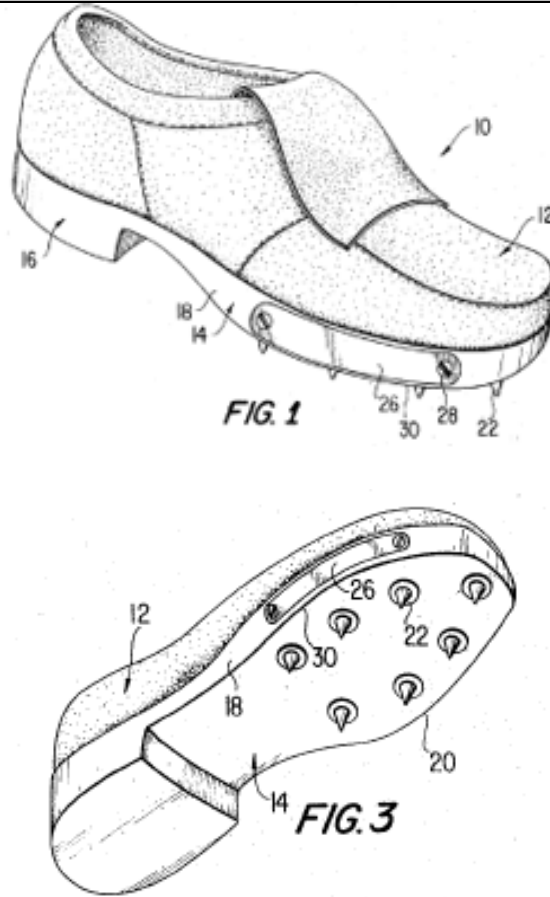


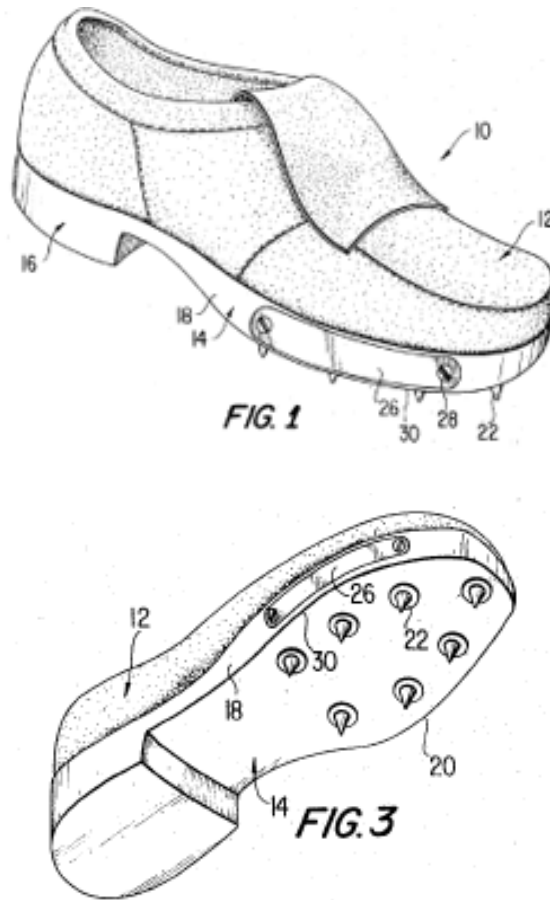
EXHIBIT E – U.S. Patent No. 11,064,760 in View of U.S. Patent No. 3,789,523

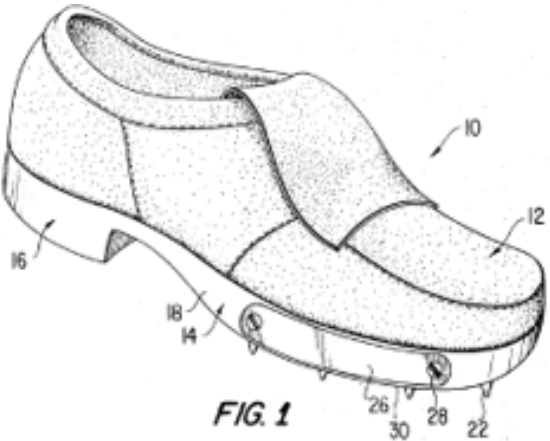
U.S. Patent No. 3,789,523 (the “’523 patent”) issued on July 5, 1988. It therefore constitutes prior art under at least pre-AIA 35 U.S.C. § 102(b). As shown below, the ’523 patent anticipates and/or renders obvious claims 1-11 of US Patent No. 11,064,760. To the extent Athalonz contends the ’523 patent does not anticipate a particular claim, the ’523 patent also renders the claim obvious for the reasons discussed in the ’760 Patent Obviousness Chart (Exhibit S).

