

UNITED STATES PATENT AND TRADEMARK OFFICE

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

SAMSUNG ELECTRONICS CO., LTD.; AND  
SAMSUNG ELECTRONICS AMERICA, INC.,  
Petitioner,

v.

OURARING, INC.,  
Patent Owner

---

Case IPR2024-01077  
U.S. Patent No. 10,139,859

---

**PATENT OWNER'S SUR-REPLY**

Mail Stop **Patent Board**  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

## TABLE OF CONTENTS

|                                                                                                                                                                                       | <b>Page</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| I. INTRODUCTION .....                                                                                                                                                                 | 1           |
| II. GROUND 1: YUEN IN VIEW OF MESTAS DOES NOT RENDER CLAIMS 1, 11, AND 13-20 UNPATENTABLE .....                                                                                       | 1           |
| A. The '859 Patent Discloses a Finger Ring Embodiment and a Wrist Worn Embodiment but Claims the Finger Ring Embodiment.....                                                          | 1           |
| 1. Petitioner's Argument that Rings are Commonly Understood to Circle a Neck, Toe, or Wrist Falls Flat. ....                                                                          | 2           |
| 2. Dr. Mercier Did not Testify that Yuen's Toe Band is Synonymous with the '859 Patent's Ring.....                                                                                    | 3           |
| B. Petitioner's Again Attempts to Map Yuen's Flat Electronic Module Housing That Sits On Top of Yuen's Device as the '859's "Ring Housing" that Makes Up the Entire Ring Device ..... | 3           |
| C. If a POSITA were to Look to Mestas to Solve Yuen's Battery Issue, the Resulting Combination Would not Disclose Claim Elements 1[b], 11[c], 14[b].....                              | 6           |
| D. The Yuen-Mestas Combination Fails. ....                                                                                                                                            | 10          |
| III. SCHRÖDER IN VIEW OF MESTAS DOES NOT RENDER CLAIMS 1, 11, AND 13-20 UNPATENTABLE .....                                                                                            | 10          |
| A. Schröder's Failure to Disclose Limitations 1[A(ii)]/11A, 11[B(i)] and 1[B]/11C is Fatal to Ground 2. ....                                                                          | 10          |
| 1. Schröder does not disclose the shape and size of the battery configured to fit within the cavity of the housing components. ....                                                   | 12          |
| B. Schröder-Mestas does not disclose 1[c]/11[D] and 1[d]/11[E]. ....                                                                                                                  | 16          |
| IV. SECONDARY CONSIDERATIONS .....                                                                                                                                                    | 17          |
| A. Oura is entitled to presumption of nexus. ....                                                                                                                                     | 17          |
| B. Oura is a commercial success. ....                                                                                                                                                 | 20          |
| 1. Petitioner's claim that sales are based on unclaimed features is false. ....                                                                                                       | 22          |
| 2. Petitioner's argument that contribution from Gens. 3 and 4 to Oura fails to show success is also flawed. ....                                                                      | 25          |
| 3. Petitioner's argument that Oura did not create a market segment within the wearable market is legally deficient. ....                                                              | 26          |
| C. Evidence of copying of Oura Ring by the Industry. ....                                                                                                                             | 26          |

**TABLE OF CONTENTS**  
(continued)

|                                                     | <b>Page</b> |
|-----------------------------------------------------|-------------|
| D. The '859 Patent fulfilled a long-felt need. .... | 27          |
| V. CONCLUSION.....                                  | 28          |

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

### **TABLE OF EXHIBITS**

| <b>Exhibit No.</b> | <b>Description</b>                                                                                                           |
|--------------------|------------------------------------------------------------------------------------------------------------------------------|
| 2001               | TIME, The Best Inventions of 2020 (Nov. 19, 2020) (“TIME 2020 Inventions”)                                                   |
| 2002               | James Stables, Why the Oura Ring Gen 3 was our wearable of the year, Wareable (Dec. 22, 2022) (“Wareable 2022”)              |
| 2003               | Business Wire, On the Heels of 1 Million Rings Sold, Oura Now Valued at \$2.55 Billion (Apr. 5, 2022) (“Business Wire 2022”) |
| 2004               | U.S. Patent App. Pub. No. 2005/0062454 to Raghunath et al. (“Raghunath”)                                                     |
| 2005               | U.S. Patent App. Pub. No. 2012/0293107 to Ajagbe (“Ajagbe”)                                                                  |
| 2006               | U.S. Patent App. Pub. No. 2013/0106603 to Weast et al. (“Weast”)                                                             |
| 2007               | CN Patent Application No. 103109462 to Mastandrea et al. (“Mastandrea CN ’462”)                                              |
| 2008               | Non-Final Office Action for U.S. App. No. 16/224,686 (Oct. 2, 2019) for ’666 Patent                                          |
| 2009               | Notice of Allowance for U.S. App. No. 18/323,385 (Nov. 15, 2023) for ’178 Patent                                             |
| 2010               | Response to Non-Final Office Action for U.S. App. No. 16/224,686 (Apr. 2, 2020) for ’666 Patent                              |
| 2011               | Notice of Allowance for U.S. App. No. 16/224,686 (May 4, 2020) for ’666 Patent                                               |
| 2012               | George Lawton, Active vs. passive RFID tags: Which to choose, TechTarget ERP (Nov. 7, 2022) (“Lawton”)                       |
| 2013               | U.S. Patent App. Pub. No. 2015/0277559 to Vescovi et al. (“Vescovi”)                                                         |
| 2014               | <b>RESERVED</b>                                                                                                              |

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

| <b>Exhibit No.</b> | <b>Description</b>                                                                                                                                                                         |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2015               | <b>RESERVED</b>                                                                                                                                                                            |
| 2016               | <b>RESERVED</b>                                                                                                                                                                            |
| 2017               | <b>RESERVED</b>                                                                                                                                                                            |
| 2018               | Declaration of Dr. Patrick Mercier.                                                                                                                                                        |
| 2019               | Declaration of Andrew Clarke, CFA ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> )                                                                                      |
| 2020               | Deposition Transcript of Dr. Brian Anthony, Volume I, dated February 25, 2025                                                                                                              |
| 2021               | Deposition Transcript of Dr. Brian Anthony, Volume II, dated February 25, 2025                                                                                                             |
| 2022               | <b>RESERVED</b>                                                                                                                                                                            |
| 2023               | Wikipedia - Printed Circuit Board (Dr. Anthony Depo. Ex. 4)                                                                                                                                |
| 2024               | Inv. No. 337-TA-1398 Evidentiary Hearing Transcript, Day 1, dated December 11, 2024 and Day 3, dated December 13, 2024 ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> ) |
| 2025               | U.S. Patent No. 5,964,701 to Asada                                                                                                                                                         |
| 2026               | Coin Cell vs. Button Cell vs. Pouch Cell: Understanding the Differences                                                                                                                    |
| 2027               | Ultrahuman Air Ring Teardown Images                                                                                                                                                        |
| 2028               | RingConn Smart Ring Teardown Images                                                                                                                                                        |
| 2029               | Oura Ring Gen. 3 Tear Down Images                                                                                                                                                          |

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

| Exhibit No. | Description                                                                                                                                                                                                                                                                                                                                                 |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2030        | Oura Ring Gen. 4 Tear Down Images                                                                                                                                                                                                                                                                                                                           |
| 2031        | Capture from Go Inside Oura Ring Video                                                                                                                                                                                                                                                                                                                      |
| 2032        | Capture of Oura Ring Instagram Page Site                                                                                                                                                                                                                                                                                                                    |
| 2033        | The Motiv Ring User's Manual, available at <a href="https://mymotiv.com/static/assets/the-motiv-ring-users-manual.pdf">https://mymotiv.com/static/assets/the-motiv-ring-users-manual.pdf</a>                                                                                                                                                                |
| 2034        | Schematic, Oura Ring Gen. 1 ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> )                                                                                                                                                                                                                                                             |
| 2035        | Samsung Electronics Co., Ltd. Business Report for the Year Ended December 31, 2023                                                                                                                                                                                                                                                                          |
| 2036        | Arjun Kharpal, Samsung launches the Galaxy Ring — a first-of-its-kind product for the tech giant, CNBC, available at: <a href="https://www.cnbc.com/2024/07/10/samsung-galaxy-ring-launch-price-specs-feature-availability.html">https://www.cnbc.com/2024/07/10/samsung-galaxy-ring-launch-price-specs-feature-availability.html</a>                       |
| 2037        | Maria Diaz, Samsung unveils Galaxy Ring: Key features, price, and everything you need to know, Zdnet, available at: <a href="https://www.zdnet.com/article/samsung-unveils-galaxy-ring-key-features-price-and-everything-you-need-to-know">https://www.zdnet.com/article/samsung-unveils-galaxy-ring-key-features-price-and-everything-you-need-to-know</a> |
| 2038        | Explore Galaxy Ring, Samsung US, available at: <a href="https://www.samsung.com/us/rings/galaxy-ring/#health">https://www.samsung.com/us/rings/galaxy-ring/#health</a>                                                                                                                                                                                      |
| 2039        | Galaxy Ring, Titanium Black, Size 11, available at: <a href="https://www.samsung.com/us/rings/galaxy-ring/buy/galaxy-ring-size-11-titanium-black-sm-q501nzkaxar/">https://www.samsung.com/us/rings/galaxy-ring/buy/galaxy-ring-size-11-titanium-black-sm-q501nzkaxar/</a>                                                                                   |
| 2040        | Oura Ring Privacy Policy Oura Health, Ouraring, available at: <a href="https://ouraring.com/privacy-policy">https://ouraring.com/privacy-policy</a>                                                                                                                                                                                                         |
| 2041        | <b>RESERVED</b>                                                                                                                                                                                                                                                                                                                                             |
| 2042        | Oura Ring Terms. and Conditions, Ouraring, available at: <a href="https://ouraring.com/terms-and-conditions">https://ouraring.com/terms-and-conditions</a>                                                                                                                                                                                                  |
| 2043        | Oura Health Launches Oura Ring Generation 3, Business Wire, available at: <a href="https://www.businesswire.com/news/home/20211026005340/en/%C5%8CU-RA-Health-Launches-Oura-Ring-Generation-3">https://www.businesswire.com/news/home/20211026005340/en/%C5%8CU-RA-Health-Launches-Oura-Ring-Generation-3</a>                                               |

