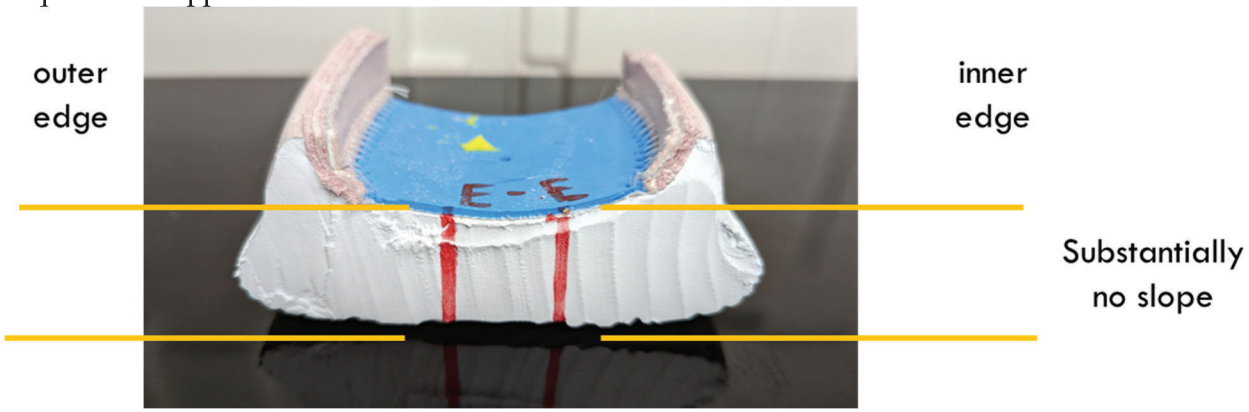
HOVR Drive 2

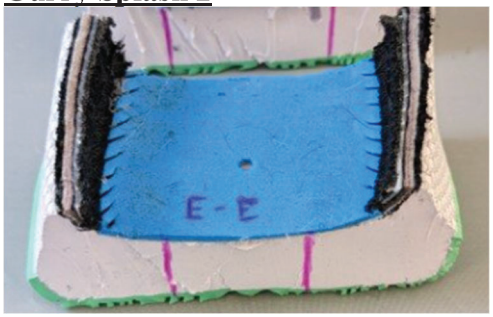


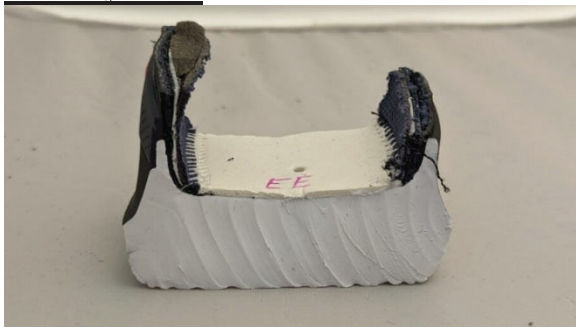
HOVR Highlight Ace



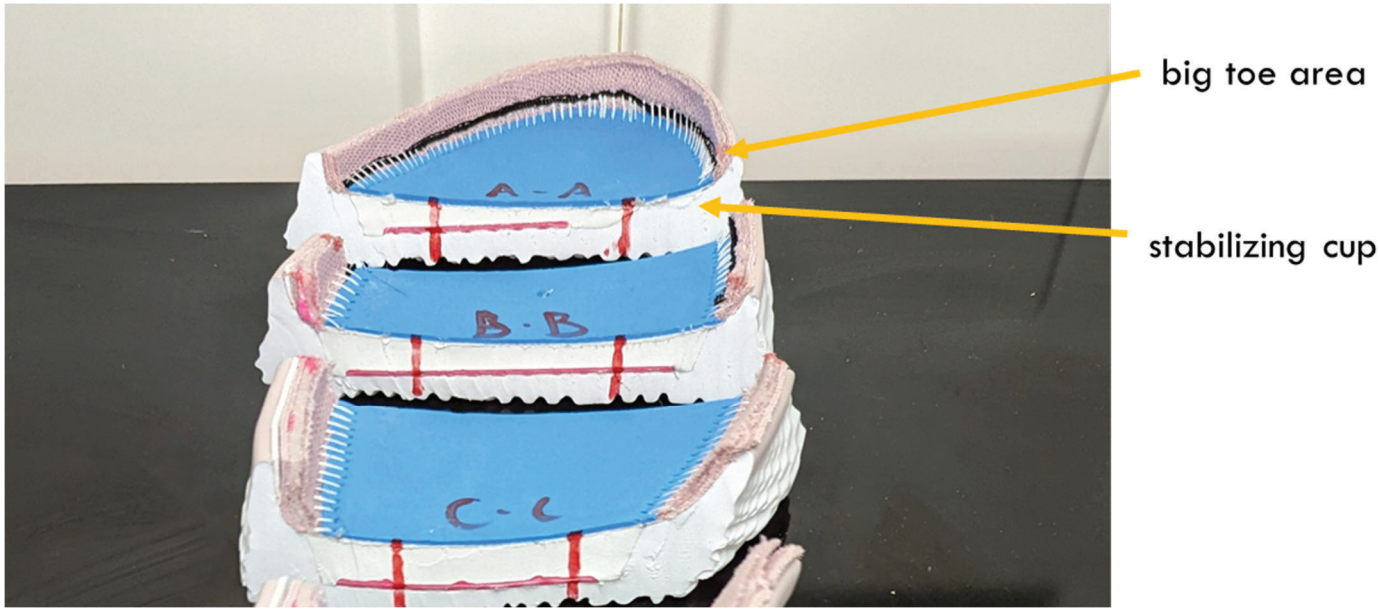
To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

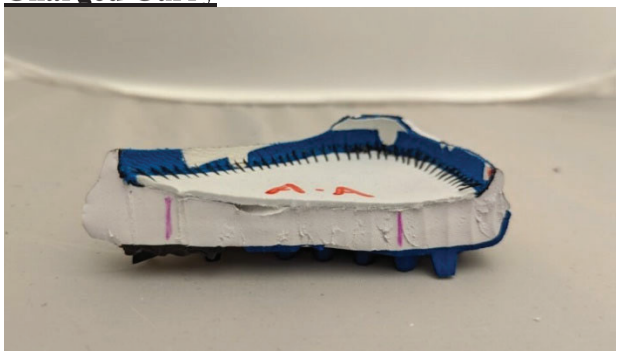
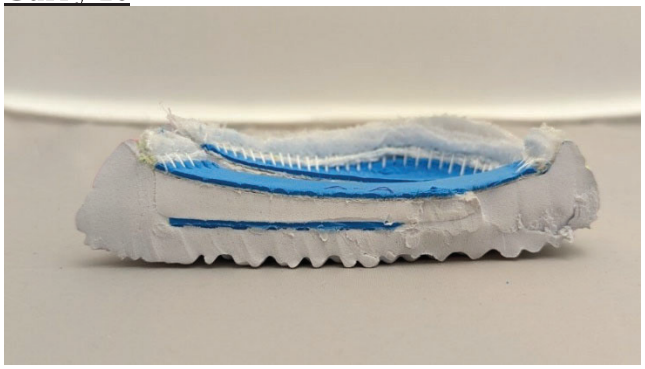
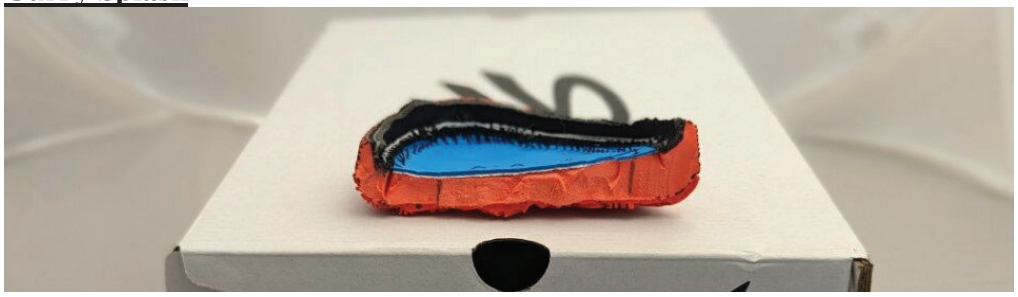
Claim	Exemplary Evidence of Infringement
3: The pair of shoes of claim 2, wherein the heel section of the foot platform of the left sole comprises: a heel platform that includes a surface having substantially no slope from the inner edge to the outer edge of the left shoe and for a length of the surface, wherein, when the left shoe is worn, the heel platform supports a left heel of a wearer.	The Accused Products have the heel section of the foot platform of the left sole comprises: a heel platform that includes a surface having substantially no slope from the inner edge to the outer edge of the left shoe and for a length of the surface, wherein, when the left shoe is worn, the heel platform supports a left heel of a wearer. For example, in the Curry 4 FloTro, the heel section of the left sole comprises a heel platform that includes a surface having substantially no slope from the inner edge to the outer edge of the left shoe, as shown below. When the left shoe is worn, the heel platform supports a left heel of a wearer.  The other Accused Products also have the heel section of the foot platform of the left sole comprises: a heel platform that includes a surface having substantially no slope from the inner edge to the outer edge of the left shoe and for a length of the surface, wherein, when the left shoe is worn, the heel platform supports a left heel of a wearer. **Charged Curry** 

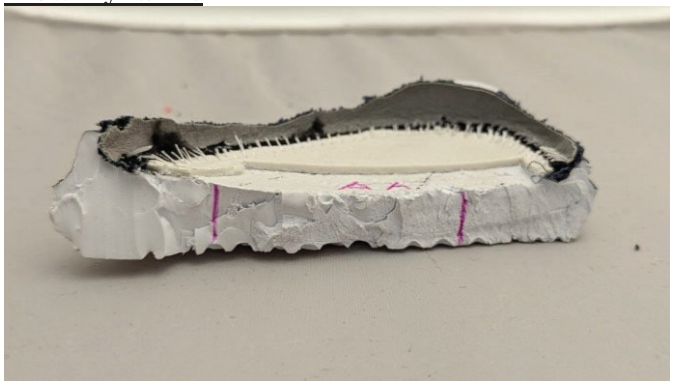
Claim	Exemplary Evidence of Infringement
	Curry 10  **Curry Splash**  **Curry Splash 2** 

Claim	Exemplary Evidence of Infringement
	Flow Dynamic  **HOVR Drive**  **HOVR Drive 2** 

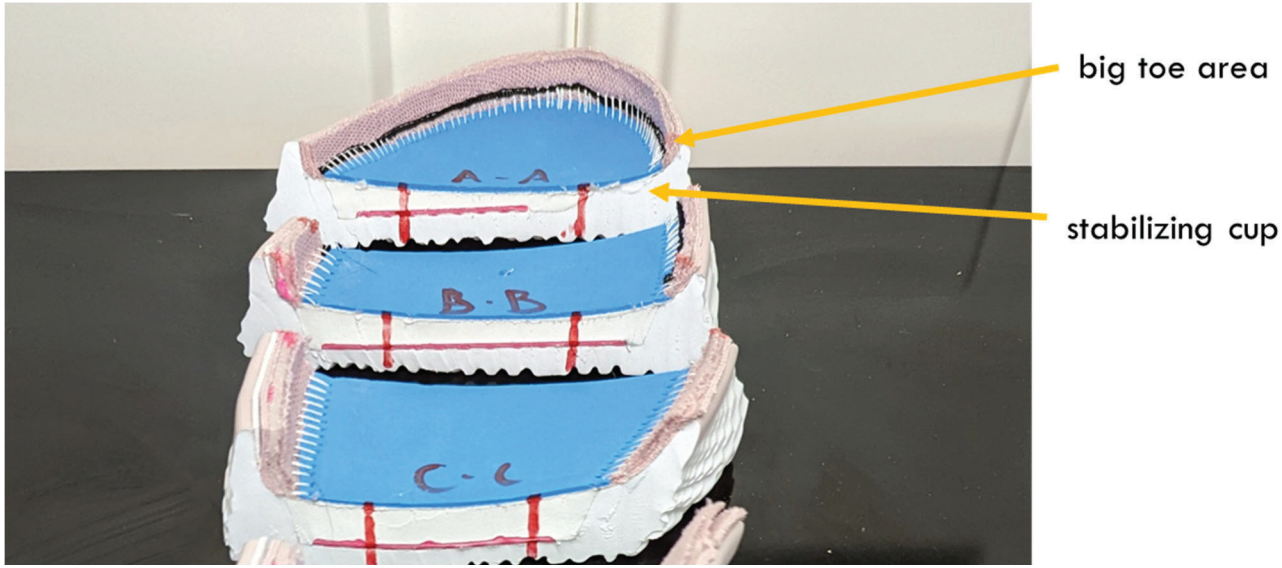
Claim	Exemplary Evidence of Infringement
	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