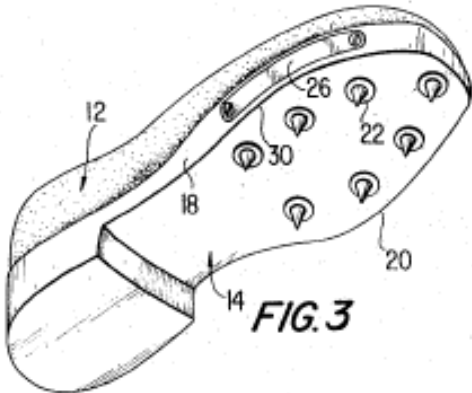
These invalidity contentions are based on Under Armour’s present understanding of the asserted claims and Athalonz’s apparent construction of the claims in its September 14, 2023 Disclosure of Asserted Claims and Infringement Contentions, which is deficient at least insofar as it fails to cite any documents or identify accused structures, acts, or materials in the Accused Products with particularity. Under Armour does not agree with Athalonz’s application of the claims, or that the claims satisfy the requirements of 35 U.S.C. § 112. Under Armour’s contentions herein are not, and should in no way be seen as, admissions or adoptions as to any particular claim scope or construction, or as any admission that any particular element is met by any accused product in any particular way. Under Armour objects to any attempt to imply claim construction from this chart. Under Armour’s prior art invalidity contentions are made in a variety of alternatives and do not represent Under Armour’s agreement or view as to the meaning, definiteness, written description support for, or enablement of any claim contained therein.

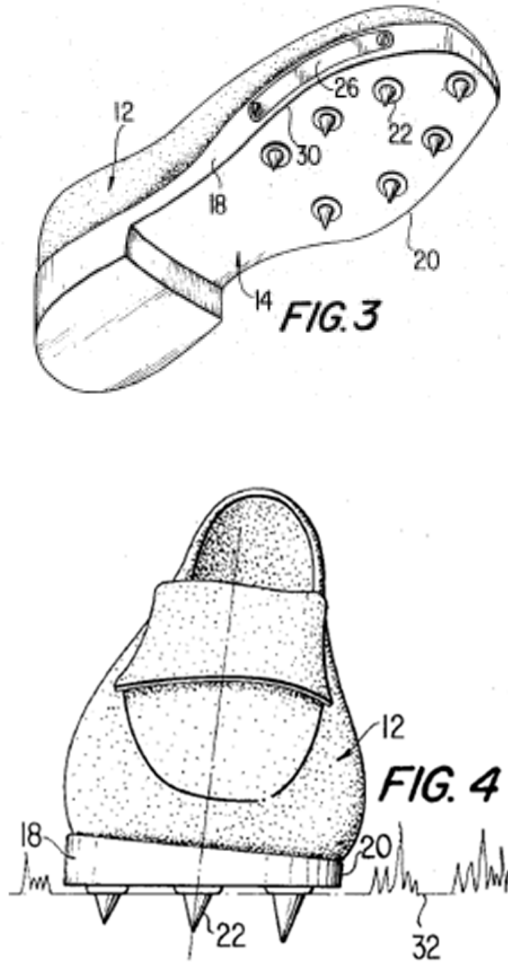
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
1[pre]. A pair of shoes comprises:	The ’523 patent discloses a pair of shoes.