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

| <b>Exhibit No.</b> | <b>Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2044               | Oura Ring, About Us, Ouraring, available at: <a href="https://ouraring.com/about-us">https://ouraring.com/about-us</a>                                                                                                                                                                                                                                                                                                                     |
| 2045               | Oura Helping Millions of People Improve Their Health, Surpasses 2.5 Million Rings Sold, Business Wire, available at: <a href="https://www.businesswire.com/news/home/20240614157633/en/%C5%8CURA-Helping-Millions-of-People-Improve-Their-Health-Surpasses-2.5-Million-Rings-Sold">https://www.businesswire.com/news/home/20240614157633/en/%C5%8CURA-Helping-Millions-of-People-Improve-Their-Health-Surpasses-2.5-Million-Rings-Sold</a> |
| 2046               | Oura Homepage, available at: <a href="https://ouraring.com/">https://ouraring.com/</a>                                                                                                                                                                                                                                                                                                                                                     |
| 2047               | The Origins and Evolution of Oura Ring, available at: <a href="https://ouraring.com/blog/history-of-oura/">https://ouraring.com/blog/history-of-oura/</a>                                                                                                                                                                                                                                                                                  |
| 2048               | Maria Diaz, Samsung Galaxy Ring vs. Oura Ring: Which Wearable Should you buy?, Zdnet, available at: <a href="https://www.zdnet.com/article/samsung-galaxy-ring-vs-oura-ring-which-wearable-should-you-buy/">https://www.zdnet.com/article/samsung-galaxy-ring-vs-oura-ring-which-wearable-should-you-buy/</a>                                                                                                                              |
| 2049               | Explore the Benefits of Oura: Smart Rings for Wellness, Why Oura, Ouraring, available at: <a href="https://ouraring.com/why-oura">https://ouraring.com/why-oura</a>                                                                                                                                                                                                                                                                        |
| 2050               | Arjun Kharpal, Smart ring leader Oura plans international push as CEO touts new features and thinking on hardware, CNBC, available at: <a href="https://www.cnbc.com/2024/11/14/oura-plans-international-expansion-tests-nutrition-and-ai-features.html">https://www.cnbc.com/2024/11/14/oura-plans-international-expansion-tests-nutrition-and-ai-features.html</a>                                                                       |
| 2051               | Oura Ring Membership, Oura, available at: <a href="https://ouraring.com/membership">https://ouraring.com/membership</a>                                                                                                                                                                                                                                                                                                                    |
| 2052               | Previous Oura Ring Generations, Oura Help, available at: <a href="https://support.ouraring.com/hc/en-us/articles/360025570153-Previous-Oura-Ring-Generations">https://support.ouraring.com/hc/en-us/articles/360025570153-Previous-Oura-Ring-Generations</a>                                                                                                                                                                               |
| 2053               | Software Updates for iOS, Oura Help, available at: <a href="https://support.ouraring.com/hc/en-us/articles/360025570013-Software-Updates-for-iOS">https://support.ouraring.com/hc/en-us/articles/360025570013-Software-Updates-for-iOS</a>                                                                                                                                                                                                 |
| 2054               | Software Updates for Android, Oura Help, available at: <a href="https://support.ouraring.com/hc/en-us/articles/10470796678035-Software-Updates-for-Android">https://support.ouraring.com/hc/en-us/articles/10470796678035-Software-Updates-for-Android</a>                                                                                                                                                                                 |
| 2055               | Introducing the New Oura Ring Generation 3, Oura The Pulse Blog, available at: <a href="https://ouraring.com/blog/oura-generation2-vs-generation3/">https://ouraring.com/blog/oura-generation2-vs-generation3/</a>                                                                                                                                                                                                                         |
| 2056               | Shop Oura, Ring Gen3: Choose your Style, Heritage, Silver, available at: <a href="https://ouraring.com/product/rings/oura-gen3/heritage/silver">https://ouraring.com/product/rings/oura-gen3/heritage/silver</a>                                                                                                                                                                                                                           |

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

| Exhibit No. | Description                                                                                                                                                                                                                                                                                                                                                                    |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2057        | Shop Oura, Ring Gen3: Choose your Style, Horizon, Silver, available at: <a href="https://ouraring.com/product/rings/oura-gen3/horizon/silver">https://ouraring.com/product/rings/oura-gen3/horizon/silver</a>                                                                                                                                                                  |
| 2058        | Oura Ring 4 — everything we know so far about the next generation smart ring, Tom's Guide, available at: <a href="https://www.tomsguide.com/wellness/fitness-trackers/oura-ring-4">https://www.tomsguide.com/wellness/fitness-trackers/oura-ring-4</a>                                                                                                                         |
| 2059        | Oura Ring 4, Oura Help, available at: <a href="https://support.ouraring.com/hc/en-us/articles/33045011508115-Oura-Ring-4">https://support.ouraring.com/hc/en-us/articles/33045011508115-Oura-Ring-4</a>                                                                                                                                                                        |
| 2060        | Adrienne So, Review: Oura Ring 4, Wired, available at: <a href="https://www.wired.com/review/oura-ring-4/">https://www.wired.com/review/oura-ring-4/</a>                                                                                                                                                                                                                       |
| 2061        | Shop Oura, Ring Gen4: Choose your Style, available at: <a href="https://ouraring.com/product/rings/oura-ring-4/silver">https://ouraring.com/product/rings/oura-ring-4/silver</a>                                                                                                                                                                                               |
| 2062        | Oura Ring 4 - Silver - Size 8 - Smart Ring - Size First with Oura Ring 4 Sizing Kit - Sleep Tracking Wearable - Heart Rate - Fitness Tracker - Up to 8 Days of Battery Life, Amazon, available at: <a href="https://www.amazon.com/Oura-Ring-Tracking-Wearable-Fitness/dp/B0D9WVSZ56/?th=1">https://www.amazon.com/Oura-Ring-Tracking-Wearable-Fitness/dp/B0D9WVSZ56/?th=1</a> |
| 2063        | Oura Units and membership detail (May 2024) ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> )                                                                                                                                                                                                                                                                |
| 2064        | How to Use the Oura App, Oura Help, available at: <a href="https://support.ouraring.com/hc/en-us/articles/360058599753-How-to-Use-the-Oura-App">https://support.ouraring.com/hc/en-us/articles/360058599753-How-to-Use-the-Oura-App</a>                                                                                                                                        |
| 2065        | Set Up the Oura App, Oura Help, available at: <a href="https://support.ouraring.com/hc/en-us/articles/360058634153-Set-Up-the-Oura-App">https://support.ouraring.com/hc/en-us/articles/360058634153-Set-Up-the-Oura-App</a>                                                                                                                                                    |
| 2066        | What Makes the Oura Ring Different? Oura The Pulse Blog, available at: <a href="https://ouraring.com/blog/the-oura-difference/">https://ouraring.com/blog/the-oura-difference/</a>                                                                                                                                                                                             |
| 2067        | Oura Launches Gen3 Ring, Monthly Subscription, Fitt Insider, available at: <a href="https://insider.fitt.co/oura-launches-gen3-ring-monthly-subscription/">https://insider.fitt.co/oura-launches-gen3-ring-monthly-subscription/</a>                                                                                                                                           |
| 2068        | Michael Shirer, IDC Forecasts Continued Growth for Wearables But Growth Will Be Uneven Across Product Categories, IDC, available at: <a href="https://www.idc.com/getdoc.jsp?containerId=prUS52615024">https://www.idc.com/getdoc.jsp?containerId=prUS52615024</a>                                                                                                             |
| 2069        | Smartwatch Market Size, Share & Industry Analysis, By Operating System (iOS, Android, and Others), By End-User (Male and Female), By Application (Running, Checking Notifications, Swimming, Cycling, and Others), and Regional Forecast, 2025-2032, Fortune Business Insights,                                                                                                |

Case IPR2024-01077

U.S. Patent No. 10,139,859

Patent Owner Sur-Reply

| Exhibit No. | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             | available at: <a href="https://www.fortunebusinessinsights.com/smartwatch-market-106625">https://www.fortunebusinessinsights.com/smartwatch-market-106625</a>                                                                                                                                                                                                                                                                                                   |
| 2070        | Fitness Tracker Market Size, Share & Trends Analysis Report By Type, By Application, By Wearing Type, By Distribution Channel, By Region, And Segment Forecasts, 2025 - 2030, Research and Markets, available at: <a href="https://www.researchandmarkets.com/reports/5390580/fitness-tracker-market-size-share-and-trends">https://www.researchandmarkets.com/reports/5390580/fitness-tracker-market-size-share-and-trends</a>                                 |
| 2071        | Kate Kozuch, What is a smart ring and what can it do for you? Tom's guide, available at: <a href="https://www.tomsguide.com/wellness/fitness-trackers/what-is-a-smart-ring-and-what-can-it-do-for-you">https://www.tomsguide.com/wellness/fitness-trackers/what-is-a-smart-ring-and-what-can-it-do-for-you</a>                                                                                                                                                  |
| 2072        | Introducing Galaxy Ring: Samsung's First Smart Ring, Samsung UK, available at: <a href="https://www.samsung.com/uk/mobile-phone-buying-guide/introducing-samsung-galaxy-ring/">https://www.samsung.com/uk/mobile-phone-buying-guide/introducing-samsung-galaxy-ring/</a>                                                                                                                                                                                        |
| 2073        | Smart Ring Market Size by Technology (Bluetooth, NFC), By Application (Health and Wellness, Payment, Data Transfer, Notification Scope and Forecast), Verified Market Research, available at: <a href="https://www.verifiedmarketresearch.com/product/global-smart-ring-market-size-and-forecast/">https://www.verifiedmarketresearch.com/product/global-smart-ring-market-size-and-forecast/</a>                                                               |
| 2074        | Nina Raemont, The Best Smart Rings of 2025: Expert tested and reviewed, Zdnet, available at: <a href="https://www.zdnet.com/article/best-smart-ring/">https://www.zdnet.com/article/best-smart-ring/</a>                                                                                                                                                                                                                                                        |
| 2075        | Frederick Stanbrell, The Future of Smart Rings, IDC, available at: <a href="https://blogs.idc.com/2024/10/23/the-future-of-smart-rings/">https://blogs.idc.com/2024/10/23/the-future-of-smart-rings/</a>                                                                                                                                                                                                                                                        |
| 2076        | Jitesh Ubrani, Wearable Devices Market Insights, IDC, available at: <a href="https://www.idc.com/promo/wearablevendor">https://www.idc.com/promo/wearablevendor</a>                                                                                                                                                                                                                                                                                             |
| 2077        | Kalyani Raje, Smart Rings Market Report 2025 (Global Edition), Cognitive Market Research, available at: <a href="https://www.cognitivemarketresearch.com/smart-rings-market-report">https://www.cognitivemarketresearch.com/smart-rings-market-report</a>                                                                                                                                                                                                       |
| 2078        | Victoria Song, This might be the year of the smart ring, The Verge, available at: <a href="https://www.theverge.com/2024/1/12/24034978/smart-ring-oura-ring-evie-ring-zepp-helio-ces-2024">https://www.theverge.com/2024/1/12/24034978/smart-ring-oura-ring-evie-ring-zepp-helio-ces-2024</a>                                                                                                                                                                   |
| 2079        | Smart Ring Market to Reach USD 1,405.1 Million by 2032 Report by DataHorizon Research, GlobeNewswire, available at: <a href="https://www.globenewswire.com/news-release/2023/10/27/2768392/0/en/Smart-Ring-Market-To-Reach-USD-1-405-1-Million-By-2032-Report-By-DataHorizzon-Research.html">https://www.globenewswire.com/news-release/2023/10/27/2768392/0/en/Smart-Ring-Market-To-Reach-USD-1-405-1-Million-By-2032-Report-By-DataHorizzon-Research.html</a> |
| 2080        | Tim Bajarin, The Rise of Wearable Smart Rings, Forbes, available at: <a href="https://forbes.com/sites/timbajarin/2024/08/29/the-rise-of-wearable-smart-rings/">https://forbes.com/sites/timbajarin/2024/08/29/the-rise-of-wearable-smart-rings/</a>                                                                                                                                                                                                            |