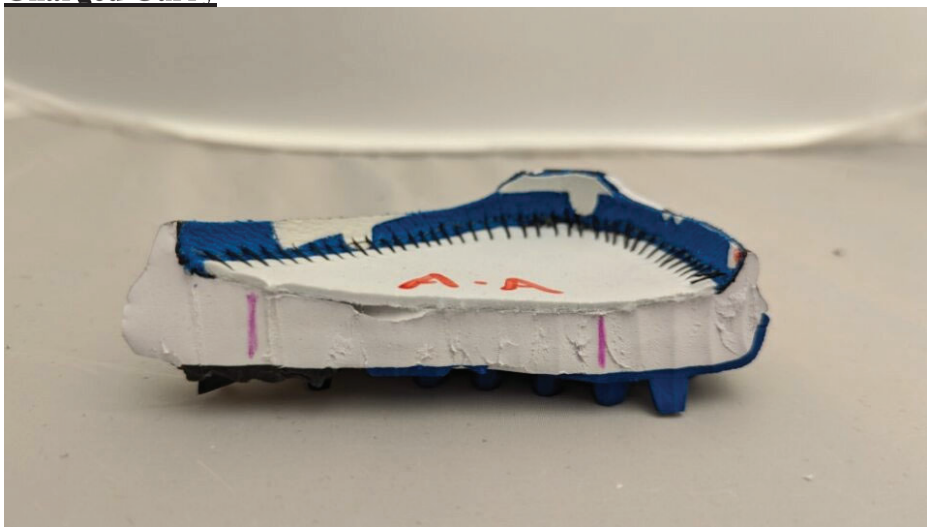
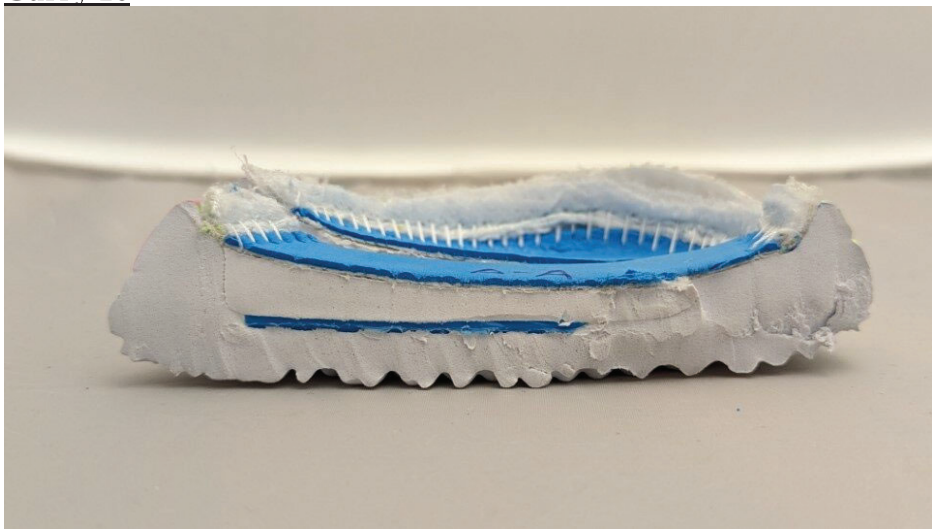
Claim	Exemplary Evidence of Infringement
4: The pair of shoes of claim 2, wherein the toe section of the foot platform of the left sole comprises: a stabilizing cup in the left big toe area, wherein, when the left shoe is worn, the stabilizing cup functions to, at least one of, stabilize and position a left big toe of a wearer in a particular location in the left big toe area.	The Accused Products have the toe section of the foot platform of the left sole comprises: a stabilizing cup in the left big toe area, wherein, when the left shoe is worn, the stabilizing cup functions to, at least one of, stabilize and position a left big toe of a wearer in a particular location in the left big toe area. For example, the Curry 4 FloTro has a toe section with a stabilizing cup in the left big toe area, as shown below. When the shoe is worn, the stabilizing cup functions to stabilize and position a left big toe of a wearer in a particular location in the left big toe area.  The other Accused Products have the toe section of the foot platform of the left sole comprises: a stabilizing cup in the left big toe area, wherein, when the left shoe is worn, the stabilizing cup functions to, at least one of, stabilize and position a left big toe of a wearer in a particular location in the left big toe area.

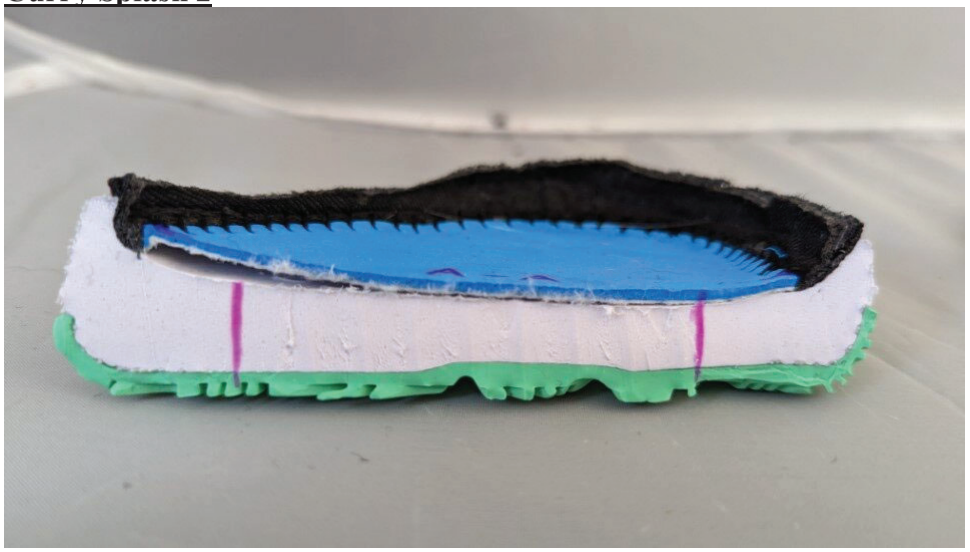
Claim	Exemplary Evidence of Infringement
	Charged Curry  **Curry 10**  **Curry Splash** 

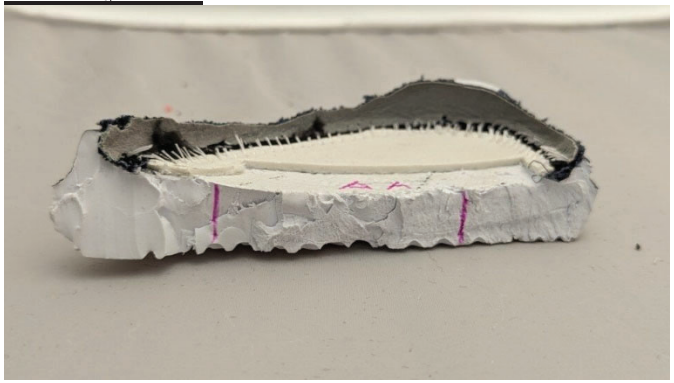
Claim	Exemplary Evidence of Infringement
	Curry Splash 2  **Flow Dynamic**  **HOVR Drive** 

Claim	Exemplary Evidence of Infringement
	HOVR Drive 2  **HOVR Highlight Ace**  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

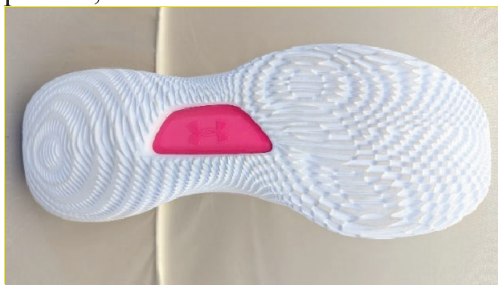
Claim	Exemplary Evidence of Infringement
5: The pair of shoes of claim 2, wherein the toe section of the foot platform of the left sole comprises: a stabilizing cup in the left big toe area, wherein, when the left shoe is worn, the stabilizing cup functions to, at least one of, stabilize and position a left ball-of-foot of a wearer in a particular location in the left big toe area.	The Accused Products have the toe section of the foot platform of the left sole comprises: a stabilizing cup in the left big toe area, wherein, when the left shoe is worn, the stabilizing cup functions to, at least one of, stabilize and position a left ball-of-foot of a wearer in a particular location in the left big toe area. For example, the Curry 4 FloTro has a toe section with a stabilizing cup in the left big toe area, as shown below. When the shoe is worn, the stabilizing cup functions to stabilize and position a left ball-of-foot of a wearer in a particular location in the left big toe area.  The other Accused Products also have the toe section of the foot platform of the left sole comprises: a stabilizing cup in the left big toe area, wherein, when the left shoe is worn, the stabilizing cup functions to, at least one of, stabilize and position a left ball-of-foot of a wearer in a particular location in the left big toe area.

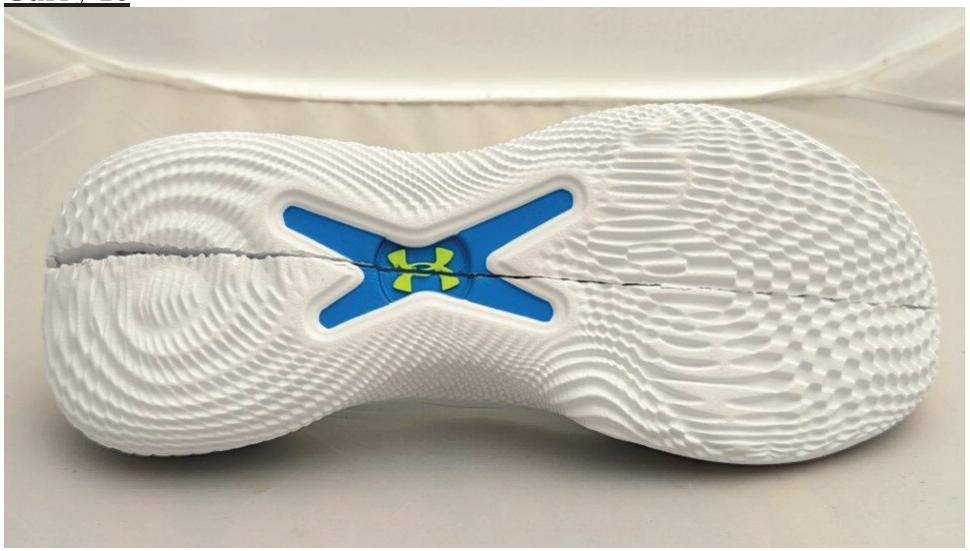
Claim	Exemplary Evidence of Infringement
	Charged Curry  **Curry 10** 

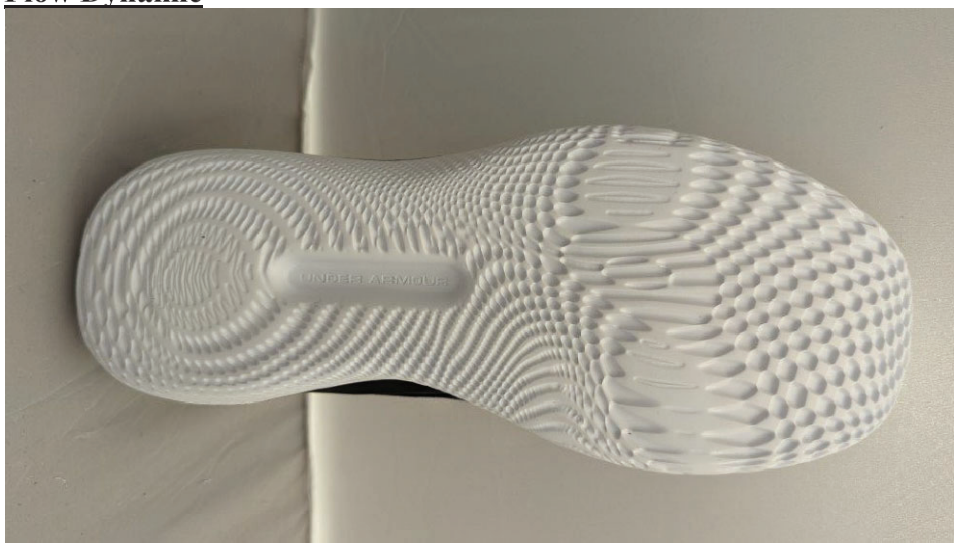
Claim	Exemplary Evidence of Infringement
	Curry Splash  **Curry Splash 2** 

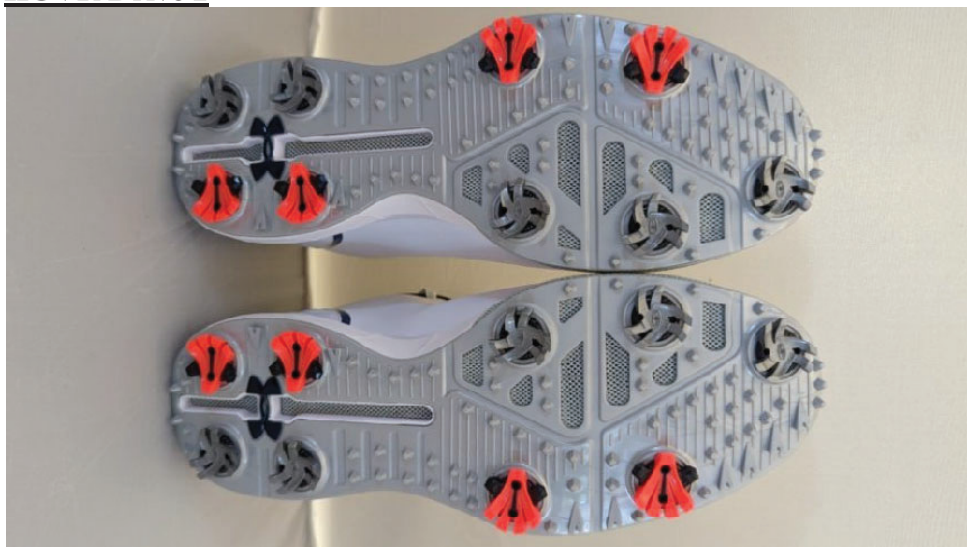
Claim	Exemplary Evidence of Infringement
	Flow Dynamic  **HOVR Drive**  **HOVR Drive 2** 