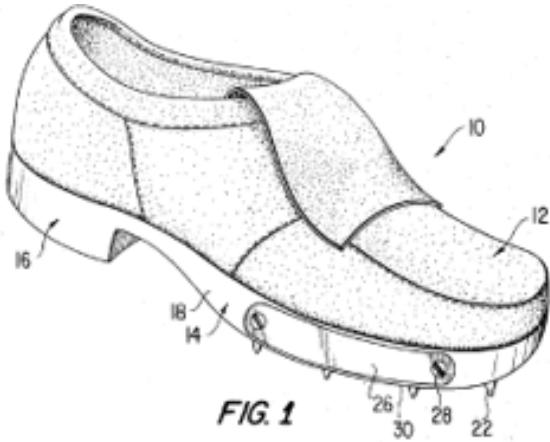
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	 FIG. 1 FIG. 3 “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.

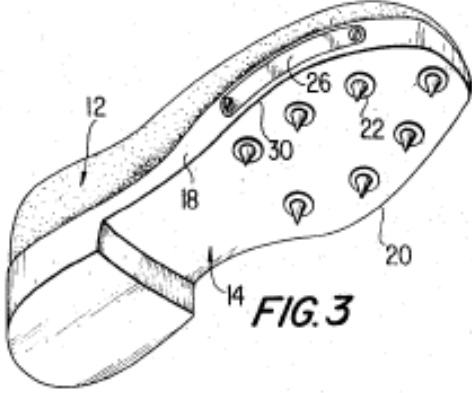
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
1[a] a left foot shoe including:	The '523 patent discloses a left foot shoe.  “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer

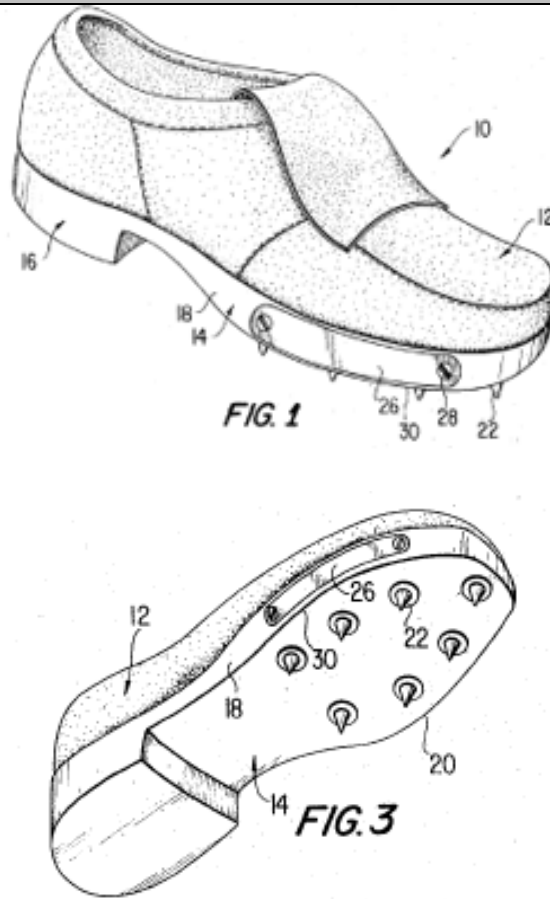
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.
1[b] a left upper shoe portion; and	The ’523 patent discloses a left upper shoe portion.  FIG. 1

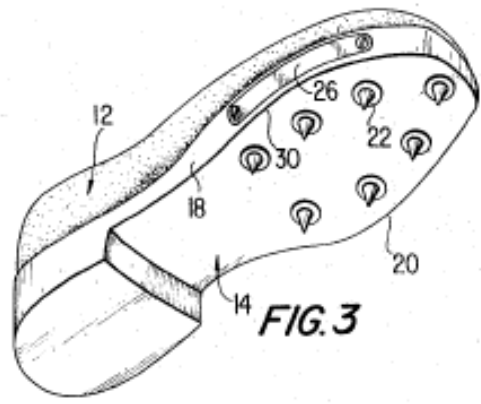
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	 “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.
1[c] a left sole coupled to the left upper shoe portion, wherein a foot platform of the left sole provides an athletic positioning of a left big toe area of the left shoe 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, from an inner edge to an outer edge of the left shoe, the left heel area	The ’523 patent discloses a left sole coupled to the left upper shoe portion, wherein a foot platform of the left sole provides an athletic positioning of a left big toe area of the left shoe 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, from an inner edge to an outer edge of the left shoe, the left heel area has substantially no slope, and wherein, from the inner edge to the outer edge of the left shoe at a cross section at a ball of ball, a bottom of the left sole is substantially linear.