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

| Exhibit No. | Description                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2081        | Zdnet About Us, Zdnet, available at: <a href="https://www.zdnet.com/about/">https://www.zdnet.com/about/</a>                                                                                                                                                                                                                                                                                                |
| 2082        | Maria Diaz, Sorry, Oura and Samsung: Apple Ring reportedly 'imminent', Zdnet, available at: <a href="https://www.zdnet.com/article/sorry-oura-and-samsung-apple-ring-reportedly-imminent/">https://www.zdnet.com/article/sorry-oura-and-samsung-apple-ring-reportedly-imminent/</a>                                                                                                                         |
| 2083        | About CCS Insight, CCS Insight, available at: <a href="https://www.ccsinsight.com/about-ccs-insight/">https://www.ccsinsight.com/about-ccs-insight/</a>                                                                                                                                                                                                                                                     |
| 2084        | Gillian Tan et al., Oura Health is Said in Talks for Funding at \$800 Million Value, Bloomberg, available at: <a href="https://www.bloomberg.com/news/articles/2021-04-29/oura-health-is-said-in-talks-for-funding-at-800-million-value?embedded-checkout=true">https://www.bloomberg.com/news/articles/2021-04-29/oura-health-is-said-in-talks-for-funding-at-800-million-value?embedded-checkout=true</a> |
| 2085        | Alexis McDowell, On the Heels of 1 Million Rings Sold, Oura Now Valued at \$2.55 Billion, Businesswire, available at: <a href="https://www.businesswire.com/news/home/20220405006108/en/On-the-Heels-of-1-Million-Rings-Sold-Oura-Now-Valued-at-2.55-Billion">https://www.businesswire.com/news/home/20220405006108/en/On-the-Heels-of-1-Million-Rings-Sold-Oura-Now-Valued-at-2.55-Billion</a>             |
| 2086        | Kate Brinks, Investments from Fidelity Management & Research Company and Dexcom bring ŌURA valuation to \$5.2 billion, Businesswire, available at: <a href="https://www.businesswire.com/news/home/20241219533815/en/%C5%8CURA-Secures-200-Million-in-Series-D-Funding">https://www.businesswire.com/news/home/20241219533815/en/%C5%8CURA-Secures-200-Million-in-Series-D-Funding</a>                      |
| 2087        | ŌURA Reaches Milestone of 600+ Partnerships and Integrations as It Builds a Large-Scale Ecosystem, Business Wire, available at: <a href="https://www.businesswire.com/news/home/20231130504304/en/">https://www.businesswire.com/news/home/20231130504304/en/</a>                                                                                                                                           |
| 2088        | Dexcom and ŌURA Announce Strategic Partnership, Dexcom, available at: <a href="https://investors.dexcom.com/news/news-details/2024/Dexcom-and-URA-Announce-Strategic-Partnership/default.aspx">https://investors.dexcom.com/news/news-details/2024/Dexcom-and-URA-Announce-Strategic-Partnership/default.aspx</a>                                                                                           |
| 2089        | Elizabeth Ostertag, Oura, Samsung & More: The Smart Ring Era is Here, available at: <a href="https://athlechnews.com/oura-samsung-more-the-smart-ring-era-is-here/">https://athlechnews.com/oura-samsung-more-the-smart-ring-era-is-here/</a>                                                                                                                                                               |
| 2090        | Athlechn News About Us, Athlechn, available at: <a href="https://athlechnews.com/about-us/">https://athlechnews.com/about-us/</a>                                                                                                                                                                                                                                                                           |
| 2091        | Nina Raemont, We've entered the era of the smart ring. Here's why it will shake up the wearables market, available at: <a href="https://www.zdnet.com/article/weve-entered-the-era-of-the-smart-ring-heres-why-it-will-shake-up-the-wearables-market/">https://www.zdnet.com/article/weve-entered-the-era-of-the-smart-ring-heres-why-it-will-shake-up-the-wearables-market/</a>                            |
| 2092        | Vlad Savov, Review: Oura's Ring 4 leads the emerging market for smart rings, The Seattle Times, available at: <a href="https://www.seattletimes.com/business/review-ouras-ring-4-leads-the-emerging-smart-ring-market/">https://www.seattletimes.com/business/review-ouras-ring-4-leads-the-emerging-smart-ring-market/</a>                                                                                 |

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

| Exhibit No. | Description                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2093        | Carlton, Dennis W., and Jeffrey M. Perloff, <i>Modern Industrial Organization</i> , Fourth Edition, Pearson Education Limited, 2015.                                                                                                                                                                                                                                                                        |
| 2094        | David Phelan, Oura Ring: CEO Talks Health, Fitness And the Challenge of Samsung's Galaxy Ring, Forbes, available at: <a href="https://www.forbes.com/sites/davidphelan/2024/08/09/oura-ring-ceo-talks-health-fitness-and-the-challenge-of-samsungs-galaxy-ring/">https://www.forbes.com/sites/davidphelan/2024/08/09/oura-ring-ceo-talks-health-fitness-and-the-challenge-of-samsungs-galaxy-ring/</a>      |
| 2095        | Yujin Roh and Sungjin Kim, Behind the Scenes of Galaxy Ring: Product Planning a Game Changer in Health Management, Samsung Newsroom U.S., available at: <a href="https://news.samsung.com/us/behind-the-scenes-of-galaxy-ring-product-planning-a-game-changer-in-health-management/">https://news.samsung.com/us/behind-the-scenes-of-galaxy-ring-product-planning-a-game-changer-in-health-management/</a> |
| 2096        | Gwin, C. F., and Gwin, C. R., “Product Attributes Model: A Tool for Evaluating Brand Positioning,” <i>Journal of Marketing Theory and Practice</i> , Vol. 11, No. 2, (Spring 2003): 30-42.                                                                                                                                                                                                                  |
| 2097        | Moorman, C., and Rust, R. T., “The Role of Marketing,” <i>Journal of Marketing</i> , Vol. 63, Issue. 4, Suppl. 1. (October 1999): 180-197.                                                                                                                                                                                                                                                                  |
| 2098        | Web Archive, Oura Ring Products Ring, July 10, 2024, Ouraring, available at: <a href="https://web.archive.org/web/20240710142034/https://ouraring.com/product/rings">https://web.archive.org/web/20240710142034/https://ouraring.com/product/rings</a>                                                                                                                                                      |
| 2099        | Victoria Song, Oura Ring Generation 3 review: a relationship for the long term, available at: <a href="https://www.theverge.com/22789248/oura-ring-3-review-sleep-tracker-fitness-tracker">https://www.theverge.com/22789248/oura-ring-3-review-sleep-tracker-fitness-tracker</a>                                                                                                                           |
| 2100        | Talene Appleton, Oura Ring Gen3: We Tried It, and Here's Our Unfiltered Opinion, Men's Health, available at: <a href="https://www.menshealth.com/fitness/a44110211/oura-ring-review/">https://www.menshealth.com/fitness/a44110211/oura-ring-review/</a>                                                                                                                                                    |
| 2101        | Oura, Discover Oura's health, fitness, and sleep rings, Our, available at: <a href="https://www.ouraring.com/product/rings">https://www.ouraring.com/product/rings</a>                                                                                                                                                                                                                                      |
| 2102        | Kate Kozuch, Oura Ring 4 review: the new gold standard for smart rings, Tom's Guide, available at: <a href="https://www.tomsguide.com/wellness/fitness-trackers/oura-ring-4-review">https://www.tomsguide.com/wellness/fitness-trackers/oura-ring-4-review</a>                                                                                                                                              |
| 2103        | Samsung Electronics Co., Ltd. and Its Subsidiaries Consolidated Statements of Profit or Loss For the Years Ended December 31, 2020 and 2021                                                                                                                                                                                                                                                                 |
| 2104        | Samsung Electronics Co., Ltd. and Its Subsidiaries Consolidated Statements of Profit or Loss For the Years Ended December 31, 2021 and 2022                                                                                                                                                                                                                                                                 |
| 2105        | Samsung Electronics Co., Ltd. and Its Subsidiaries Consolidated Statements of Profit or Loss For the Years Ended December 31, 2022 and 2023                                                                                                                                                                                                                                                                 |