Claim	Exemplary Evidence of Infringement
	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
6: The pair of shoes of claim 1, wherein the foot platform of the left sole comprises: a specific bottom that includes one of: a sport specific tread pattern; a spike pattern; a sliding coupling pattern; and a cleat pattern.	In the Accused Products, the foot platform of the left sole comprises a specific bottom that includes one of a sport specific tread pattern; a spike pattern; a sliding coupling pattern; and a cleat pattern. For example, in the Curry 4 FloTro, the left foot platform comprises a specific bottom that includes a sport specific tread pattern, as shown below.  The other Accused Products also have the foot platform of the left sole comprises a specific bottom that includes one of a sport specific tread pattern; a spike pattern; a sliding coupling pattern; and a cleat pattern. **Charged Curry** 

Claim	Exemplary Evidence of Infringement
	Curry 10  **Curry Splash** 

Claim	Exemplary Evidence of Infringement
	Curry Splash 2  **Flow Dynamic** 

Claim	Exemplary Evidence of Infringement
	HOVR Drive  **HOVR Drive 2** 

Claim	Exemplary Evidence of Infringement
	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
7[pre]: The pair of shoes of claim 1, wherein the foot platform of the right sole comprises:	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 2[pre]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
7[a]: a heel section that, from the inner edge to the outer edge of the right shoe, has substantially no slope;	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 2[a]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
7[b]: a toe section that provides the right big toe area of the right shoe at the lower position than the right heel area of the right shoe and at the lower position than the outer small toe area of the right shoe; and	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 2[b]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

7[c]: a mid-foot section having a shape to transition from the heel section to the toe section.	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 2[c]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
8: The pair of shoes of claim 7, wherein the heel section of the foot platform of the right sole comprises: a heel platform that includes a surface having substantially no slope from the inner edge to the outer edge of the right shoe and for a length of the surface, wherein, when the right shoe is worn, the heel platform supports a right heel of a wearer.	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 3. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
9: The pair of shoes of claim 7, wherein the toe section of the foot platform of the right sole comprises: **a stabilizing cup in the right big toe area, wherein, when the right shoe is worn, the stabilizing cup functions to, at least one of, stabilize and position a right big toe of a wearer in a particular location in the right big toe area.**	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 4. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
10: The pair of shoes of claim 7, wherein the toe section of the foot platform of the right sole comprises: **a stabilizing cup in the right big toe area, wherein, when the right shoe is worn, the stabilizing cup functions to, at least one of, stabilize and position a right ball-of-foot of a wearer in a particular location in the right big toe area.**	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 5. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
11: The pair of shoes of claim 1, wherein the foot platform of the right sole comprises: **a specific bottom that includes one of: a sport specific tread pattern;** **a spike pattern;** **a sliding coupling pattern; and** **a cleat pattern.**	In the Accused Products, for purposes of this claim, the left foot shoe and right foot shoe function in the same manner and meet the claim for the same reasons. *See* claim 6. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

EXHIBIT C

INFRINGEMENT CLAIM CHART FOR U.S. PATENT NO. 10,674,786

Athalonz provides the following infringement claim chart subject to all reservations, objections, statements, and disclaimers set forth herein and in Athalonz's Infringement Contentions, as well as any amendment, supplement, or modification thereof, which are incorporated herein by reference in their entirety. These claim charts also incorporate by reference Athalonz's Complaint.

Athalonz contends that the shoes charted below are representative of other Under Armour Products, as set forth in Athalonz's infringement contentions.

Athalonz has prepared these infringement claim charts identifying, as specifically as possible at this stage of discovery, where each element of each asserted claim is found within the Accused Products. Athalonz contends that each element of the Asserted Claims is practiced literally by such Accused Products. To the extent Under Armour disputes literal infringement, Athalonz contends that any such disputed element is infringed by the Accused Products under the doctrine of equivalents. Athalonz reserves the right to update these charts, upon confirmation through discovery to the extent more information relating to the Accused Products or identification of additional products becomes available.

This claim chart is not intended to and does not construe the claims of the '786 Patent and does not limit Athalonz's contentions. Athalonz specifically reserves the right to modify and supplement this claim chart. This preliminary claim chart is provided to illustrate exemplary information practically available prior to discovery.

CLAIM CHART FOR U.S. PATENT NO. 10,674,786

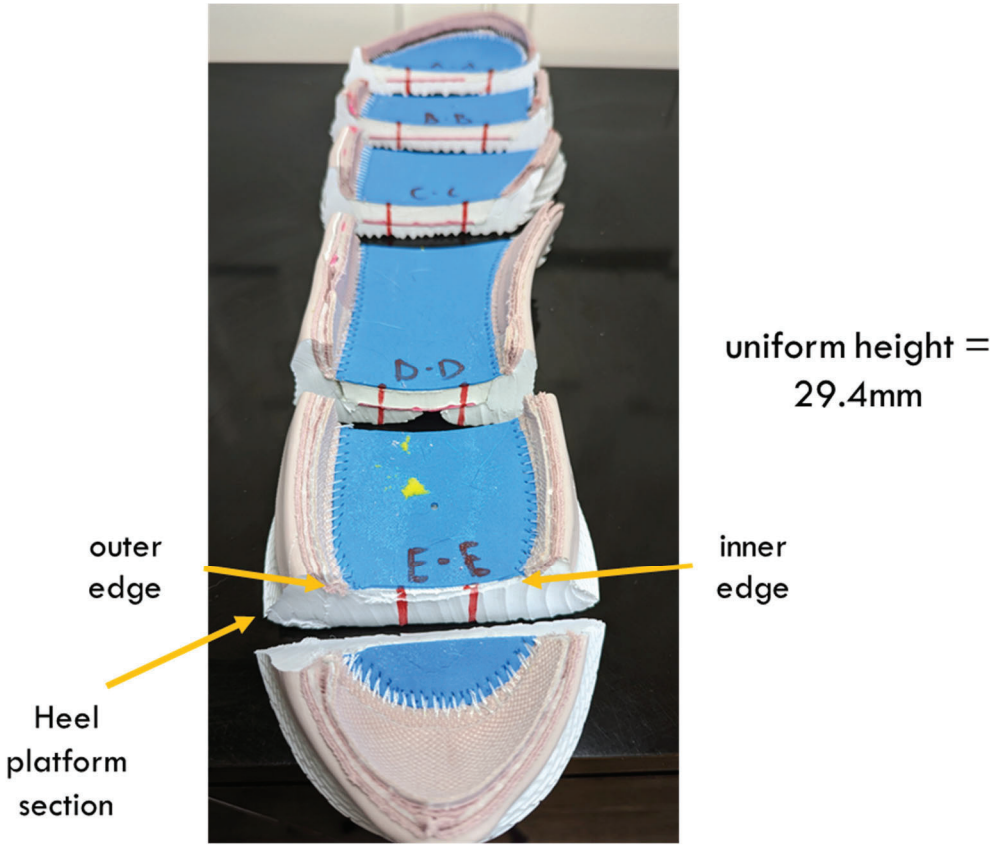
Claim	Exemplary Evidence of Infringement
1[pre]: An apparatus comprises:	To the extent the preamble is limiting, each of the Accused Products is an apparatus. For example, the Curry 4 FloTro is a shoe with an insole, which is an apparatus.  The other Accused Products are also an apparatus. **Charged Curry** 

Claim	Exemplary Evidence of Infringement
	Curry 10  **Curry Splash** 

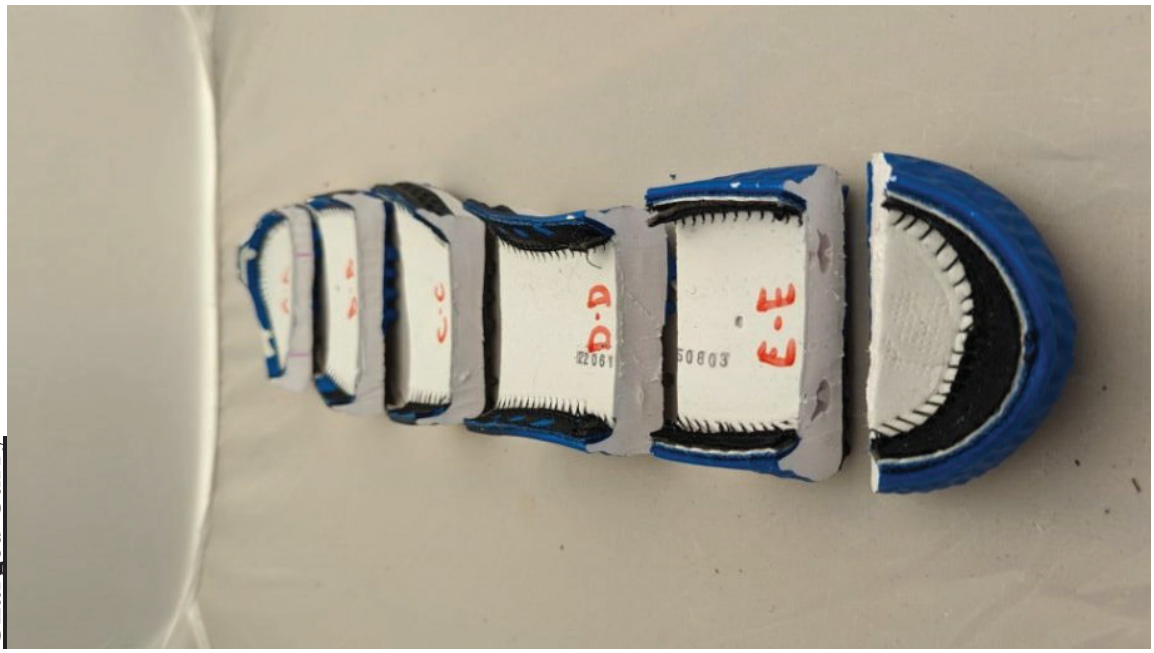
Claim	Exemplary Evidence of Infringement
	Curry Splash 2  **Flow Dynamic** 

Claim	Exemplary Evidence of Infringement
	HOVR Drive  **HOVR Drive 2** 

Claim	Exemplary Evidence of Infringement
	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[a]: a heel platform section that has a uniform height from an outer edge to an inner edge of the apparatus at the rear edge of the apparatus	The Accused Products each have a heel platform section that has a uniform height from an outer edge to an inner edge of the apparatus at the rear edge of the apparatus. The Accused Products have a heel platform section. For example, the Curry 4 FloTro has a heel platform section as shown below. The heel platform section is at the rear edge of the apparatus. The Curry 4 FloTro has a uniform height from an outer edge to an inner edge of the apparatus at the rear edge of the apparatus.  The other Accused Products also have a heel platform section that has a uniform height from an outer edge to an inner edge of the apparatus at the rear edge of the apparatus.