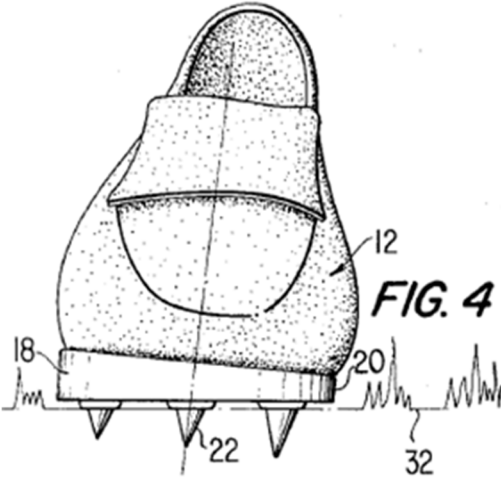
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
has substantially no slope, and wherein, from the inner edge to the outer edge of the left shoe at a cross section at a ball of ball, a bottom of the left sole is substantially linear; and	 FIG. 3 is a cross-sectional view of a shoe sole assembly. It shows an upper portion (12) with a series of circular elements (22, 26, 30) arranged in a row. Below these is a layer (18) and a sole (14). The sole (14) has a series of circular elements (20) arranged in a row. FIG. 4 is a cross-sectional view of a shoe sole assembly. It shows an upper portion (12) with a series of circular elements (22, 26, 30) arranged in a row. Below these is a layer (18) and a sole (14). The sole (14) has a series of circular elements (20) arranged in a row. The sole (14) is shown with a series of spikes (22) extending from its bottom surface. A wavy line (32) is shown at the bottom of the sole (14).

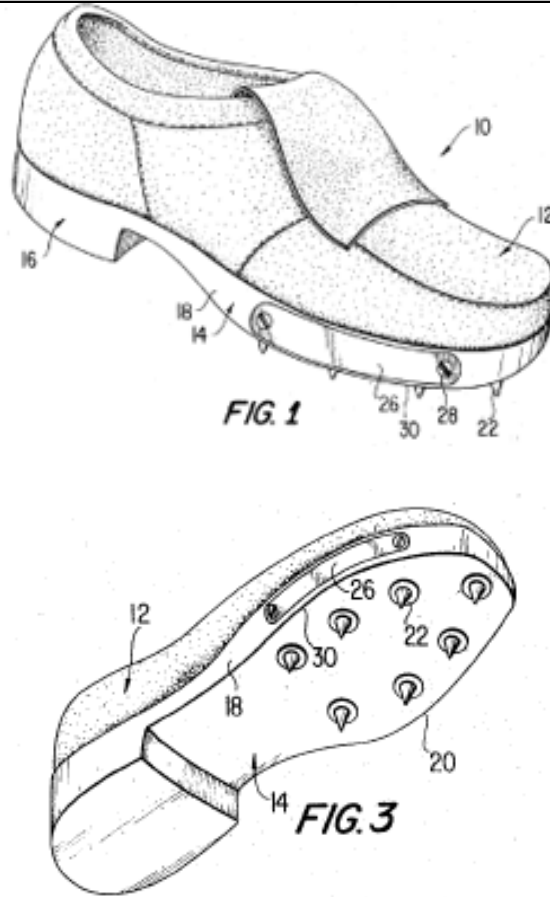
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	“The outer side 18 of sole 4 extends downwardly from the shoe upper 12 to a lower elevation than the inner side 20 of sole 14. The sole portion 14 of shoe 10 will therefore have the appearance of having a built-up sole along outer side 18 so that the planar bottom of sole 14.” ’523 patent, 3:9-15. “FIGS. 2 and 4 illustrate the manner of use of the shoe 10. Specifically, in FIG. 4, the golfer will imbed cleats 22 in a golf playing surface 32 when addressing a golf ball. The rearwardmost foot of the golfer will be tilted inwardly because of the wedge-shaped sole 14 of shoe 10. This will tend to provide a more satisfactory weight distribution when hitting the ball. Furthermore, it has been found that a more desirable pivot will result when a golfer assumes the stance illustrated in FIG. 4.” ’523 patent, 3:56-65.
1[d] a right foot shoe including:	The ’523 patent discloses a right foot shoe.  FIG. 1