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

| <b>Exhibit No.</b> | <b>Description</b>                                                                                                                                                           |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2106               | Samsung Electronics Co., Ltd. and Its Subsidiaries Interim Consolidated Statements of Profit or Loss For the Three- and Nine-Month Periods Ended September 30, 2023 and 2024 |
| 2107               | FY22 USD Consolidated Income Statement ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> )                                                                   |
| 2108               | FY23 USD Consolidated Income Statement ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> )                                                                   |
| 2109               | FY24 USD Consolidated Income Statement ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> )                                                                   |
| 2110               | Q1 FY25 USD Consolidated Income Statement ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> )                                                                |
| 2111               | Rings sold ALL TIME – Cumulative ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> )                                                                         |
| 2112               | Gross Booked Walk ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> )                                                                                        |
| 2113               | Ultrahuman Marketing Graphics                                                                                                                                                |
| 2114               | RingConn Marketing Graphics                                                                                                                                                  |
| 2115               | Pingu: Another User-friendly Interface Device 2012                                                                                                                           |
| 2116               | Initial Determination of the U.S. International Trade Commission on Validity of the '178 patent (April 18, 2025)                                                             |
| 2117               | Merriam-Webster Definitions: Ring, Bracelet, Necklace, Band                                                                                                                  |
| 2118               | The Pulse Blog (Oura Team), Technology in Oura Ring Gen3 (Feb. 7, 2024) (“Pulse Blog 2024”)                                                                                  |
| 2119               | Oura Website, Discover Oura's health, fitness, and sleep rings   Oura Ring 4 (Accessed May 9, 2025) (“Oura Gen 4 Web”)                                                       |
| 2120               | Oura Ring Instagram Page, Instagram Post (Sept. 22, 2024) (“Oura Instagram 2024”)                                                                                            |

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

| <b>Exhibit No.</b> | <b>Description</b>                                                                                                                          |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 2121               | <b>RESERVED</b>                                                                                                                             |
| 2122               | Inv. No. 337-TA-1398 ALJ Final Initial Determination on Violation and Recommended Determination on Remedy and Bond, April 18, 2025 (Public) |
| 2123               | Inv. No. 337-TA-1398, Notice of the Commission's Final Determination, Aug. 21, 2025                                                         |
| 2124               | Inv. No. 337-TA-1398, Commission Opinion, Aug. 21, 2025 (Public)                                                                            |
| 2125               | Inv. No. 337-TA-1398 Complainants' Pre-Hearing Brief (Public)                                                                               |
| 2126               | Inv. No. 337-TA-1398 Respondents' Pre-Hearing Brief (Public)                                                                                |
| 2127               | Inv. No. 337-TA-1398 Staff Pre-Hearing Brief (Public)                                                                                       |
| 2128               | Inv. No. 337-TA-1398 Complainants' Initial Post-Hearing Brief (Public)                                                                      |
| 2129               | Inv. No. 337-TA-1398 Respondents' Initial Post-Hearing Brief (Public)                                                                       |
| 2130               | Inv. No. 337-TA-1398 Complainants' Responsive Post-Hearing Brief (Public)                                                                   |
| 2131               | Inv. No. 337-TA-1398 Respondents' Responsive Post-Hearing Brief (Public)                                                                    |
| 2132               | Inv. No. 337-TA-1398 Evidentiary Hearing Transcript, Day 4, dated December 16, 2024 (Public)                                                |
| 2133               | Inv. No. 337-TA-1398 Evidentiary Hearing Transcript, Day 5, dated December 17, 2024 (Public)                                                |
| 2134               | Sept. 26, 2025 Ltr. From Members of Congress to Office of the USTR regarding Inv. No. 337-TA-1398                                           |
| 2135               | Deposition Tr. of Mr. Michael Davies ( <b>Outside Attorney's Eyes Only - Protective Order Material</b> )                                    |

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

## I. INTRODUCTION

Oura is a pioneer in the smart ring market, and its Oura Ring is embodied in the claims of the '859 Patent. Petitioner fails to rebut any of Oura's arguments and offers no sound basis for why any challenged claims are unpatentable.

## II. GROUND 1: YUEN IN VIEW OF MESTAS DOES NOT RENDER CLAIMS 1, 11, AND 13-20 UNPATENTABLE

### A. The '859 Patent Discloses a Finger Ring Embodiment and a Wrist Worn Embodiment but Claims the Finger Ring Embodiment.

Petitioner points to two sections of the specification to support its argument that the '859 Patent contemplates a ring wearable computing device that is not a finger-worn ring: the introduction to the detailed description and the conclusion of the patent. Reply at 2-3 (*citing* Ex-1001, 8:50-61 and 43:40-48). The first cite does not support Petitioner's position as it distinguishes between a ring form that can be worn on the finger and "other shapes and form factors" for other portions of the body:

The WCD can be in *the form of a ring* that can be worn on the finger . . . Although the WCD of the present disclosure is depicted as a ring that can be worn on the finger of a user, *other shapes, and form factors* can be used for the WCD. For example, the WCD can be in the form of a *wrist band, bracelet, necklace, earring*.

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

Ex-1001, 8:50-61.<sup>1</sup> This excerpt is clear that the claimed “ring” is worn on a finger and other shapes and form factors, such as a non-ring wristband, would be needed to adopt the device to other parts of the body. These other shapes and form factors are not claimed.

Petitioner’s second cite (Ex-1001 at 43:47-48) fares no better as it supports Patent Owner’s position that a ring embodiment is not intended for the wrist: “The functions and structure of the device lend themselves to both a **ring** version and a **wrist-worn** version.” Ex-1001 at 34:47-48. The ’859 Patent uses “ring” to distinguish away from wrist-worn embodiments here, in the prosecution history (POR at 24-26), and in the claims.

**1. Petitioner’s Argument that Rings are Commonly Understood to Circle a Neck, Toe, or Wrist Falls Flat.**

Petitioner’s own citation (Ex-1039) discloses that a ring can be “worn **on** a finger [or] **in** the ear, nose or elsewhere.” The ’859 Patent does not disclose a device that pierces through the body of the user to be in the user. Instead, the functions disclosed in the ’859 Patent require that the device be worn on the skin of a user. *See* Ex-1001 at 3:35-54. 24:24-59, 25:11-15. As discussed above and in the POR, the ’859 Patent repeatedly distinguishes between wrist-worn devices and ring-worn devices. Petitioner does not explain why or how a POSITA reading the specification

---

<sup>1</sup> Emphasis added unless stated otherwise.

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

would interpret a “ring” device to mean a device that can pierce the user, or a wrist-worn device.

**2. Dr. Mercier Did not Testify that Yuen’s Toe Band is Synonymous with the ’859 Patent’s Ring.**

Petitioner argues that “Yuen’s ‘toe band’ is a ring because it encircles a person’s toe.” Reply at 4. Petitioner supports this assertion by stating that Dr. Mercier “testified that a ‘ring’ and a ‘band’ are synonymous. *Id.* Petitioner mischaracterizes Dr. Mercier’s testimony. Dr. Mercier testified that a ring and a band **could** refer to the “same basic form factor” but that Yuen “could be describing something that goes around multiple toes at once . . . simply no additional detail beyond [one mention of a toe band] is given in Yuen.” Ex-1081, 160:17-162:17. This is further supported by the dictionary definition of “band” as “a strip serving to join or hold things together,” which markedly distinct from a “ring.” Ex-2117.

**B. Petitioner’s Again Attempts to Map Yuen’s Flat Electronic Module Housing That Sits On Top of Yuen’s Device as the ’859’s “Ring Housing” that Makes Up the Entire Ring Device**

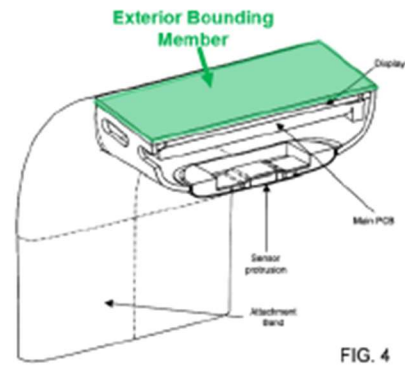
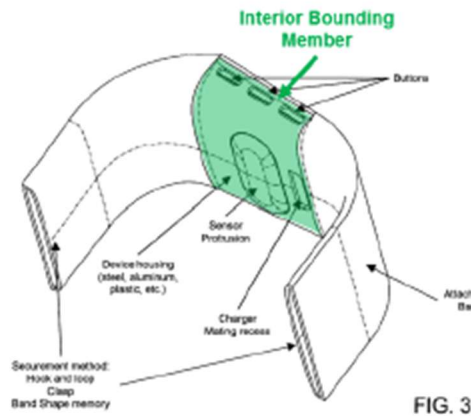
According to Petitioner’s own evidence, a “ring” is an “encircling band,” (Ex-1365 at 3) an “object[] in the form of a circle who center is not filled,” (Ex-1366 at 3) or “a circle which goes round something” (Ex-1367 at 3). Reply at 3-4. According to Petitioner “rings, which **circle** a neck, toe, or wrist, fall under ‘ring’s’ plain meaning.” Reply at 4. Petitioner never applies these structural requirements when

Case IPR2024-01077

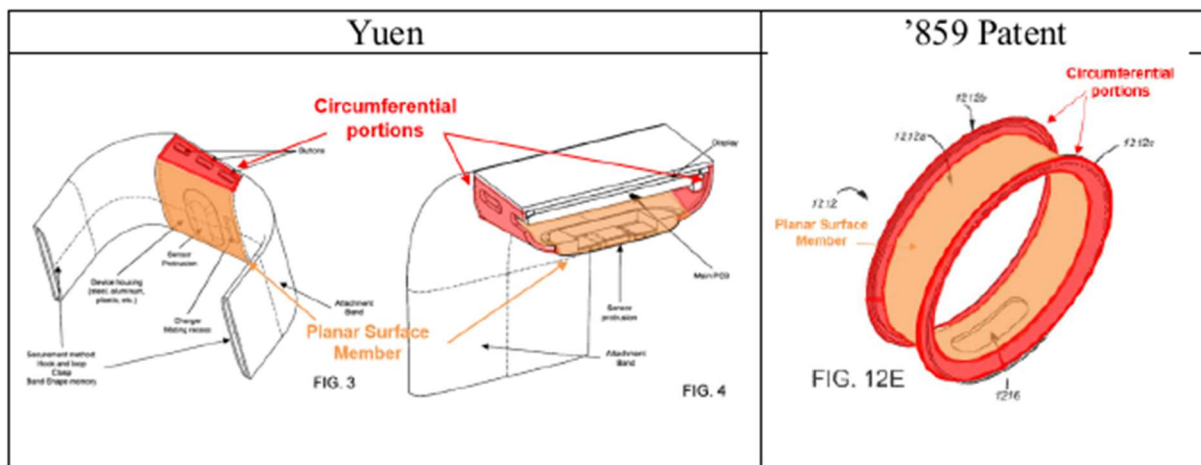
U.S. Patent No. 10,139,859

Patent Owner Sur-Reply

arguing that Mestas and Yuen disclose the “housing” and “ring housing” of claim elements 1[A(ii)], 1[B], and 11[B(i)].