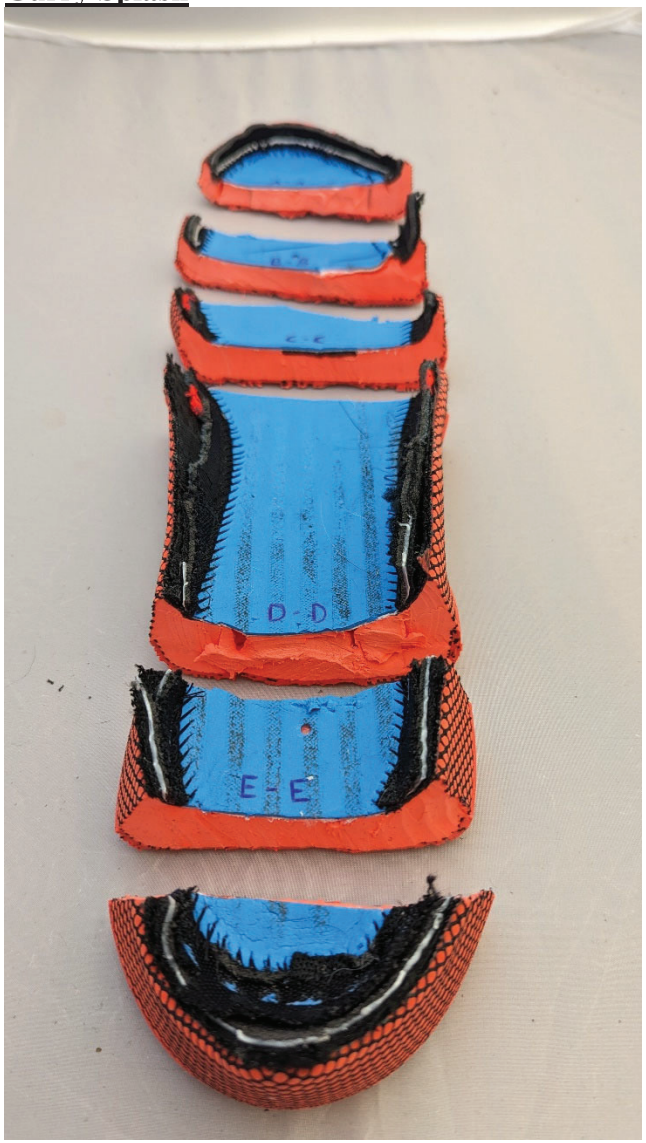
Charged Curry



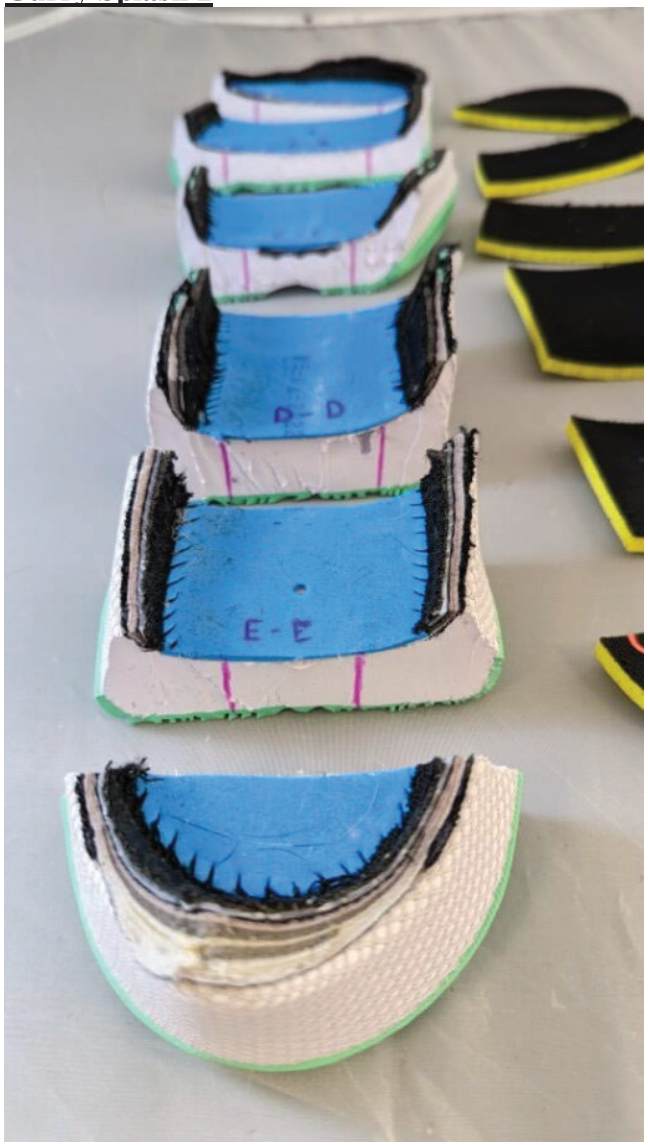
Curry 10



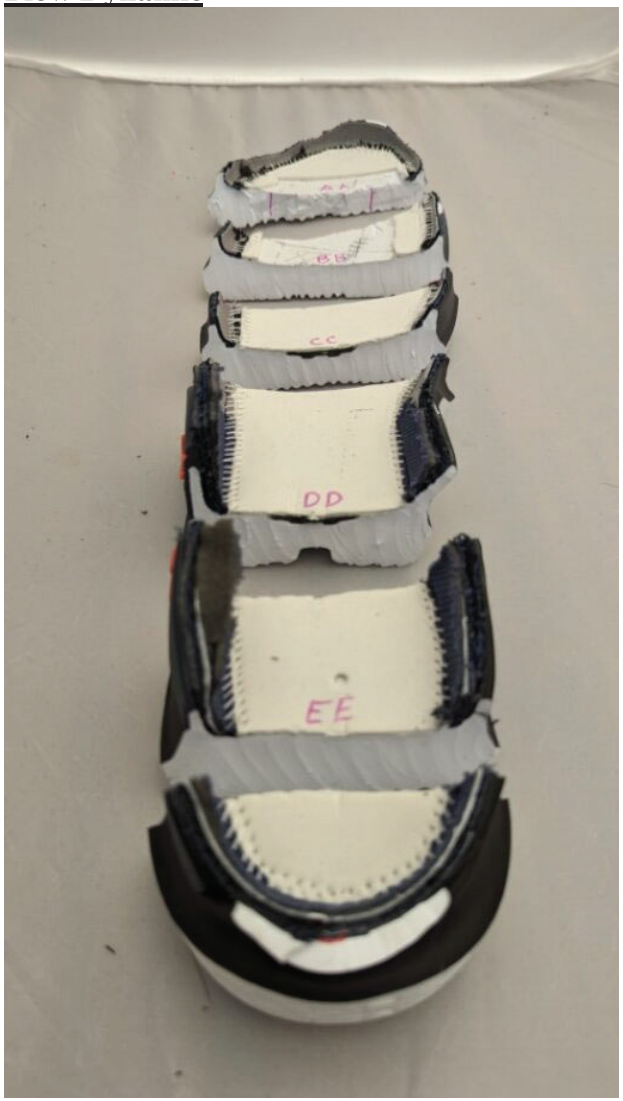
Curry Splash



Curry Splash 2



Flow Dynamic



HOVR Drive



HOVR Drive 2



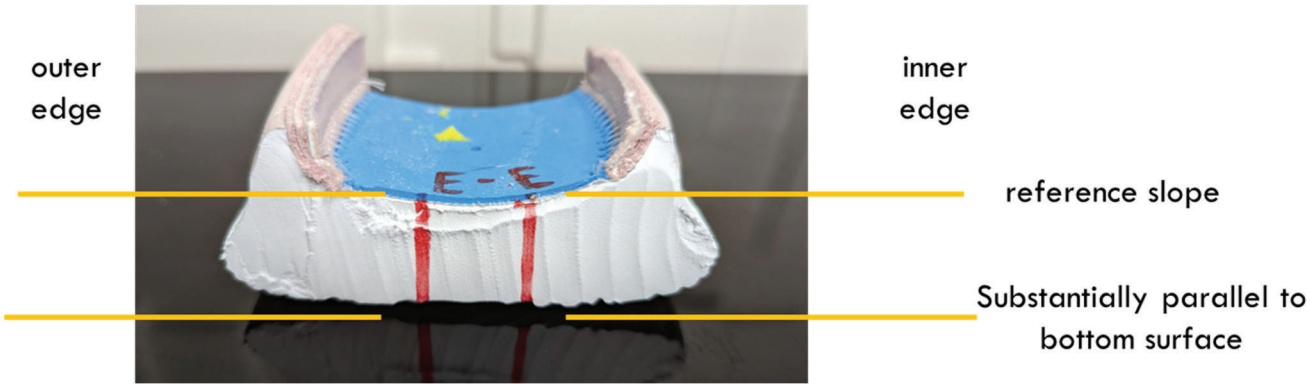
HOVR Highlight Ace



Accused Product	Uniform Height
Charged Curry	20.1
Curry 10	24.5
Curry Splash	19.5
Curry Splash 2	18.7
Flow Dynamic	27.5
HOVR Drive	27.6

HOVR Drive 2	22.5
HOVR Highlight Ace	27.5

To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[b]: wherein the uniform height establishes a reference slope from the outer edge to the inner edge, the reference slope substantially parallel to a bottom surface of the apparatus	In the Accused Products, the uniform height establishes a reference slope from the outer edge to the inner edge, the reference slope substantially parallel to a bottom surface of the apparatus. For example, the Curry 4 FloTro has a reference slope from the outer edge to the inner edge that is substantially parallel to a bottom surface of the apparatus.  The other Accused Products also have a reference slope from the outer edge to the inner edge that is substantially parallel to a bottom surface of the apparatus. **Charged Curry** 

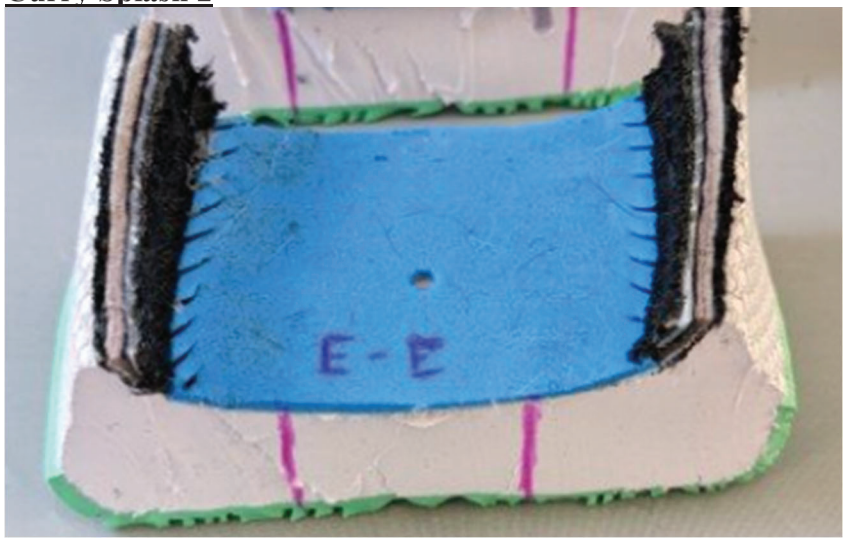
Curry 10



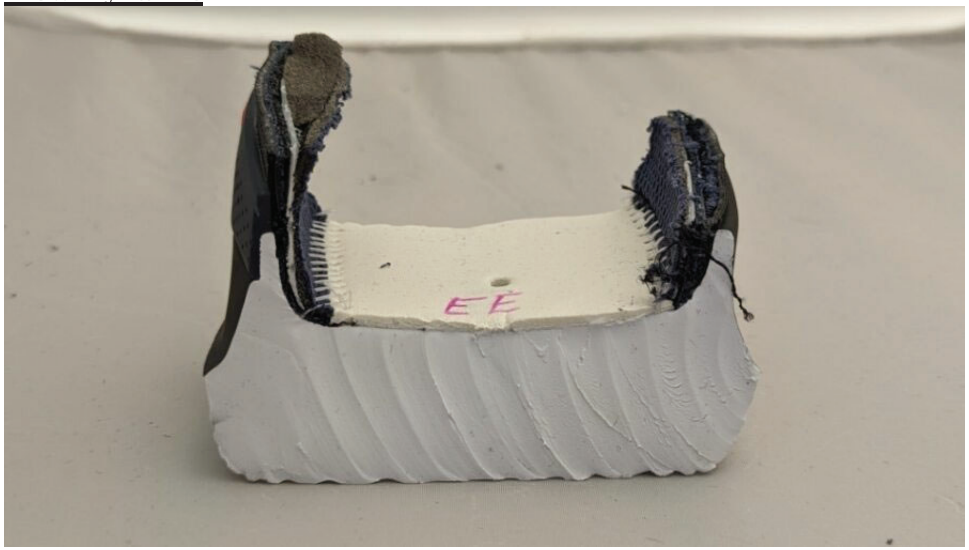
Curry Splash



Curry Splash 2



Flow Dynamic



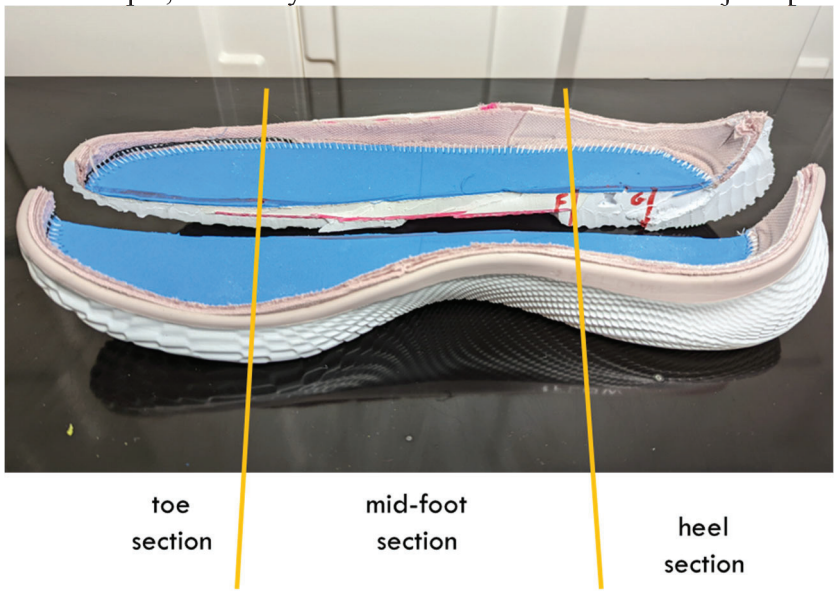
HOVR Drive



HOVR Drive 2



	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[c]: a mid-foot section juxtaposed to the heel platform section; and	The Accused Products have a mid-foot section juxtaposed to the heel platform section. For example, the Curry 4 FloTro has a mid-foot section juxtaposed to the heel platform section.  The other Accused Products also have a mid-foot section juxtaposed to the heel platform section. **Charged Curry** 