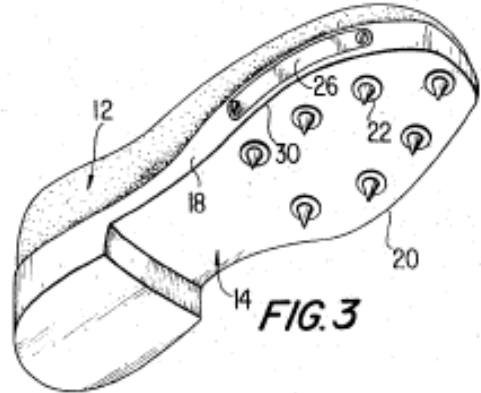
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	 “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.
1[e] a right upper shoe portion; and	The ’523 patent discloses a right upper shoe portion.

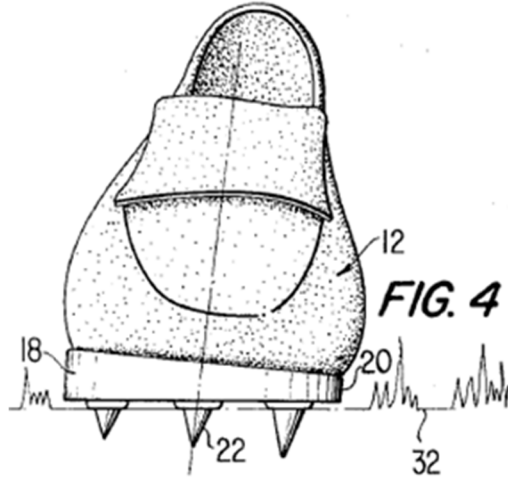
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	 “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.

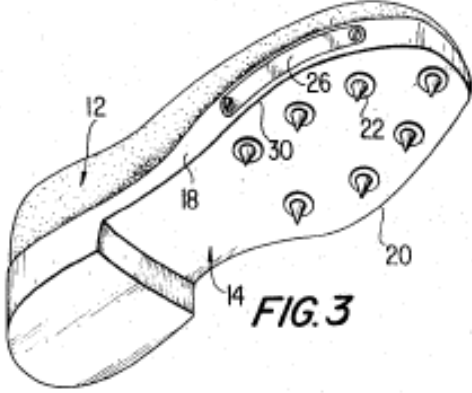
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
1[f] a right sole coupled to the right upper shoe portion, wherein a foot platform of the right sole provides an athletic positioning of a right big toe area of the right shoe at a lower position than a right heel area of the right shoe and at a lower position than an outer small toe area of the right shoe and wherein, from an inner edge to an outer edge of the right shoe, the right heel area has substantially no slope, and wherein, 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.	The '523 patent discloses a right sole coupled to the right upper shoe portion, 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, from an inner edge to an outer edge of the right shoe, the right heel area has substantially no slope, and wherein, 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. 

U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	 FIG. 4 “The outer side 18 of sole 4 extends downwardly from the shoe upper 12 to a lower elevation than the inner side 20 of sole 14. The sole portion 14 of shoe 10 will therefore have the appearance of having a built-up sole along outer side 18 so that the planar bottom of sole 14.” ’523 patent, 3:9-15. “FIGS. 2 and 4 illustrate the manner of use of the shoe 10. Specifically, in FIG. 4, the golfer will imbed cleats 22 in a golf playing surface 32 when addressing a golf ball. The rearwardmost foot of the golfer will be tilted inwardly because of the wedge-shaped sole 14 of shoe 10. This will tend to provide a more satisfactory weight distribution when hitting the ball. Furthermore, it has been found that a more desirable pivot will result when a golfer assumes the stance illustrated in FIG. 4.” ’523 patent, 3:56-65.
2[a]. The pair of shoes of claim 1, wherein the foot platform of the left sole comprises: a heel section that, from the inner edge to the outer edge	The ’523 patent discloses a heel section that, from the inner edge to the outer edge of the left shoe, has substantially no slope.