Pet. at 20.



Reply at 8.

Petitioner argues that Yuen’s electronic module housing alone teaches the elements of the housing Elements 1 A(ii) and 11[B(i)]. Pet. at 19. Petitioner later

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

argues that Mestas discloses a curved battery and that a POSITA would curve the electronics alongside Yuen's electronic module housing to better fit the smaller ring form-factor. Pet. at 22-24; Reply at 4-5. While Petitioner does argue that a POSITA would curve the battery, Petitioner never suggests that Mestas's ring housing or battery would be incorporated into Yuen, ("petitioner did not boldly incorporate Mestas's battery into Yuen's ring" Reply at 9.) or that Yuen's electronic module housing would be changed from a housing atop the device, into a ring housing. Rather, Petitioner argues that the electronic module housing atop Yuen's device would be "curved to follow the shape of the device that conforms to the body part underneath it." Pet. at 22; Reply at 4-5. Changing Yuen's flat electric module atop the device to a curved module atop the device does not disclose the "housing" and "ring housing" of claim elements 1[A(ii)], 1[B], and 11[B(i)].

Petitioner's reply argues that a POSITA would have curved a toe band battery to encircle a user's toe, (Reply at 8) yet Petitioner fails to appreciate that Yuen's electric module housing would also need to then be transformed into a ring housing. Petitioner never explains why or how a POSITA would make such transformation. "Petitioner does not present an alternative argument that a finger ring would have been obvious in view of Yuen and Mestas." *Id.*, 26.

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

As discussed in Patent Owner’s Response, Yuen is comprised of two distinct elements—the housing containing the electronics and a band for attaching the housing to the user. POR at 40-41. Petitioner never suggests that a POSITA would consider a band as part of the claimed housing nor that a POSITA would discard the band and extend Yuen’s electronic package into a ring housing as required by the “housing” and “ring housing” limitations of the ’859 Patent.

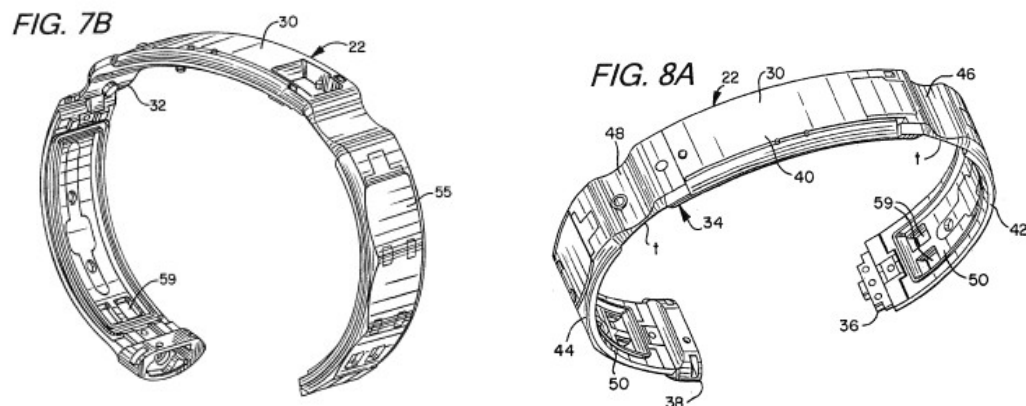
**C. If a POSITA were to Look to Mestas to Solve Yuen’s Battery Issue, the Resulting Combination Would not Disclose Claim Elements 1[b], 11[c], 14[b].**

Petitioner argues that it does not “boldly incorporate Mestas’s battery into Yuen’s ring,” rather a “POSITA would be motivated to use Mestas’s curved battery, properly sized in Yuen to avoid extra thickness or strain.” Reply at 9. Petitioner never explains how a POSITA would combine the two disparate designs. “[T]he prior art, taken as a whole, must enable a POSITA to make and use the claimed invention[]” without undue experimentation. *Raytheon Techs. Corp. v. Gen. Elec. Co.*, 993 F.3d 1374, 1380 (Fed. Cir. 2021). Petitioner omits any such analysis.

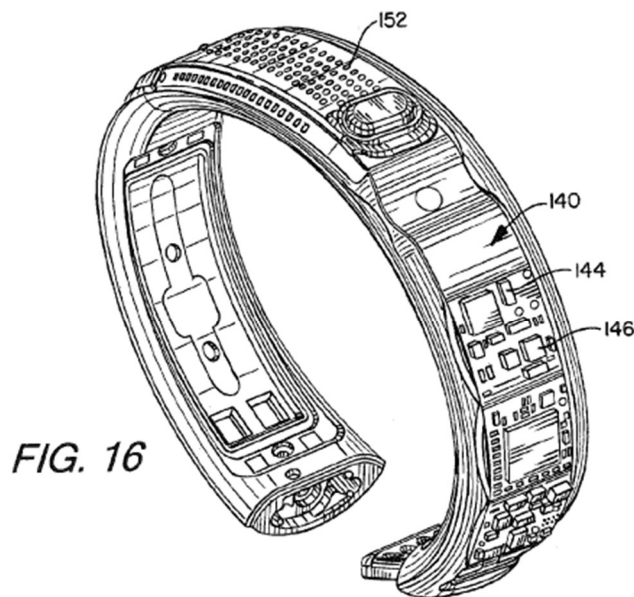
Mestas discloses that “spine member 22 may be considered a chassis member having various components attached thereto” and has an inner surface 32 and an outer surface 30. Ex-1010 at ¶0153. Inner surface 32 has recesses 50, 52 for batteries. *Id.*, ¶0168. Outer surface 30 is proximate to controller 14, and display 30. *Id.*, ¶0155.

Case IPR2024-01077  
 U.S. Patent No. 10,139,859  
 Patent Owner Sur-Reply

External housing 24 is formed around center spine member 22. *Id.*, ¶0157. Mestas also has two cavities, one between the external housing 24 and the external side of spine member 22 that has a controller and a display, and the other internal side of spine member 22 that has the battery recesses.



*Id.*, Fig. 7B, 8A.

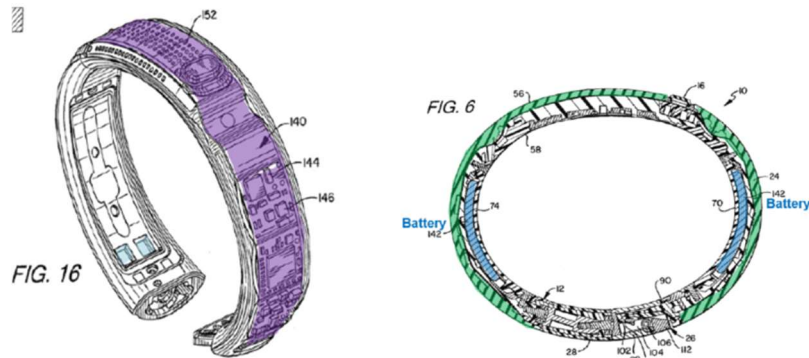


*Id.*, Fig. 16.

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

Mestas's figures 7B, 8A, and 16 clearly show that Mestas's batteries conform to the curvature of recesses 50, 52 of spine member 22, not to the curvature of the external housing. Figure 16, in particular, shows that the battery recesses and PCB are on opposite sides of spine member 22, not within in the same cavity. Mestas does not teach that the curved battery is 1) within the ring housing cavity or 2) that it has an arc that corresponds to the ring housing. Petitioner does not explain why a POSITA would abandon secondary cavities central to Mestas's design if a POSITA looked to Mestas to solve Yuen's battery issue. Rather, Petitioner admits, that "it would have been obvious in view of Mestas, that this shape allows the batteries to be positioned in *recessed compartments 50, 52 without increasing the thickness of the wearable device.*" Pet. at 23. This combination would fail to have the battery within the defined cavity and the battery would be separated from the sensor module and PCB by spine member 22. *See* Petitioner's annotations of Mestas below. (showing the PCB on the external surface of the spine member in purple, and the battery on the interior surface of the spine member in blue.)

Case IPR2024-01077  
 U.S. Patent No. 10,139,859  
 Patent Owner Sur-Reply



Ex-1010 at Fig 6, 16 ; Petition at 12, 24.

Further, in a recent U.S. International Trade Commission (ITC) investigation to a related patent (U.S. Patent No. 11,868,178) on substantially similar claims as presented here, the ALJ and the Commission made number of findings of fact and conclusion of laws that are directly relevant here because the Petition makes many of the same arguments rejected by the ALJ. For instance, Petitioner argues that Yuen’s flat batteries could be replaced by Mestas curved battery and shrunk into a ring form factor, but the ALJ ruled that a similar modification of replacing Schröder’s flat battery with Mestas would come with reduced performance and lower energy density than a flat cell. Ex. 2122 at 96 (“considering wrist devices, the size of the battery would need to change and capacity would be lost”); *Id.* at 105. (“[B]atteries that are flat actually have higher energy density than batteries that are curved.”) Petitioner does not suggest how the Yuen-Mestas combination would overcome these issues.

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

**D. The Yuen-Mestas Combination Fails.**

The Reply (12-13) fails to rebut Patent Owner’s arguments made in the POR. (31-37, 54-56). Petitioner’s additional arguments about adopting Mestas’s curved batteries fail to account for Mestas’s and Yuen’s disparate designs such as Mestas’s additional battery cavities as explained above. While Petitioner is correct that prior art is presumed enabled that does not mean that one passing reference to a toe band in Yuen’s 53 pages enables a toe ring of the ’859’s Patent construction.

