

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNDER ARMOUR, INC.
Petitioner

v.

ATHALONZ, LLC
Patent Owner

Case No. IPR2024-00640
Patent No. 11,510,456

**PETITIONER'S CITATIONS SUPPORTING ITS
REPLY ARGUMENTS**

Petitioner (“UA”) submits this list of citations in support of its Reply arguments and opinions of Grant Delgatty identified by Patent Owner (“PO”).

Petitioner’s Reply

• §I.A – proper construction for “first material” / “second material”

- Petition: p. 27, n.1- UA proposing “first material” and “second material” can be the same based on PO’s infringement contentions.
- ID: §II.C.3 – Board construing claim in accordance with PO’s proposal in POPR that “first material” must be different than “second material,” suggesting “parties are free to explore this issue further...”
- POR: §§VI.C; VII.A - PO arguing that “first material” must be different than “second material;” failure to show invalidity under that construction.

• §§V.A; V.B – Won + Norton invalidates claims 1, 5 under PO’s construction

- Petition: §§VII.E; VII.E.i. (claim 1); VII.E.v (claim 5) - invalidity under UA’s construction; disclosure of different first / second materials in references.
- ID: §§II.C.3; II.E - incorporating finding of different first / second materials.
- POR: §§VI.C; VII.A; VII.D.1-2 - PO arguing Won + Norton fails to disclose different first and second materials; UA’s claim 5 arguments fail.

• §VI.A - Won + Talarico invalidates Claim 1 under PO’s construction

- Petition: - §§VII.F; VII.F.i. - invalidity under UA’s construction; disclosure of different first / second materials in references.

- ID: §§II.C.3; II.E - incorporating finding of different first / second materials.
- POR: §§VI.C; VII.A; VII.E.1 - Different first / second materials not disclosed.
- **§VIII.A - Norton invalidates Claim 1 under PO's construction**
 - Petition: §§VII.H.i.4-5 - invalidity under UA's construction; disclosure of different first / second materials in Norton.
 - ID: §§II.C.3; II.E - incorporating finding of different first / second materials.
 - POR: §§VI.C; VII.A; VII.G.1 - Different first / second materials not disclosed.
- **§IX.A - Talarico Invalidates Claim 1 under PO's construction**
 - Petition: §§VII.I.i.4-5 - invalidity under UA's construction; disclosure of different first / second materials in Talarico.
 - ID: §§II.C.3; II.E - incorporating finding of different first / second materials.
 - POR: §§VI.C; VII.A; VII.H.1 – Different first / second materials not disclosed.

EX1022 – Supplemental Declaration of Grant Delgatty

- **¶¶ 20-26, 27-33, 39-41, 45 – Invalidity of Claim 1 under PO's construction**
 - Delgatty Declaration (EX1002) p. 41, n.1; §§IX.B; IX.B.a; IX.C; IX.C.a; IX.E.d-e; IX.F.d-e - invalidity under UA's construction; disclosure of different first / second materials in references.
 - Markison Declaration (EX2009) §§IX.C; X.B-D; XI.A; XI.D.1; XI.E.1; XI.G.1; XI.H.1 - arguing “first material” must be different than “second material;” failure to show invalidity under that construction.

DATED: May 1, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing PETITIONER'S CITATIONS SUPPORTING ITS REPLY ARGUMENTS was served to Patent Owner by causing it to be sent by email to counsel for Patent Owner at the following email addresses:

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