U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
of the left shoe, has substantially no slope;	 “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.

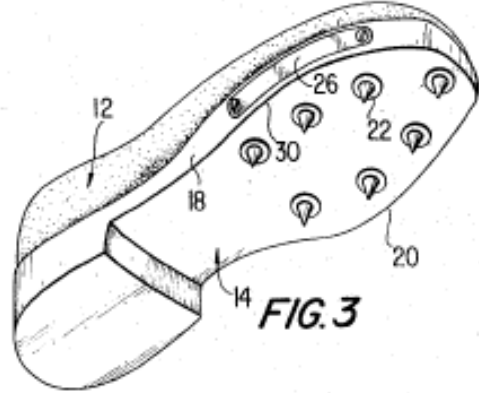
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
2[b] a toe section that provides the left big toe area of the left shoe at the lower position than the left heel area of the left shoe and at the lower position than the outer small toe area of the left shoe; and	The '523 patent discloses a toe section 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.  FIG. 3

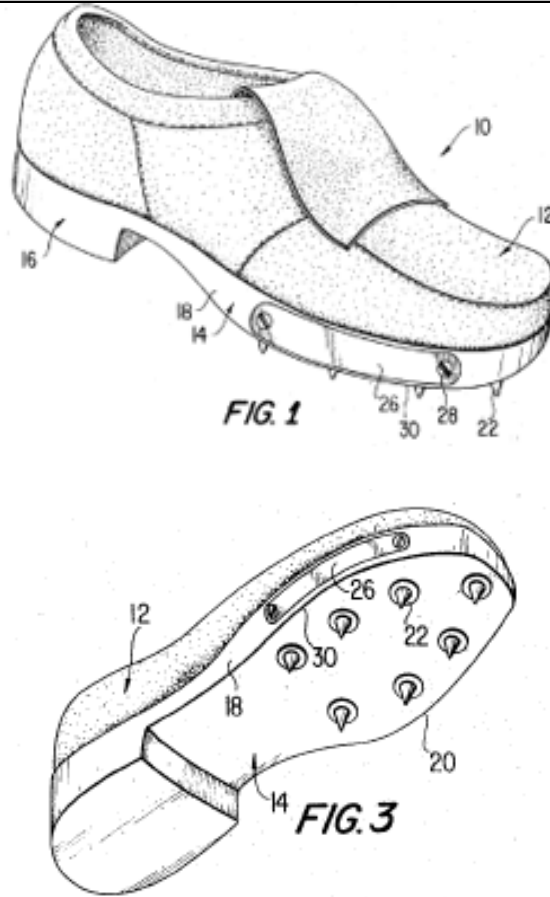
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	 “The outer side 18 of sole 4 extends downwardly from the shoe upper 12 to a lower elevation than the inner side 20 of sole 14. The sole portion 14 of shoe 10 will therefore have the appearance of having a built-up sole along outer side 18 so that the planar bottom of sole 14.” ’523 patent, 3:9-15. “FIGS. 2 and 4 illustrate the manner of use of the shoe 10. Specifically, in FIG. 4, the golfer will imbed cleats 22 in a golf playing surface 32 when addressing a golf ball. The rearwardmost foot of the golfer will be tilted inwardly because of the wedge-shaped sole 14 of shoe 10. This will tend to provide a more satisfactory weight distribution when hitting the ball. Furthermore, it has been found that a more desirable pivot will result when a golfer assumes the stance illustrated in FIG. 4.” ’523 patent, 3:56-65.
2[c] a mid-foot section having a shape to transition from the heel section to the toe section.	The ’523 patent discloses a mid-foot section having a shape to transition from the heel section to the toe section.

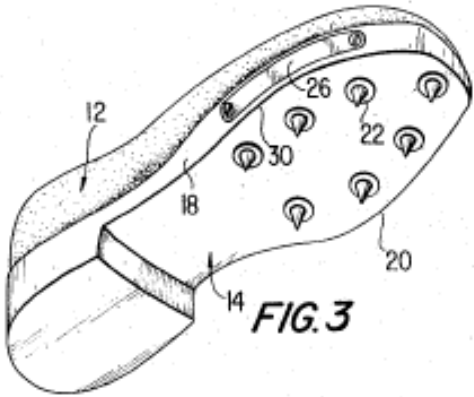
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	 “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.
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	The ’523 patent discloses 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.