**III. SCHRÖDER IN VIEW OF MESTAS DOES NOT RENDER CLAIMS 1, 11, AND 13-20 UNPATENTABLE**

**A. Schröder’s Failure to Disclose Limitations 1[A(ii)]/11A, 11[B(i)] and 1[B]/11C is Fatal to Ground 2.**

Limitations 1[A(ii)]/11A, 11[B(i)] requires a specific structural configuration. A “housing having an interior bounding member and an exterior bounding member.” Ex-1001 at 44:32-37, 45:39-42. Petitioner relies exclusively on Schröder as satisfying these limitations. Pet. at 53-54. Limitations 1[B]/11[C] requires a curved battery positioned in the cavity formed by the housing members. With the exception of *one* passing mention of an unshown optional battery, Schröder fails to disclose any of the structural elements of 1[B]/11[C].

Schröder does not suggest positioning a battery between interior and exterior bounding members—instead, it suggests the opposite. In the ITC investigation, the ALJ concluded that “Schröder’s design, while disclosing separate housing

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

components, only contemplates the inclusion of an inlay between them” and “Dr. Rosing credibly testified that one of skill would understand that the thickness of Schroder’s inlay is on the order of 100 microns.” Ex. 2122 at 101. Dr. Mercier offered same evidence here that Dr. Anthony does not dispute. Ex. 1081 at 96:1-9. Critically, the ALJ concluded that Schröder does not disclose a battery within the inlay:

Schröder, however, does not in fact disclose that the battery would be in the cavity of Fig. 4. Schröder discusses the possibility of a battery (although it does not show it) when addressing Fig. 3 but not when addressing the embodiment shown in Fig. 4. In Fig. 3, the chip module 10 is disposed above and outside of the inlay 12. While Schröder explains that the battery is ‘connected to the chip module 10’ . . . there is no disclosure in Schröder that the battery is disposed in the inlay embodiment of Fig. 4. While respondents contend that ‘Schröder also discloses that the battery can reside within the curved recess shown in Figures 4-10 and would be connected to the chip module 10 that resides within the recess between components 16 and 18,’ . . . there is, simply no such disclosure in Schröder.

Ex. 2122 at 104-105. “Read in context, the evidence supports that one of skill would understand that Schröder’s battery would be placed adjacent to the chip module 10 of Fig. 3.” *Id.* at 106.

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

In addition, the ALJ made a factual determination that a POSITA would not have implemented curved batteries in Schröder over flat batteries positioned external to the inlay because “batteries that are flat actually have higher energy density than batteries that are curved.” *Id.* at 105. And Petitioner’s justification here that a POSITA would use curved batteries of Mestas in order to allow for larger batteries (Pet. at 56; *id.*, at 24) conflicts with the findings of the ALJ that such modification would come with reduced performance and lower energy density than a flat cell. Ex. 2122 at 96 (“considering wrist devices, the size of the battery would need to change and capacity would be lost”).

Petitioner offers no evidence that is different than that offered by respondent’s expert at the ITC.

**1. Schröder does not disclose the shape and size of the battery configured to fit within the cavity of the housing components.**

Petitioner’s hindsight-driven arguments continue when it argues that a POSITA would implement a battery internal to Schröder. This is contrary to all the evidence as recognized by the ITC on similar claims as discussed above. Petitioner’s own expert declaration refutes that a POSITA would implement a battery internal to Schröder, repeatedly pointing to rings where the components, including the battery, are placed *externally*:

Case IPR2024-01077  
 U.S. Patent No. 10,139,859  
 Patent Owner Sur-Reply

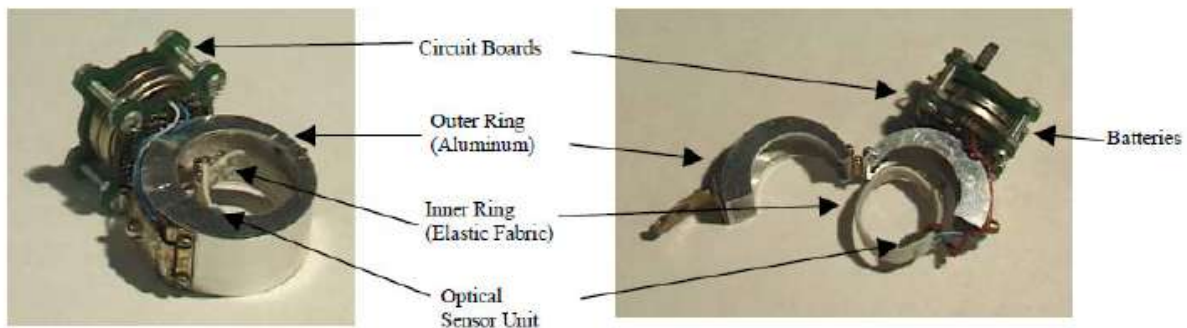


Figure 1 : Isolating ring sensor designed for motion artifact minimization

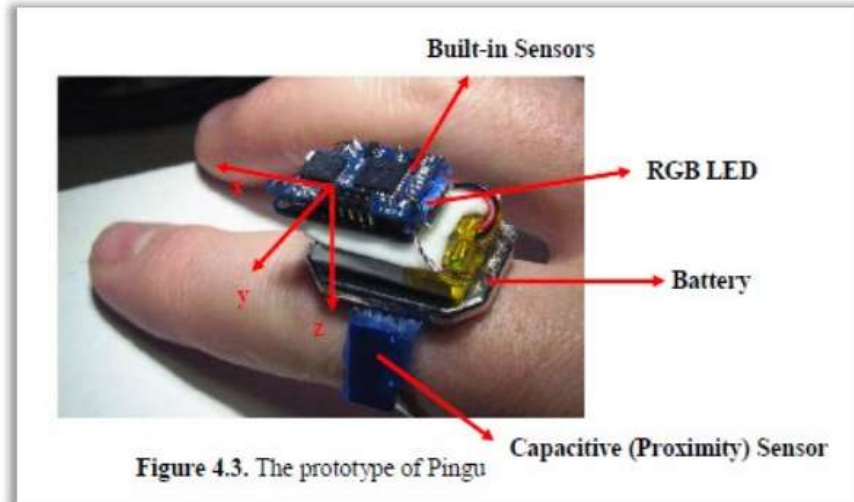
Ex-1002, ¶71 (citing Ex-1032).



*Id.*, ¶43 (citing Ex-1037, 7).

This is consistent with Dr. Mercier's explanation of the state of the art in 2013. Ex-2018, ¶¶73-87. As Dr. Mercier explained, in 2012-2013, the components were stacked on top of the ring:

Case IPR2024-01077  
 U.S. Patent No. 10,139,859  
 Patent Owner Sur-Reply



Ex-2115, 31.

Dr. Mercier's own efforts in creating a smart ring in 2013 as he was establishing the Center of Wearable Sensors at UCSD also undercuts Petitioner's premise. Ex-2018, ¶85. Dr. Mercier testified:

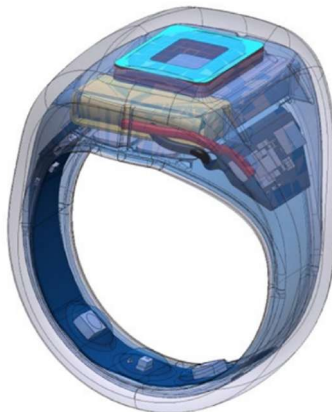
[I]n the 2012-2013 time frame, as I was beginning to launch the center ...I was aware of smart ring designs, including...the designs by Professor Harry Asada at MIT, in part because that's where I went to grad school, and I met with him there....And I very quickly concluded that the most logical way to build such a design was to follow the prior art, including Professor Asada's and the other art that I found in the literature on this topic, and place the battery at the top of the device.

Ex-1081, 35:16-37:10. Indeed, the smart ring that the CWS team started on in 2012-2013 and eventually built illustrates that even an expert that was far beyond the skill of a POSITA around 2013—with full knowledge of the prior art—would not have

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

understood how to construct an internal and external housing components and then place the components, including battery, inside the circumferential portions of those housing components. Ex-1082, 231:10-234:17.

Placement of all components on top of the ring was not limited to academic researchers. Oura's own efforts with Oura Ring Gen. 1 (2015)—prior to its acquisition and adoption of the '859 Patent—show that Petitioner's conclusory claim that a POSITA would have known to place all the components including the battery within the internal circumferential surface of the ring are not reflected by reality:



Ex-2034; Ex-2018, ¶86; Ex-1082, 229:6-15.

In sum, nothing in Schröder teaches the size, shape, *or* the position of the optional battery. Petitioner's second ground is based on hindsight. *W.L. Gore & Assocs. Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1553 (Fed. Cir. 1983). Even if all that Petitioner professes were true, Schröder's battery still would not be within interior

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

and exterior bounding members but rather spanning top and bottom ring halves.

Petitioner's failure to disclose element 1[B]/11[C] is fail to Ground 2.

**B. Schröder-Mestas does not disclose 1[c]/11[D] and 1[d]/11[E].**

Contrary to the Petitioner's suggestion, Schröder's inlay is not a PCB. The Wikipedia excerpt on which Petitioner relies specifies that a PCB is a "laminated sandwich structure of conductive and insulating layers, each with a pattern of traces...etched from one or more sheet layers of copper." Ex-1081, 43:12-19. Schröder's inlay lacks every one of those elements. It is a single-layer strip such as a tape made of PET, Kapton, etc. Ex-1007, 12:28-29.

Dr. Mercier explained that a POSITA would require, at minimum, etched or printed conductive traces, multiple layers, and mounted components before calling a structure a "printed circuit board." Ex-1081, 69:18-71:17. When asked whether inlay 12 could be a PCB, Dr. Mercier responded that while Kapton and PET are materials sometimes used in flexible PCBs, that does not necessarily make it a circuit board. *Id.*, 80:8-81:10. In other words, the mere use of Kapton or PET that is typically 100 micron thin does not convert a passive foil into a multilayer, printed wiring board. *Id.*, 98:1-9. Petitioner offers no evidence that a POSITA in 2013 would have called the antenna inlay a printed circuit board and offers no evidence that the

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

chip module could be located with a cavity formed by interior and exterior bounding members.