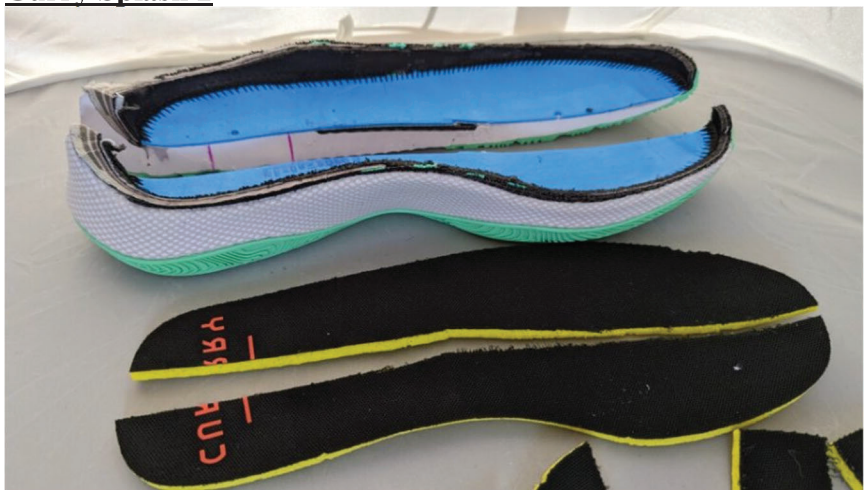
Curry 10



Curry Splash



Curry Splash 2



Flow Dynamic



HOVR Drive



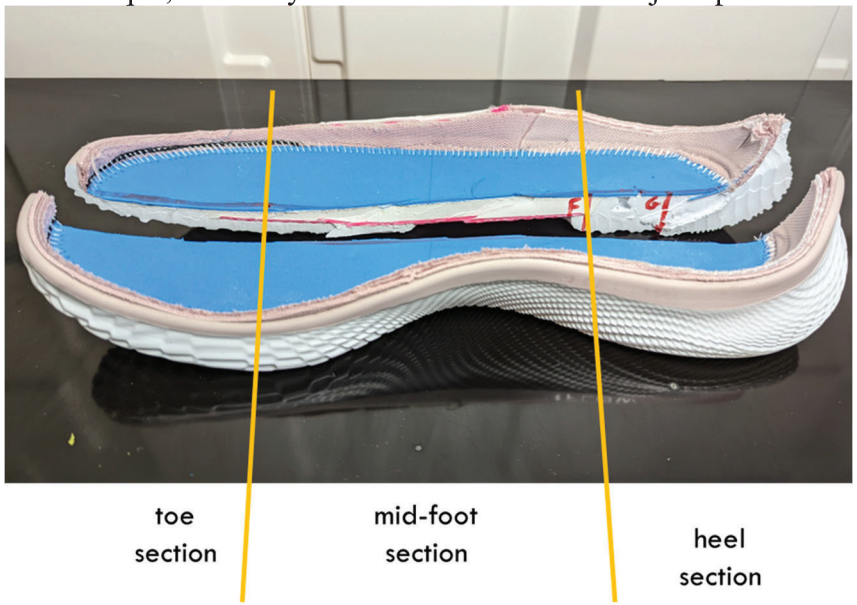
HOVR Drive 2



HOVR Highlight Ace



To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[d]: a toe section juxtaposed to the mid-foot section	The Accused Products have a toe section juxtaposed to the mid-foot section. For example, the Curry 4 FloTro has a toe section juxtaposed to the mid-foot section.  The other Accused Products also have a toe section juxtaposed to the mid-foot section. **Charged Curry** 

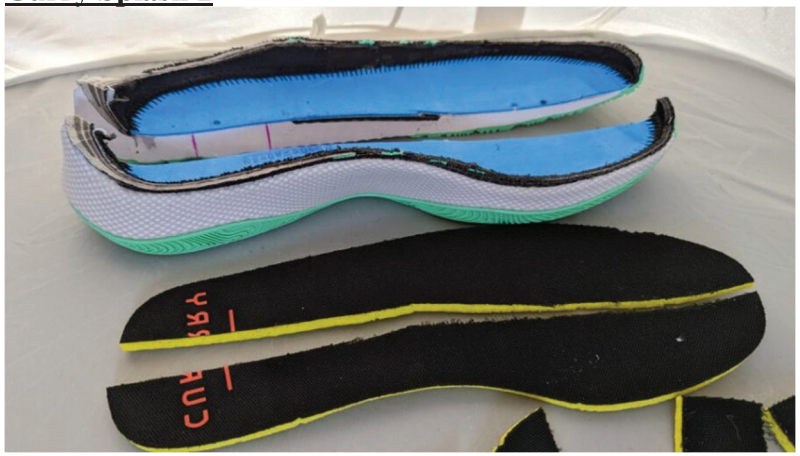
Curry 10



Curry Splash



Curry Splash 2



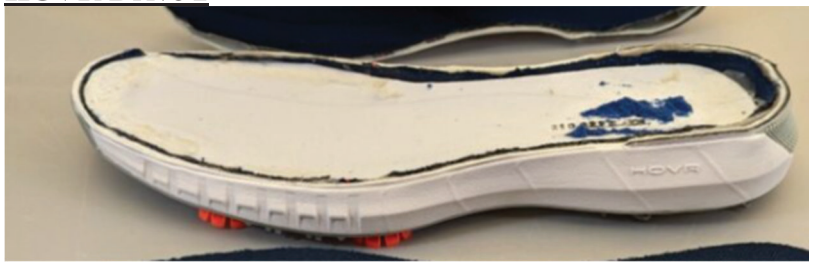
Flow Dynamic



HOVR Drive



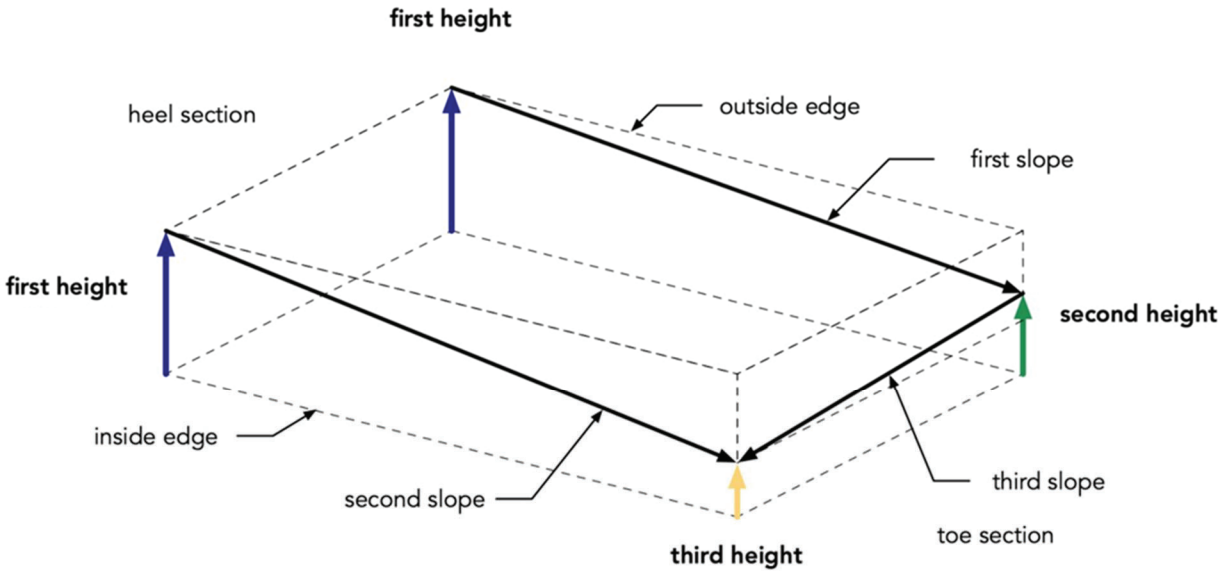
HOVR Drive 2



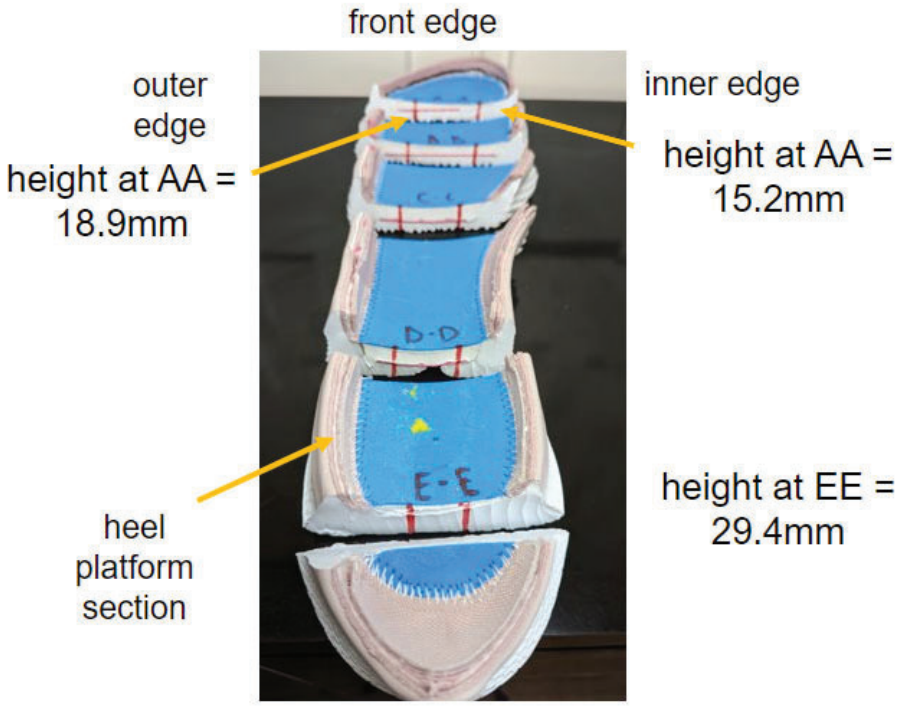
HOVR Highlight Ace



To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[e]: wherein the mid-foot section and the toe section form an angled support platform that has a first slope along the inner edge of the apparatus from a front edge of the apparatus to the heel platform section, a second slope along the front edge of the apparatus from the inner edge to the outer edge of the apparatus, and a third slope along the outer edge of the apparatus from the front edge of the apparatus to the heel platform	In the Accused Products, the mid-foot section and the toe section form an angled support platform that has a first slope along the inner edge of the apparatus from a front edge of the apparatus to the heel platform section, a second slope along the front edge of the apparatus from the inner edge to the outer edge of the apparatus, and a third slope along the outer edge of the apparatus from the front edge of the apparatus to the heel platform section. This is shown below:  For example, in the Curry 4 FloTro, the first height is 29.4mm, the second height is 18.9mm, and the third height is 15.2mm. This is shown below:

section, the first slope, second slope, and the third slope each greater than the reference slope



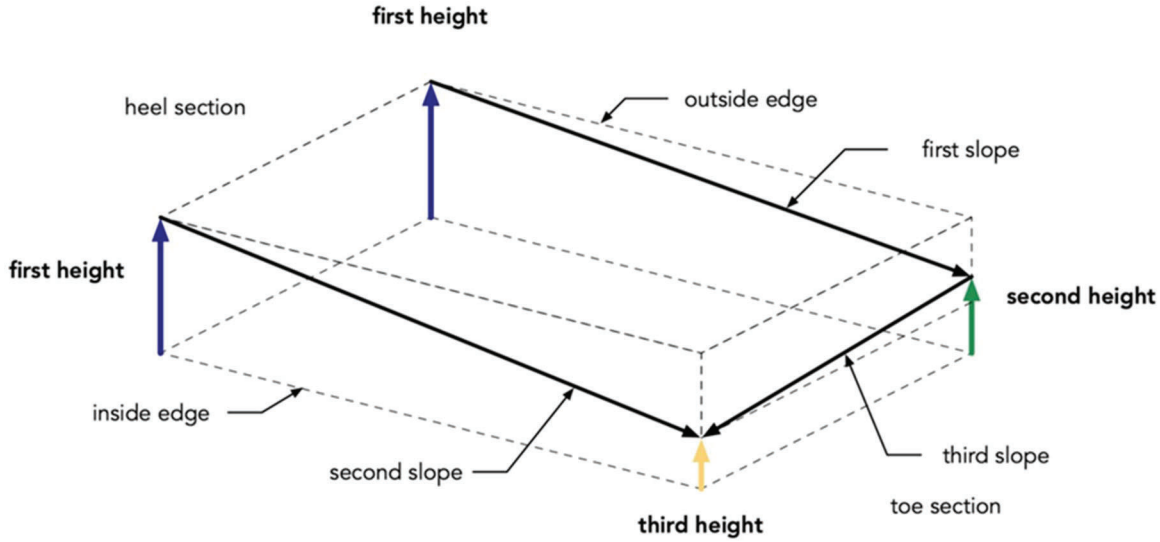
In the Curry 4 FloTro, the reference slope is substantially 0. Each of the first slope, the second slope, and the third slope are greater than 0.

The other Accused Products also have a first slope along the inner edge of the apparatus from a front edge of the apparatus to the heel platform section, a second slope along the front edge of the apparatus from the inner edge to the outer edge of the apparatus, and a third slope along the outer edge of the apparatus from the front edge of the apparatus to the heel platform section. The first height, second height, and third height are shown below. The reference slope of each Accused Product is substantially 0, and each of the first slope, the second slope, and the third slope are greater than 0.