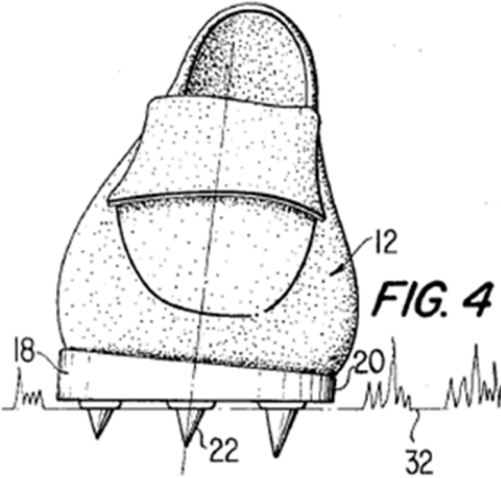
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
supports a left heel of a wearer.	FIG. 1 FIG. 3 “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.

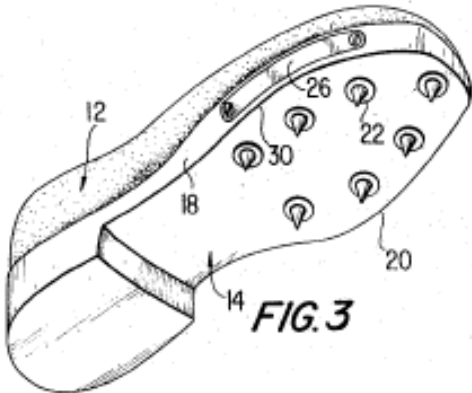
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
4. The pair of shoes of claim 2, wherein the toe section of the foot platform of the left sole comprises: a stabilizing cup in the left big toe area, wherein, when the left shoe is worn, the stabilizing cup functions to, at least one of, stabilize and position a left big toe of a wearer in a particular location in the left big toe area.	To the extent that the ‘523 patent does not expressly or inherently disclose 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, it would have been obvious to a person of ordinary skill in the art at the time of the alleged invention of the ‘760 patent in light of the knowledge, experience, training, and skill of a person of ordinary skill in the art at the time of the alleged invention. In addition, it would have been obvious in light of this reference in combination with the references cited for this limitation in the ‘760 Patent Obviousness Chart (Exhibit S), for the reasons discussed in that chart.
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.	To the extent that the ‘523 patent does not expressly or inherently disclose 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, it would have been obvious to a person of ordinary skill in the art at the time of the alleged invention of the ‘760 patent in light of the knowledge, experience, training, and skill of a person of ordinary skill in the art at the time of the alleged invention. In addition, it would have been obvious in light of this reference in combination with the references cited for this limitation in the ‘760 Patent Obviousness Chart (Exhibit S), for the reasons discussed in that chart.

U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
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.	The '523 patent discloses a specific bottom that includes one of a sport specific tread pattern, a spike pattern, a sliding coupling pattern, and a cleat pattern.  FIG. 3 “The sole also includes a plurality of cleats attached to and depending from the sole for anchoring the foot and shoe in the proper stance. The cleats extend along the bottom of the sole adjacent the outer and inner sides of the sole.” ’523 patent, 2:12-16. “Projecting downwardly from the bottom of sole 14 are a plurality of cleats 22. Cleats 22 serve to anchor the foot of the golfer in position once he has assumed his stance on a golf playing surface. Cleats 22 extend along the bottom of sole 14 adjacent both the outer side 18 and inner side 20 of the sole 4.” ’523 patent, 3:24-29.
7[a]. The pair of shoes of claim 1, wherein the foot platform of the right sole comprises: a heel section that, from the inner edge to the outer	The '523 patent discloses a heel section that, from the inner edge to the outer edge of the right shoe, has substantially no slope.

U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
edge of the right shoe, has substantially no slope;	 FIG. 1 FIG. 3 “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.