#### IV. SECONDARY CONSIDERATIONS

##### A. **Oura is entitled to presumption of nexus.**

Oura is entitled to presumption of nexus because the “evidence is tied to a specific product and that product embodies the claimed features, and is coextensive with them.” *Fox Factory, Inc. v. SRAM, LLC*, 944 F.3d 1366, 1373–74 (Fed. Cir. 2019). The Oura Ring is Oura’s only product offering. Ex-2019, ¶13. Petitioner does not dispute that Oura Ring (Gens. 3 or 4) embodies the challenged claims. *See generally*, Reply, 25-30; Ex-2135, 52:15-17 (“I do not dispute that the Gen. 3 Horizon and the Oura Ring Gen 4 practice those claims.”). In the ITC investigation, the ALJ concluded that Oura was entitled to presumption of nexus based on the same evidence presented here as Oura Ring (Gens. 3 and 4) were found to be both commercial embodiments and coextensive with the claims of the ’178 Patent that are substantially similar to claims at issue here. Ex. 2122 at 108-110; *id.* at 10 (“The evidence supports that Oura is entitled to presumption of nexus, which respondents have not rebutted.”). Petitioner makes a series of arguments that parallel those that were offered by respondents at the ITC, and therefore should be similarly rejected.

First, Petitioner’s focus on the Oura Ring Application does not rebut the coextensive nature of the Oura Ring and the claimed ’859 Patent technology. The

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

Federal Circuit has “never held that the existence of one or more unclaimed features, standing alone, means nexus may not be presumed” because “there is rarely a *perfect correspondence* between the claimed invention and the product.” *Fox Factory*, 944 F.3d at 1374 (emphasis in original). Here, the Oura Ring works in conjunction with the Oura Application. Ex-2019, ¶¶20-21. The Application cannot receive or display *any* information absent the Oura Ring’s claimed ring form factor and ability to collect the relevant information from the user’s finger. *Id.*, ¶24. Indeed, the ALJ in the parallel ITC Investigation rejected similar arguments advanced by respondents that the existence of the Application means there can be no presumption of nexus:

As for whether Oura’s app is responsible for the success of the product, as respondents contend, the evidence supports that success of Gen. 3 and Gen. 4 is tied to the ‘unique characteristics of the claimed invention.’ . . . The evidence supports that ‘the ring form factor is the foundation of the system that enables the data collection, that then in turn enables the functionality of the device. Thus, while the app may be part of the user’s experience with the Gen. 3 and Gen. 4, and may be the focus of some of Oura’s marketing efforts, the evidence supports that the driver of the experience is the ring itself.

Ex. 2122 at 109-110. Petitioner’s similar arguments should also be rejected.

Second, Petitioner’s focus on the membership is equally unavailing. Reply at 18. Without the Oura Ring, there could be no revenue from ring sales, Oura

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

Membership revenue, extended warranties, partnership commissions, or from any of the other revenue streams. Ex-1083, 192:10-17. There is no evidence in the record that customers pay for a membership or warranty without owning a ring. Oura Ring is the fundamental product from which all other activities and derivative revenue streams are based. Indeed, the performance and success of Oura as a company is directly a result of the success of the Oura Ring embodying the '859 Patent. Petitioner fails to consider the fact that more than 80% (and more than 90% in some periods) of Oura's revenue is attributable to ring sales, totaling more than \$830 million. Ex-2019 at Appx. 4.

Third, Petitioner's suggestion that Gen. 3 and 4's "sleek and comfortable design and materials are not claimed in the '859 Patent" also fails. Reply at 24. As Dr. Mercier testified, the claimed arrangement of the '859 Patent that leverages the inner and outer housing components to form a cavity to allow the housing of components within the ring is what contributes to the "wedding band-like comfort and compactness." Ex-2018 at ¶ 257. Such a design deviates from prior art that stacks components on top of the ring. *Id.* at ¶ 255. The specific structure of the Oura Ring is the invention disclosed and claimed.

Finally, Petitioner's argument that Oura's reliance on Oura Ring for objective indicia across four patents means that "nexus cannot be presumed" is also flawed.

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

Reply at 24. Multiple patents covering essentially the same invention can share a presumption of nexus. *WBIP, LLC v. Kohler Co.*, 829 F.3d 1317, 1324–25 (Fed. Cir. 2016) (presuming nexus between a product and the asserted claims of two related patents where the patents covered essentially the same invention).

Here, U.S. Patent Nos. 11,868,178; 111,874,702; 10,281,953; and the '859 Patent are part of the same family and claim essentially the same invention, namely, the structure of a finger-worn wearable ring device. Petitioner makes a sweeping statement that the four patents “do not cover the same invention,” yet Petitioner fails to identify any limitations that vitiate any presumed nexus. Reply at 24. The '859 Patent’s recitation of a flexible PCB proximate to the curved battery and sensor module and coupled to a processor and memory does not remove the presumption of nexus. *Fox Factory*, 944 F.3d at 1374.

Oura is entitled to a presumption of nexus based on the presented evidence.

**B. Oura is a commercial success.**

Petitioner does not materially dispute that Oura Ring Gens. 3 or 4 were a commercial success. Reply, 19-24. Although Petitioner’s expert opines that “Oura is not a *significant* commercial success” (Ex-1080, ¶22), Petitioner abandons this position in the Reply. Reply at 25-30. The un rebutted evidence shows that Oura’s

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

Gens. 3 and 4 rings, embodied by the claims of the '859 Patent, are an overwhelming commercial success:

- [REDACTED] rings sold since October 2021;
- [REDACTED] in ring revenue from 1/2022-12/2024;
- Increase in company valuation from [REDACTED] in 4/2021 (prior to the launch of Gen 3) to \$5.2 billion as of 12/2024; and
- Nearly [REDACTED] of the smart ring market share.

Ex-2019, ¶¶26, 33, 35, 38, 42. Petitioner's expert begrudgingly admits that such sales volume and market share show *some* commercial success. Ex-2135, 15:13-17; 18:11-19 ("I would be unsurprised if it had at least some commercial success."). The ITC also agreed, based on the same evidence presented here, that the Oura Ring was a commercial success. Ex. 2122 at 110-112.

Unable to dispute Oura's commercial success, Petitioner tries to pin Oura's success to other factors. Petitioner argues that any success of the Oura Ring is attributable to (1) factors other than the ring form factor (the '859 Patented Technology), (2) "serendipitous timing," (3) sales from sources other than rings, or (4) the Oura Ring did not create a new market segment. Reply, 25-30. None of these reasons overcome the evidence of commercial success. Regardless, the patented invention need not be solely responsible for a product's commercial success

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

provided a nexus between the success of the product and the patent exists. *Continental Can Co., USA, Inc. v. Monsanto Co.*, 948 F.2d 1264, 1273 (Fed. Cir. 1991). The possible existence of other demand drivers for a product does not preclude a finding of commercial success; the patented technology can be just one driver of the product's success. *Id.*; Ex-2019, ¶31. Nor do other unclaimed features that may also drive demand diminish the nexus between the ring form factor and marketplace success. Ex-2019, ¶¶32-42.

**1. Petitioner's claim that sales are based on unclaimed features is false.**

Petitioner tries to focus on the earlier generations of Oura as a hook to argue that the earlier generations “were not *as* commercially successful,” and therefore Gens. 3 and 4's success cannot be attributed to the unique features of the '859 Patent. Reply at 25-26. This is a red herring. Whether Gens. 1-2 were commercial success or not is irrelevant to the inquiry on whether Gens. 3 and 4 are commercial success and evidence supports they are. Petitioner also does not offer any analysis in its Reply on what it means by “[t]here is little difference from Gens. 1 and 2.” Reply at 25. Indeed, in contrast to Gens. 3 and 4, Gen. 1, for example, included components stacked on top of the ring similar to prior art. Ex-2034. In either event, Petitioner's broad generalization is irrelevant to the inquiry of whether Oura Ring Gens. 3-4 are

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

commercially successful and the overwhelming evidence supporting their commercial success.

Petitioner also claims that sales data does not distinguish between Gen 2 and Gen 3 sales data after Gen 3's launch. Reply at 26. Since manufacture of the old generation ceases once a new generation is launched (Ex-1083, 106:11-19), this transition period where both generations are available for sale is temporary and is insufficient to explain the marked increase in sales from the twelve months prior to Gen 3's launch [REDACTED] to the 12 months after Gen 3's launch [REDACTED]

[REDACTED]

[REDACTED]

Ex-2019 at Appx. 10. Even accounting for a transition period from Gen 2 to Gen 3, Petitioner fails to consider that in the following year, fiscal 2023, monthly sales were

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

higher each month compared to that month in fiscal 2021 (during which only Gen 2 was available). *Id.*

Petitioner also broadly alleges that the sales of the Oura Ring is attributable to “serendipitous timing,” incorporating more than thirty paragraphs from its expert’s declaration. Reply at 26 (citing Ex-1080, ¶¶261-304). Petitioner (or its expert) never explains what is “serendipitous” about the launch of the Oura Ring Gen 3 or Gen 4; instead, the he recites a litany of other wearable and smart ring products. Ex-2135, 40:12-41:15 (discussing other types of wearables). Such evidence shows not the “serendipity” of Oura’s success, but rather that Oura was a pioneer in smart ring products blazing a trail for others to follow.

Petitioner also suggests that the success of the Oura Ring is attributable to marketing. Reply at 27. This ignores that marketing expenses as a percent of sales *decreased* from FY 2021 to the end of Q1 FY 2025. Ex-1083, 18:11-20:13; Ex-2019 (Appx. 4). Over time, less was spent on marketing to generate each dollar of sales. Ex-1083, 184:2-18. This is hardly suggestive that the success of the Oura Ring is due to marketing. Petitioner also ignores that Oura’s marketing highlights the very ring form factor that is the embodiment of the ’859 Patented technology. Oura’s marketing efforts explicitly discuss its design and hardware capabilities, as well as its craftsmanship and discreet sensors. Ex-2019, ¶¶48-49; Ex-2098; Ex-2101.