Accused Product	First Height	Second Height	Third Height
Charged Curry	20.1	14	11.1
Curry 10	24.5	18.9	14.4

Curry Splash	19.5	14.1	8.9
Curry Splash 2	18.7	12.5	8.6
Flow Dynamic	27.5	17	14.2
HOVR Drive	27.6	16.3	15.8
HOVR Drive 2	22.5	20.6	13.9
HOVR Highlight Ace	27.5	14.1	13.2

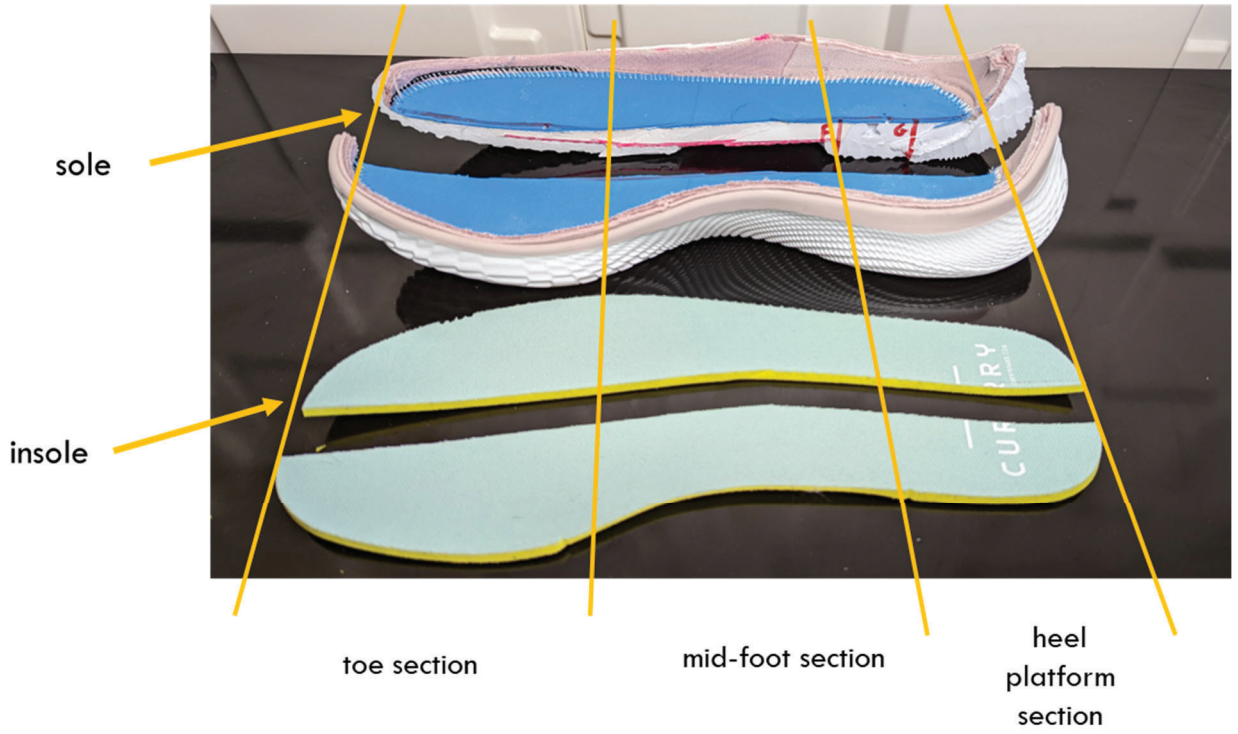
To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

1[f]: wherein the toe section is lower than the heel platform section as a result of the first, second, and third slopes.	In the Accused Products, the toe section is lower than the heel platform as a result of the first, second, and third slopes. For example, as shown below, in the Curry 4 FloTro the toe section (second height of 18.9mm, third height of 15.2mm) is lower than the heel platform section (first height of 29.4mm) as a result of the first, second, and third slopes.  The other Accused Products also have the toe section is lower than the heel platform as a result of the first, second, and third slopes. The toe section is between the second height and third height and is lower than the heel platform section at the first height as a result of the first, second, and third slopes.

Accused Product	First Height	Second Height	Third Height
Charged Curry	20.1	14	11.1
Curry 10	24.5	18.9	14.4
Curry Splash	19.5	14.1	8.9
Curry Splash 2	18.7	12.5	8.6
Flow Dynamic	27.5	17	14.2
HOVR Drive	27.6	16.3	15.8

HOVR Drive 2	22.5	20.6	13.9
HOVR Highlight Ace	27.5	14.1	13.2

To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
2: The apparatus of claim 1 further comprises: the heel platform section, the mid-foot section, and the toe section constituting at least one of an insole for footwear; and a sole of footwear.	In the Accused Products, the heel platform section, the mid-foot section, and the toe section constituting at least one of an insole for footwear; and a sole of footwear. For example, in the Curry 4 FloTro, the heel platform section, the mid-foot section, and the toe section constitute an insole for footwear and a sole of footwear.  In the other Accused Products, the heel platform section, the mid-foot section, and the toe section constituting at least one of an insole for footwear; and a sole of footwear.

Charged Curry



Curry 10



Curry Splash



Curry Splash 2



Flow Dynamic



HOVR Drive



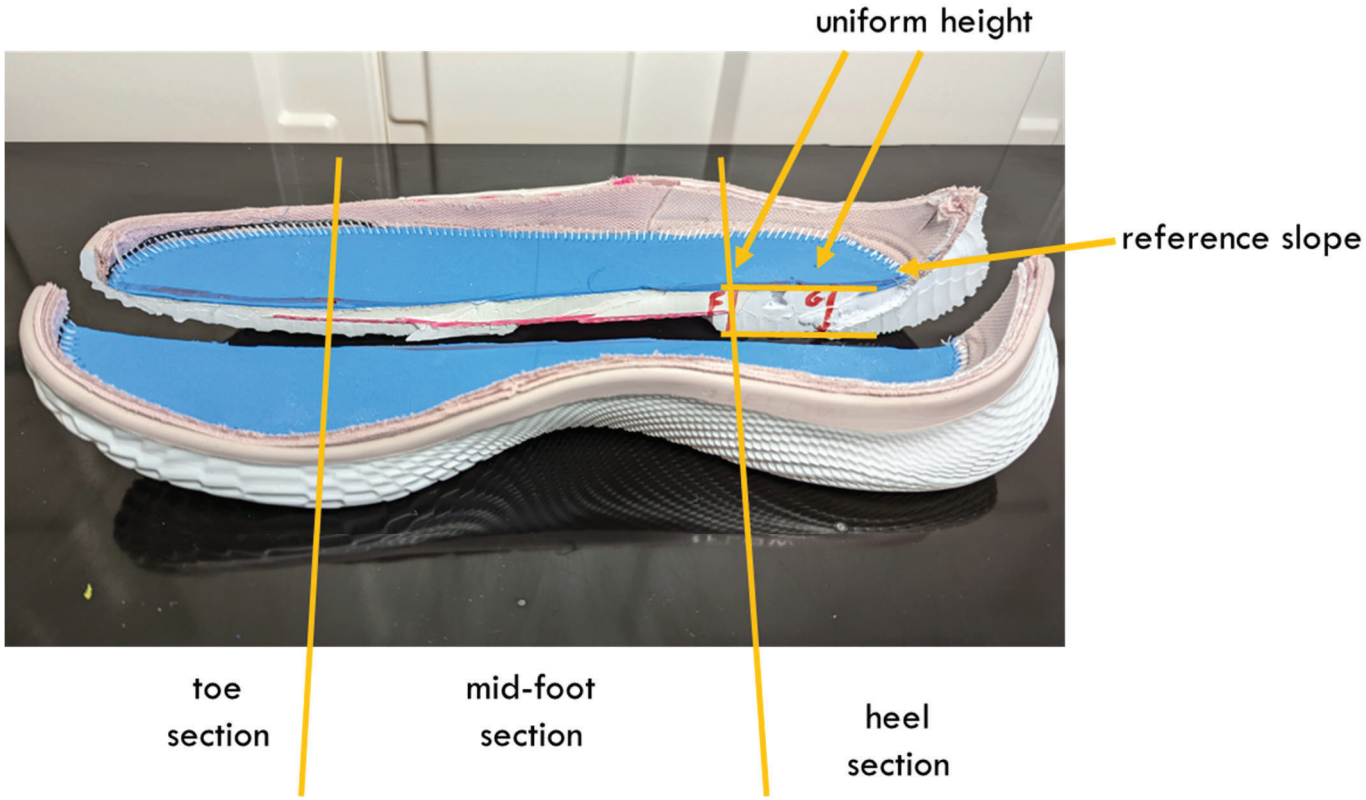
HOVR Drive 2



HOVR Highlight Ace



To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

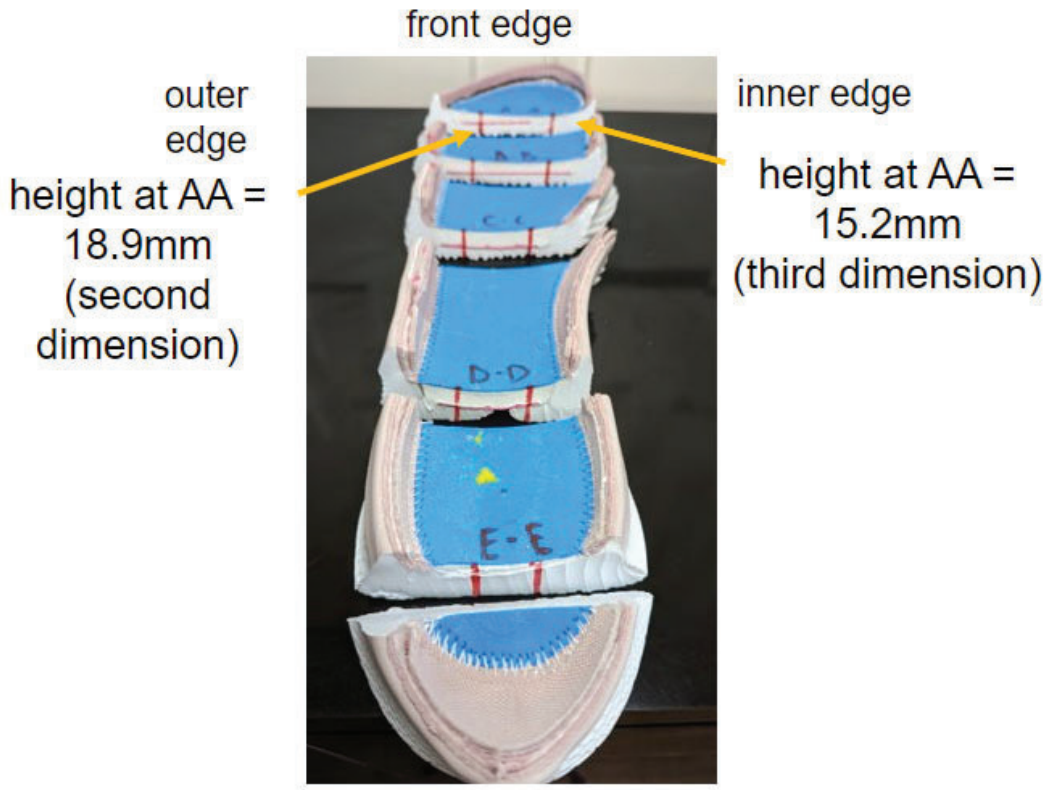
Claim	Exemplary Evidence of Infringement
3[a]: The apparatus of claim 1 further comprises: the heel platform section has a uniform platform height, wherein, from a front edge of the heel platform to the rear edge of the apparatus, the uniform platform height has the reference slope; and	In the Accused Products, the heel platform section has a uniform platform height, wherein, from a front edge of the heel platform to the rear edge of the apparatus, the uniform platform height has the reference slope. For example, in the Curry 4 FloTro, the heel platform section has a uniform platform height, wherein, from a front edge of the heel platform to the rear edge of the apparatus, the uniform platform height has the reference slope, as shown below.  In the other Accused Products, the heel platform section has a uniform platform height, wherein, from a front edge of the heel platform to the rear edge of the apparatus, the uniform platform height has the reference slope.

Claim	Exemplary Evidence of Infringement
	Charged Curry  **Curry 10** 

Claim	Exemplary Evidence of Infringement
	Curry Splash  **Curry Splash 2** 

Claim	Exemplary Evidence of Infringement
	Flow Dynamic  **HOVR Drive** 

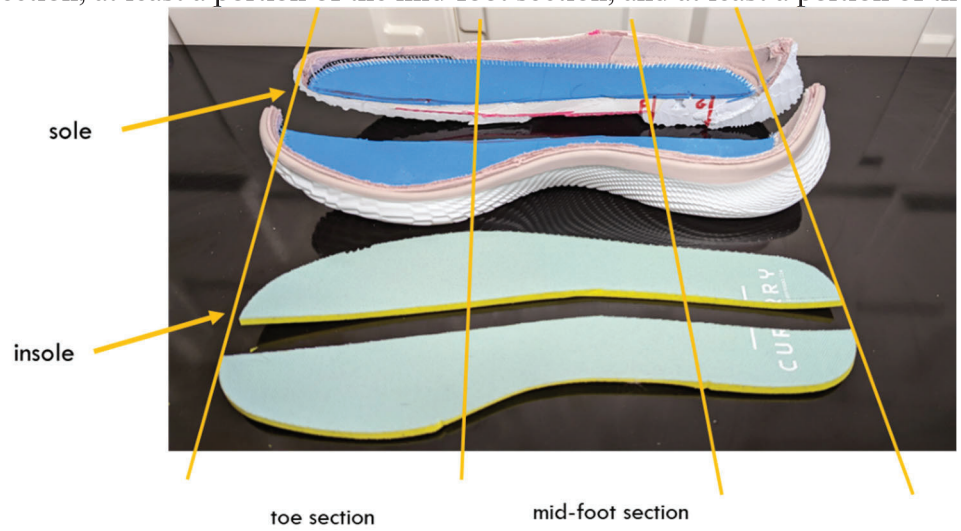
Claim	Exemplary Evidence of Infringement
	HOVR Drive 2  **HOVR Highlight Ace**  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
3[b]: the toe section and the mid-foot section having a second dimension at a front outer edge of the apparatus and a third dimension at a front inner edge of the apparatus.	In the Accused Products, the toe section and the mid-foot section having a second dimension at a front outer edge of the apparatus and a third dimension at a front inner edge of the apparatus. For example, in the Curry 4 FloTro, the toe section and the mid-foot section has a second dimension of 18.9mm at a front outer edge of the apparatus and a third dimension of 15.2mm at a front inner edge of the apparatus.  In the other Accused Products, the toe section and the mid-foot section have a second dimension at a front outer edge of the apparatus and a third dimension at a front inner edge of the apparatus. The second dimension and third dimension are shown below.