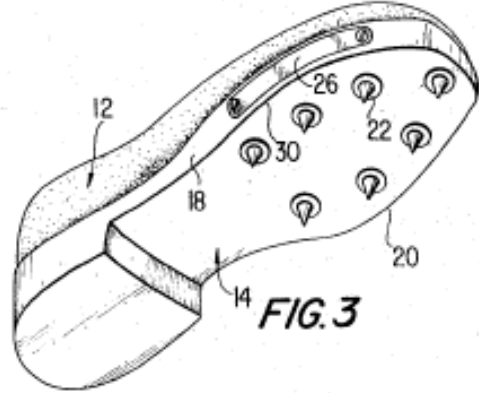
U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
7[b] a toe section that provides the right big toe area of the right shoe at the lower position than the left heel area of the right shoe and at the lower position than the outer small toe edge area of the right shoe; and	The '523 patent discloses a toe section that provides the right big toe area of the right shoe at the lower position than the left heel area of the right shoe and at the lower position than the outer small toe edge area of the right shoe. 

U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	 FIG. 4 “The outer side 18 of sole 4 extends downwardly from the shoe upper 12 to a lower elevation than the inner side 20 of sole 14. The sole portion 14 of shoe 10 will therefore have the appearance of having a built-up sole along outer side 18 so that the planar bottom of sole 14.” ’523 patent, 3:9-15. “FIGS. 2 and 4 illustrate the manner of use of the shoe 10. Specifically, in FIG. 4, the golfer will imbed cleats 22 in a golf playing surface 32 when addressing a golf ball. The rearwardmost foot of the golfer will be tilted inwardly because of the wedge-shaped sole 14 of shoe 10. This will tend to provide a more satisfactory weight distribution when hitting the ball. Furthermore, it has been found that a more desirable pivot will result when a golfer assumes the stance illustrated in FIG. 4.” ’523 patent, 3:56-65.
7[c] a mid-foot section having a shape to transition from the heel section to the toe section.	The ’523 patent discloses a mid-foot section having a shape to transition from the heel section to the toe section.

U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
	 “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.
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,	The ’523 patent discloses 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.

U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
when the right shoe is worn, the heel platform supports a right heel of a wearer.	FIG. 1 FIG. 3 “Shoe 10 includes a conventional upper 12 and a sole 14 which can be molded integrally with upper 12 from such material as poly vinyl chloride. Sole 14 should be sufficiently flexible to enable the wearer latitude to flex the shoe when walking but yet rigid enough to preclude undue roll of the shoe when used by the golfer once he has assumed a proper stance over a golf ball. A conventional heel 6 is also molded integrally with sole 14.” ’523 patent, 2:60-68.

U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
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.	To the extent that the ‘523 patent does not expressly or inherently disclose 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, it would have been obvious to a person of ordinary skill in the art at the time of the alleged invention of the ‘760 patent in light of the knowledge, experience, training, and skill of a person of ordinary skill in the art at the time of the alleged invention. In addition, it would have been obvious in light of this reference in combination with the references cited for this limitation in the ‘760 Patent Obviousness Chart (Exhibit S), for the reasons discussed in that chart.
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.	To the extent that the ‘523 patent does not expressly or inherently disclose 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, it would have been obvious to a person of ordinary skill in the art at the time of the alleged invention of the ‘760 patent in light of the knowledge, experience, training, and skill of a person of ordinary skill in the art at the time of the alleged invention. In addition, it would have been obvious in light of this reference in combination with the references cited for this limitation in the ‘760 Patent Obviousness Chart (Exhibit S), for the reasons discussed in that chart.

U.S. Patent No. 11,064,760	U.S. Patent No. 3,789,523
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.	The '523 patent discloses a specific bottom that includes one of a sport specific tread pattern, a spike pattern, a sliding coupling pattern, and a cleat pattern.  FIG. 3 “The sole also includes a plurality of cleats attached to and depending from the sole for anchoring the foot and shoe in the proper stance. The cleats extend along the bottom of the sole adjacent the outer and inner sides of the sole.” ’523 patent, 2:12-16. “Projecting downwardly from the bottom of sole 14 are a plurality of cleats 22. Cleats 22 serve to anchor the foot of the golfer in position once he has assumed his stance on a golf playing surface. Cleats 22 extend along the bottom of sole 14 adjacent both the outer side 18 and inner side 20 of the sole 4.” ’523 patent, 3:24-29.