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

**2. Petitioner’s argument that contribution from Gens. 3 and 4 to Oura fails to show success is also flawed.**

Petitioner’s allegation that all revenues are not attributable to the Oura Ring is false. Reply at 27-28. Without the Oura Ring, there could be no revenue from ring sales, Oura Membership revenue, extended warranties, partnership commissions, or from any of the other revenue streams. Ex-1083, 192:10-17. There is no evidence in the record that customers pay for a membership or warranty without owning a ring. Oura Ring is the fundamental product from which all other activities and derivative revenue streams are based. Indeed, the performance and success of Oura as a company is directly a result of the success of the Oura Ring embodying the ’859 Patented technology. Assuming, *arguendo*, that the other revenue streams were unrelated to the ’859 Patented technology, Petitioner fails to consider the fact that more than [REDACTED] of Oura’s revenue is attributable to ring sales, totaling more than [REDACTED]. Ex-2019, Appx. 4.

Finally, Petitioner ignores that Oura’s valuation as a company has increased more than [REDACTED] since the introduction of Oura Ring Gen 3 and Gen 4, with a valuation of [REDACTED]. Ex-2019, ¶38. Market research indicates that smart rings are expected to be the fastest growing segment of the wearables marketplace, with compound annual growth rates of nearly 30 percent through 2028. EX-2019, ¶25; EX-2075.

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

**3. Petitioner’s argument that Oura did not create a market segment within the wearable market is legally deficient.**

Petitioner’s assertion that Oura did not create a new market segment is irrelevant. Reply at 28-29. There is no requirement to show a nexus that the success of a product be measured only through the creation of a *de novo* market; Petitioner offers no authority to suggest otherwise. *Id.*

Moreover, Petitioner’s entire premise is contradicted by third parties that refer to Oura as “one of the pioneers” of the smart ring segment and that Oura has “long been synonymous with ‘smart ring.’” Ex-2019 at ¶ 41; Ex-2036; Ex-2089. Petitioner’s expert also characterizes smart rings introduced prior to the Oura Ring Gen 3 and Gen 4 as “limited and weak competition,” describing many of them as “unknown start-ups reliant on crowdsourcing for funding.” Ex-1080 at ¶¶ 224-25. Collectively, this suggests that Oura did, in fact, help create the market segment of smart rings.

Petitioner’s claim that the Oura Ring Gen 3 “was not novel enough to garner any praise,” (Reply at 29) is belied by the evidence. Ex-2019, ¶¶ 41, 48; Ex-2058; Ex-2089; Ex-2090; Ex-2048; Ex-2091; Ex-2098; Ex-2099; Ex-2100). The industry praise continued for the Oura Ring Gen 4 as well. Ex-2019, ¶¶ 42, 49; Ex-2092; Ex-2060; Ex-2058; Ex-2102.

**C. Evidence of copying of Oura Ring by the Industry.**

Case IPR2024-01077  
 U.S. Patent No. 10,139,859  
 Patent Owner Sur-Reply

Petitioner argues that PO has failed to provide evidence of actual copying. Reply, 24. But “[e]vidence of access and substantial similarity *is* evidence of copying.” *Medtronic, Inc. v. Teleflex Innovations S.a.r.l.*, 70 F.4th 1331, 1340 (Fed. Cir. 2023). Multiple competitors admitted to purchasing Oura Rings, tearing them down, and creating competing rings with remarkable similarities to Oura Ring. POR, 85-92; Ex-2024, 683:19-21; 685:16-24; 95:1-21; 698:3-24; 696:12-698:2; 699:2-5; Ex-2031; Ex-2032; Ex-2113; Ex-2114.

**D. The '859 Patent fulfilled a long-felt need.**

Petitioner argues that “[c]omfortable, compact rings with curved batteries and PCBs were well known in the art.” Reply at 29. Petitioner offers three cites for this proposition: Ex-1002, ¶44; Ex-1079, ¶116-119, and Ex-1080 ¶¶353-362. But Petitioner’s own cites show that the prior art rings, as shown below, were not compact, nor included curved batteries, nor were comfortable but instead mounted all the circuit board and battery all on top of the ring:

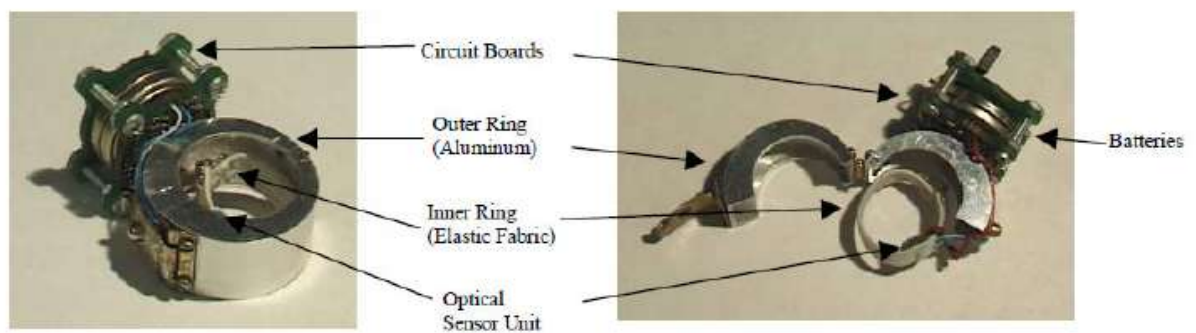


Figure 1 : Isolating ring sensor designed for motion artifact minimization

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

Ex-1035. Petitioner’s citations prove that the ’859 Patent satisfied the long-felt need more so than refute this finding. Again, the ITC had agreed that there was failure of others and the invention met a long-felt need. Ex. 2122 at 114-116.

Petitioner puts up a strawman arguing Asada and Dr. Mercier only failed to “successfully *commercialize*” their rings. Reply at 30. But both Asada and Mercier admit their designs, like others in the field, failed to solve the problem of making the ring with components and battery housed within the ring as subsequently disclosed by the ’859 Patent—their failure had nothing to do with commercialization. Ex-1035, 74 (“the size of the first prototype...was too large to be of use in real life.”); Ex-1081, 35:16-37:10 (“I very quickly concluded that the most logical way to build such a design was to follow the prior art...and place the battery at the top of the device.”)

## **V. CONCLUSION**

For the reasons stated herein, the Board should find in favor of the Patent Owner on all claims.

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

Dated: October 10, 2025

Respectfully submitted,

/s/ Jasjit S. Vidwan

---

Jasjit S. Vidwan  
Reg. No. 72,080  
MAYER BROWN LLP  
1999 K Street, N.W.  
Washington, D.C. 20006-1101  
Tel.: 202.263.3065  
JVidwan@mayerbrown.com

Robert G. Pluta (Reg. No. 50,970)  
Nicholas H. Ciulla (Reg. No. 78,409)  
Daniel Kim (Reg. No. 85,591)  
MAYER BROWN LLP  
71 S. Wacker Drive  
Chicago, IL 60606  
Telephone: (312) 701-8641  
Fax: (312) 706-8144  
rpluta@mayerbrown.com

*Counsel for Ouraring Inc.*

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

**CERTIFICATE OF WORD COUNT UNDER 37 C.F.R. § 42.24(d)**

I hereby certify that the foregoing Patent Owner's Sur-Reply contains 5,498 words as measured by the word-processing software used to prepare the document, in compliance with 37 C.F.R. § 42.24(d).

Dated: October 10, 2025

Respectfully submitted,

/s/ Jasjit S. Vidwan

Jasjit S. Vidwan  
Reg. No. 72,080  
MAYER BROWN LLP  
1999 K Street, N.W.  
Washington, D.C. 20006-1101  
Tel.: 202.263.3065  
JVidwan@mayerbrown.com

Robert G. Pluta (Reg. No. 50,970)  
Nicholas H. Ciulla (Reg. No. 78,409)  
Daniel Kim (Reg. No. 85,591)  
MAYER BROWN LLP  
71 S. Wacker Drive  
Chicago, IL 60606  
Telephone: (312) 701-8641  
Fax: (312) 706-8144  
rpluta@mayerbrown.com

*Counsel for Ouraring Inc.*

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

**CERTIFICATE OF SERVICE**

I hereby certify that, on October 10, 2025, I caused a true and correct copy of Patent Owner's Sur-Reply Pursuant to 37 C.F.R. §42.107 to be served via email to the following counsel for Petitioner:

William M. Fink, Reg. No. 72,332  
tfink@omm.com  
O'Melveny & Myers LLP  
1625 Eye Street, NW  
Washington, DC 20006

Benjamin Haber, Reg No. 67,129  
bhaber@omm.com  
O'Melveny & Myers LLP  
400 South Hope Street, 18<sup>th</sup> Floor  
Los Angeles, CA 90071

John Kappos, Reg. No. 37, 861  
jkappos@omm.com  
O'Melveny & Myers LLP  
2801 North Harwood Street,  
Suite 1600  
Dallas, TX 75201

Marc Pensabene, Reg. No. 37, 416  
mpensabene@omm.com  
O'Melveny & Myers LLP  
Times Square Tower  
7 Times Square  
New York, NY 10036

Mark Liang, Reg. No. 81,045  
mlaing@omm.com  
Sorin G, Zaharia  
szaharia@omm.com  
O'Melveny & Myers LLP  
Two Embarcadero Center, 28th Floor  
San Francisco, CA 94111

omm-samsung-oura@omm.com

Case IPR2024-01077  
U.S. Patent No. 10,139,859  
Patent Owner Sur-Reply

Dated: October 10, 2025

Respectfully submitted,

/s/ Nicholas H. Ciulla

---

Jasjit S. Vidwan  
Reg. No. 72,080  
MAYER BROWN LLP  
1999 K Street, N.W.  
Washington, D.C. 20006-1101  
Tel.: 202.263.3065  
JVidwan@mayerbrown.com

Robert G. Pluta (Reg. No. 50,970)  
Nicholas H, Ciulla (Reg. No. 78,409)  
Daniel Kim (Reg. No. 85,591)  
MAYER BROWN LLP  
71 S. Wacker Drive  
Chicago, IL 60606  
Telephone: (312) 701-8641  
Fax: (312) 706-8144  
rpluta@mayerbrown.com

*Counsel for Ouraring Inc.*