Claim	Exemplary Evidence of Infringement

Accused Product	Second Dimension (AA outer)	Third Dimension (AA inner)
Charged Curry	14	11.1
Curry 10	18.9	14.4
Curry Splash	14.1	8.9
Curry Splash 2	12.5	8.6
Flow Dynamic	17	14.2
HOVR Drive	16.3	15.8
HOVR Drive 2	20.6	13.9
HOVR Highlight Ace	14.1	13.2

To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

4: The apparatus of claim 1 further comprises: an insole on a first surface of the apparatus covering one or more of: at least a portion of the heel platform section; at least a portion of the mid-foot section; and at least a portion of the toe section.	The Accused Products have an insole on a first surface of the apparatus covering one or more of: at least a portion of the heel platform section; at least a portion of the mid-foot section; and at least a portion of the toe section. For example, in the Curry 4 FloTro, when the shoe is assembled the insole covers at least a portion of the heel platform section, at least a portion of the mid-foot section, and at least a portion of the toe section, as shown below (disassembled).  The other Accused Products also have an insole on a first surface of the apparatus covering one or more of: at least a portion of the heel platform section; at least a portion of the mid-foot section; and at least a portion of the toe section. **Charged Curry** 

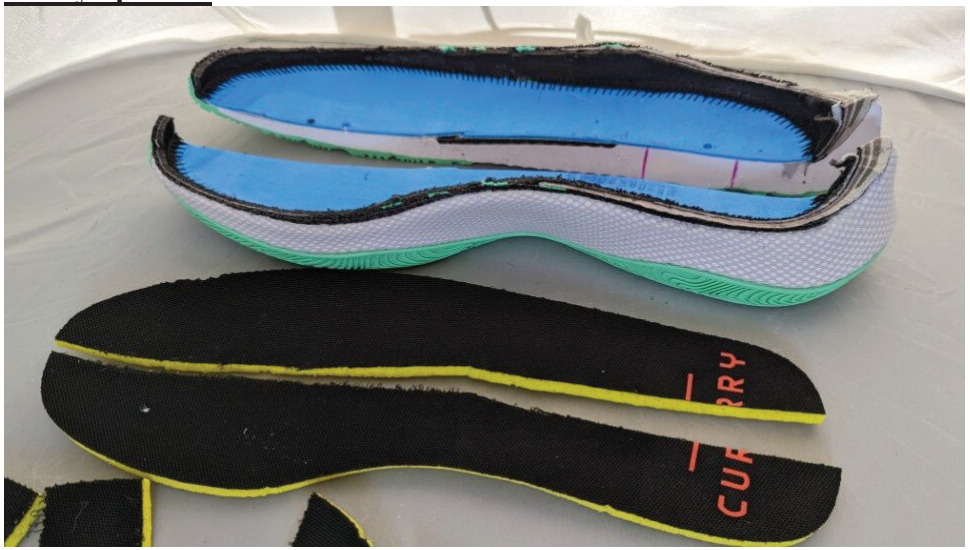
Curry 10



Curry Splash



Curry Splash 2



Flow Dynamic



HOVR Drive



HOVR Drive 2



HOVR Highlight Ace



To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

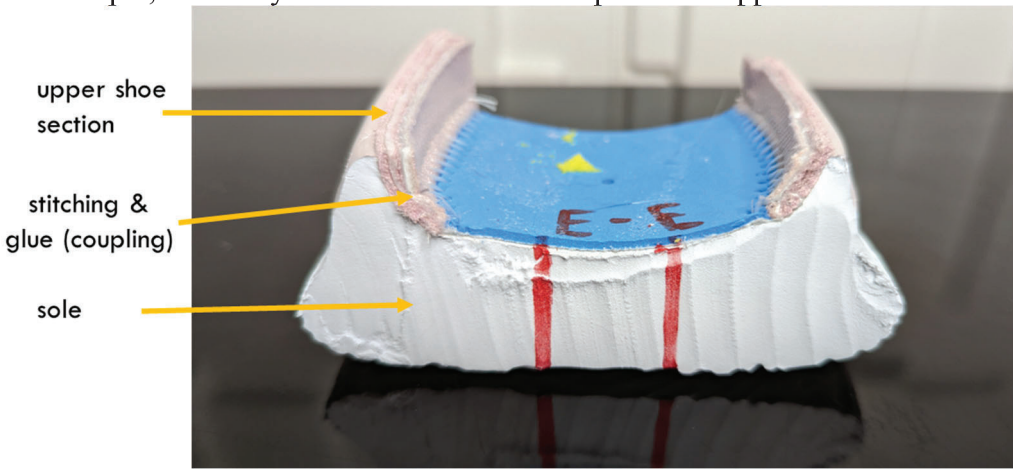
Claim	Exemplary Evidence of Infringement
5[pre]: A shoe comrpises:	To the extent the preamble is limiting, each of the Accused Products is a shoe. *See* claim 1[a]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
5[a]: an upper shoe section; and	The Accused Products have an upper shoe section. For example, the Curry 4 FloTro has an upper shoe section, as shown below.  The other Accused Products similarly also have an upper shoe section.

Claim	Exemplary Evidence of Infringement
	Charged Curry  **Curry 10** 

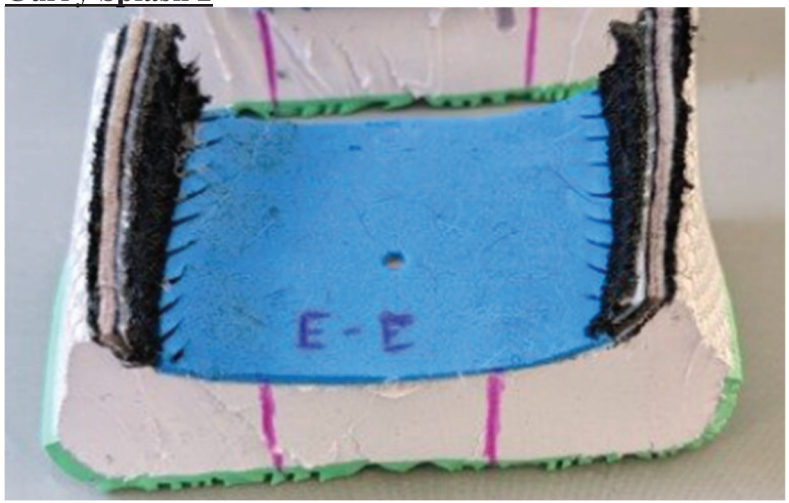
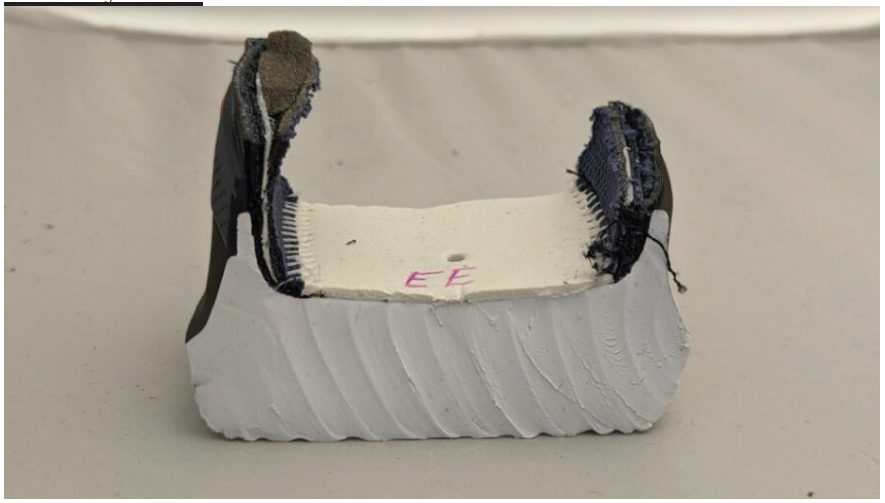
Claim	Exemplary Evidence of Infringement
	Curry Splash  **Curry Splash 2** 

Claim	Exemplary Evidence of Infringement
	Flow Dynamic  **HOVR Drive** 

Claim	Exemplary Evidence of Infringement
	HOVR Drive 2  **HOVR Highlight Ace**  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

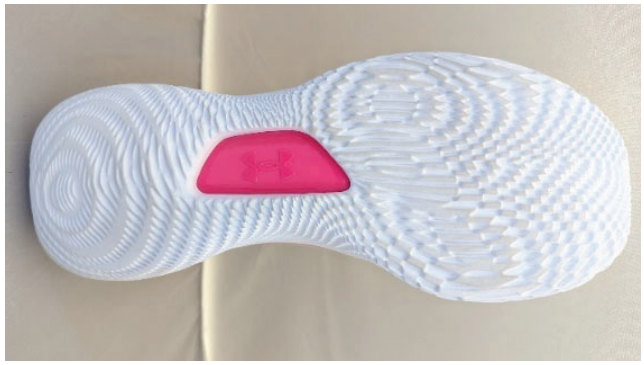
Claim	Exemplary Evidence of Infringement
5[b]: a sole coupled to the upper shoe section, wherein the sole includes:	The Accused Products each have a sole coupled to the upper shoe section. For example, the Curry 4 FloTro has a sole couple to the upper shoe section using stitching and glue, as shown below.  The other Accused Products similarly have a sole coupled to the upper shoe section, as shown below. **Charged Curry** 

Claim	Exemplary Evidence of Infringement
	Curry 10  **Curry Splash** 

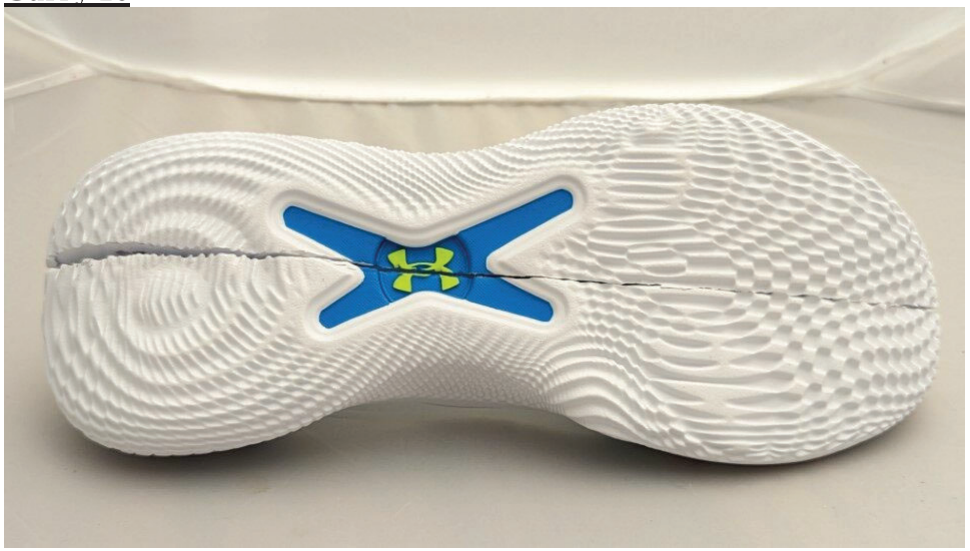
Claim	Exemplary Evidence of Infringement
	Curry Splash 2  **Flow Dynamic** 

Claim	Exemplary Evidence of Infringement
	HOVR Drive  **HOVR Drive 2** 

Claim	Exemplary Evidence of Infringement
	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

5[b]: a specific bottom; and	The Accused Products have a specific bottom. For example, the Curry 4 FloTro has a specific bottom, as shown below.  The other Accused Products similarly have a specific bottom. **Charged Curry** 

Curry 10



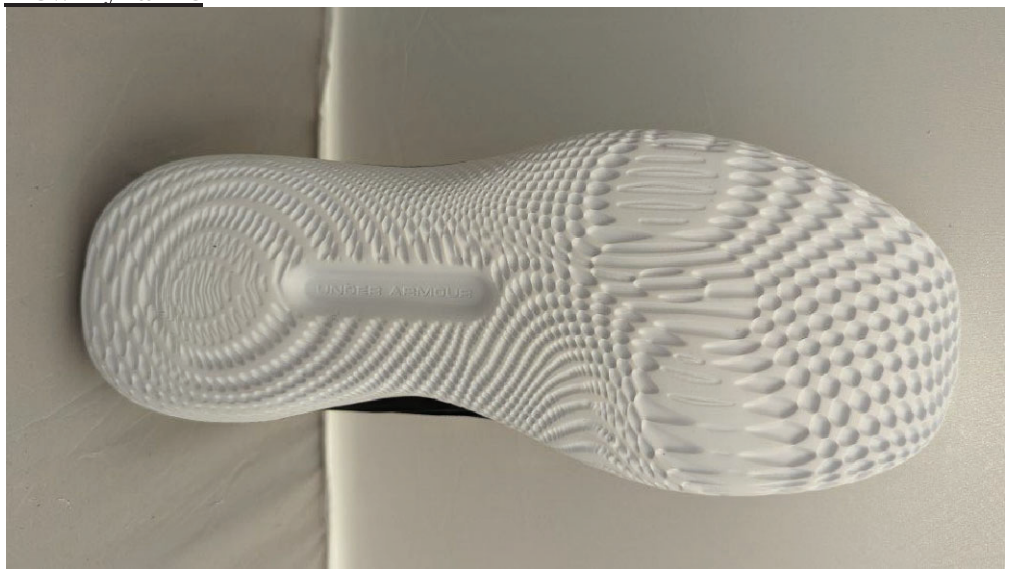
Curry Splash



Curry Splash 2



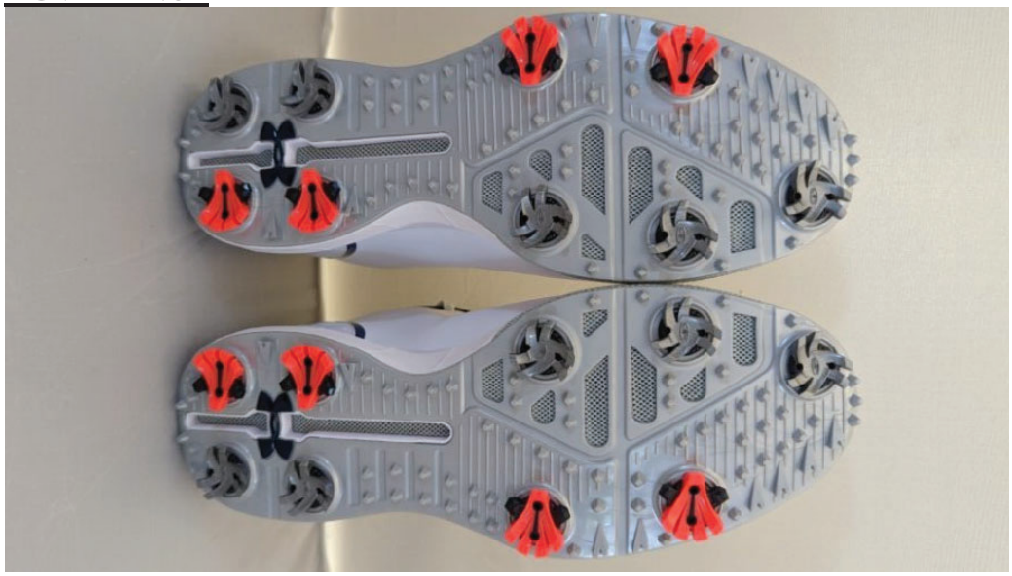
Flow Dynamic



HOVR Drive



HOVR Drive 2



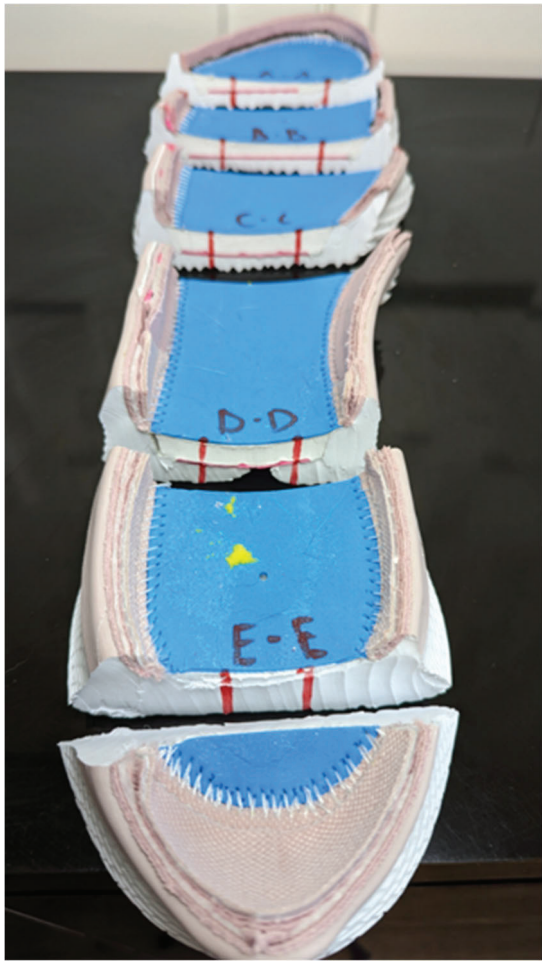
HOVR Forge RC



HOVR Highlight Ace



To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

5[c]: an athletic positioning sole section having:	The Accused Products have an athletic positioning sole section. For example, the Curry 4 FloTro has an athletic positioning sole section, as shown below.  The other Accused Products similarly have an athletic positioning sole section.

Charged Curry



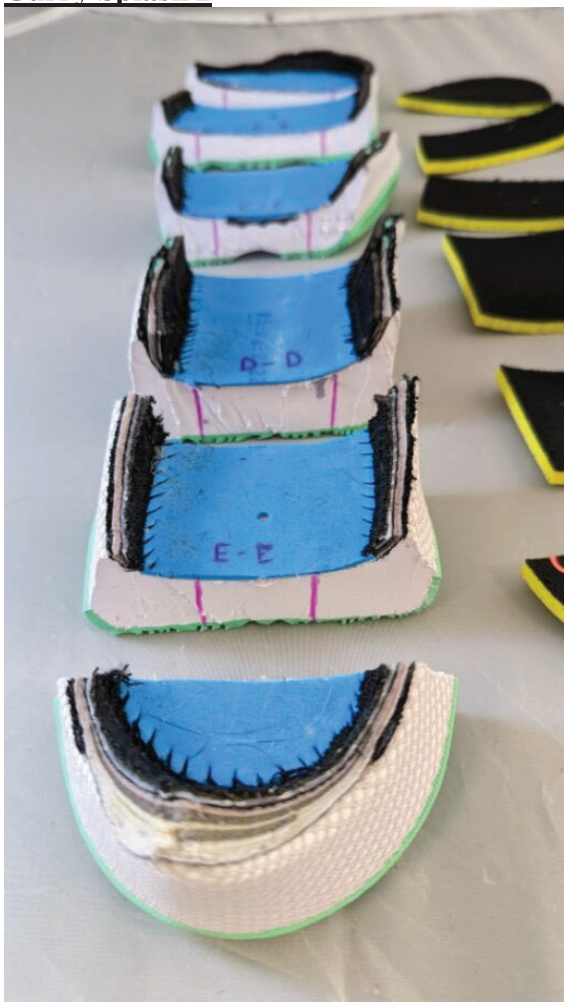
Curry 10



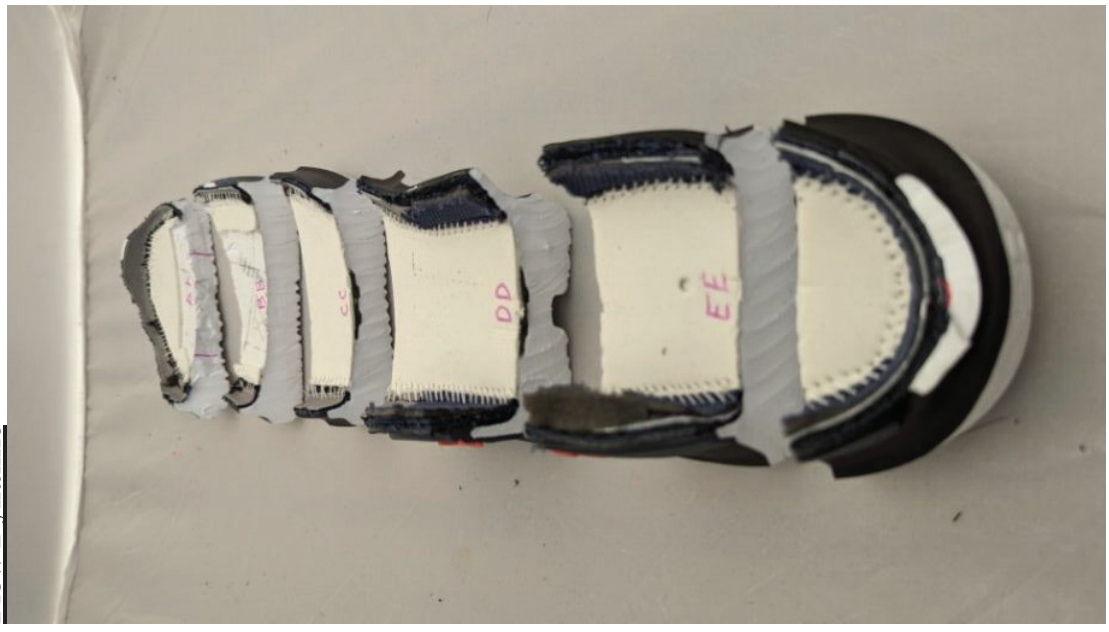
Curry Splash



Curry Splash 2



Flow Dynamic



HOVR Drive



HOVR Drive 2



	HOVR Highlight Ace  To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
5[d]: a heel platform section that has a uniform	The Accused Products have a heel platform section that has a uniform height from an outer edge to an inner edge of the athletic positioning sole section at a rear edge of the athletic positioning sole section, wherein the uniform height establishes

height from an outer edge to an inner edge of the athletic positioning sole section at a rear edge of the athletic positioning sole section, wherein the uniform height establishes a reference slope from the outer edge to the inner edge, the reference slope substantially parallel to a bottom surface of the sole;	a reference slope from the outer edge to the inner edge, the reference slope substantially parallel to a bottom surface of the sole. *See* claim 1[b]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
5[e]: a mid-foot section; and	The Accused Products have a mid-foot section. *See* claim 1[c]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
5[f]: a toe section, wherein the mid-foot section and the toe section form an angled support platform	The Accused Products have a toe section, wherein the mid-foot section and the toe section form an angled support platform that has a first slope along the inner edge of the athletic positioning sole section from a front edge of the athletic positioning sole section to the heel platform section, a second slope along the front edge of the athletic positioning sole section from the inner edge to the outer edge of the athletic positioning sole section, and a third slope along the outer edge of the athletic positioning sole section from the front edge of the athletic positioning sole section to the heel platform section, the first slope, second slope, and the third slope each greater than the reference slope.

that has a first slope along the inner edge of the athletic positioning sole section from a front edge of the athletic positioning sole section to the heel platform section, a second slope along the front edge of the athletic positioning sole section from the inner edge to the outer edge of the athletic positioning sole section, and a third slope along the outer edge of the athletic positioning sole section from the front edge of the athletic positioning sole section to the heel platform section, the first slope, second slope, and	*See* claim 1[e]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

the third slope each greater than the reference slope.	

Claim	Exemplary Evidence of Infringement
6[a]: The shoe of claim 5 further comprises: the heel platform section has a uniform platform height, wherein, from a front edge of the heel platform to the rear edge of the athletic positioning sole section, the uniform platform height has the reference slope; and	In the Accused Products, the heel platform section has a uniform platform height, wherein, from a front edge of the heel platform to the rear edge of the athletic positioning sole section, the uniform platform height has the reference slope. *See* claim 3[a]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.
6[b]: the toe section having a second dimension at a front outer edge of the apparatus and a third dimension at a front inner edge of the apparatus.	In the Accused Products, the toe section having a second dimension at a front outer edge of the apparatus and a third dimension at a front inner edge of the apparatus. *See* claim 3[b].

Claim	Exemplary Evidence of Infringement
7: The shoe of claim 5 further comprises: **an insole on a first surface of the apparatus covering one or more of:** **at least a portion of the heel platform section;** **at least a portion of the mid-foot section; and** **at least a portion of the toe section.**	In the Accused Products, an insole on a first surface of the apparatus covering one or more of: at least a portion of the heel platform section; at least a portion of the mid-foot section; and at least a portion of the toe section. *See* claim 4. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.

Claim	Exemplary Evidence of Infringement
8: The shoe of claim 5, wherein the specific bottom comprises one of: a cleat pattern bottom; a baseball spike bottom; a basketball bottom; a tennis bottom; a golf bottom; an ice skate bottom; a ski boot bottom; a cross-trainer bottom; a running shoe bottom; a walking shoe bottom; a dress shoe bottom; and a snowboard boot bottom.	In the Accused Products, the specific bottom comprises one of: a cleat pattern bottom; a baseball spike bottom; a basketball bottom; a tennis bottom; a golf bottom; an ice skate bottom; a ski boot bottom; a cross-trainer bottom; a running shoe bottom; a walking shoe bottom; a dress shoe bottom; and a snowboard boot bottom. *See* claim 5[b]. To the extent Under Armour disputes literal infringement for this element, the Accused Products practice this element under the doctrine of equivalents. That is, the Accused Products perform substantially the same function, in substantially the same way, to achieve substantially the same result.