

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZEPP HEALTH CORPORATION,

Petitioner

v.

WORCESTER POLYTECHNIC INSTITUTE

Patent Owner

Case No. IPR2025-00521

U.S. Patent No. 10,653,362

JOINT MOTION TO TERMINATE PROCEEDING

UPDATED EXHIBIT LIST

Ex-1001	U.S. Pat. No. 10,653,362 (“the ‘362 Patent” or “the Patent”)
Ex-1002	Declaration of Dr. George E. Yanulis
Ex-1003	Curriculum Vitae of Dr. George E. Yanulis
Ex-1004	Prosecution History of the ‘362 Patent
Ex-1005	U.S. Patent Application Publication No. 2012/0190947, filed on January 20, 2012, and published on July 26, 2012 (“Chon ‘947”)
Ex-1006	U.S. Patent Application Publication No. 2010/0049267, filed on August 21, 2009, and published on February 25, 2010 (“Mollerus”)
Ex-1007	U.S. Patent Application Publication No. 2005/0033129, filed on June 22, 2004, and published on February 10, 2005 (“Edgar”)
Ex-1008	K.H. Chon et al., <i>Estimation of Respiratory Rate from Photoplethysmogram Data Using Time-Frequency Spectral Estimation</i> , IEEE Transactions on Biomedical Engineering, Volume 56, No. 8, pp. 2054-63 (April 14, 2009) (“Chon 2009”)
Ex-1009	U.S. Patent No. 8,918,178, filed on September 5, 2012, and patented on December 23, 2014 (“Simon”)
Ex-1010	Declaration of Dr. Sylvia D. Hall-Ellis
Ex-1011	Zepp Health Corporation’s Stipulation Regarding Invalidity Challenges
Ex-1012	Docket Control Order (Dkt. 58) in <i>Research Foundation for The State University of New York v. Xiaomi Corporation et al.</i> , No. 2:23-cv-00353-RWS-RSP (E.D. Tex.)
Ex-1013	Judge Robert W. Schroeder, III (E.D. Tex.) – Calendar Events Set for 2/17/2026
Ex-1014	Judge Robert W. Schroeder, III (E.D. Tex.) – Case Statistics
Ex-1015	Docket entries in <i>Research Foundation for The State University of New York v. Xiaomi Corporation et al.</i> , No. 2:23-cv-00353-RWS-RSP (E.D. Tex.)
Ex-1016	[sealed]
Ex-1017	Docket entry 84 in <i>Research Foundation for The State University of New York v. Xiaomi Corporation et al.</i> , No. 2:23-cv-00353-RWS-RSP (E.D. Tex.)

Petitioner Zepp Health Corporation (“Petitioner”) and Patent Owner Worcester Polytechnic Institute (“Patent Owner”) (collectively “the Parties”) have entered into a confidential agreement (the “Agreement”) that resolves all underlying disputes between the Parties involving U.S. Patent No. 10,653,362 (“the ’362 Patent”). In an email dated June 23, 2025, the Board authorized the Parties to file (a) a joint motion to terminate and (b) a joint request to treat the Agreement as business confidential information.

As authorized, and pursuant to 35 U.S.C. § 317, 37 C.F.R. § 42.74, and the PTAB’s guidance, the Parties hereby jointly request termination of the above-captioned *inter partes* review proceeding in its entirety. The *inter partes* review proceeding is currently pending before institution. There are no other petitioners or parties involved in the proceeding.

On June 24, 2025, the District Court granted the Parties’ Joint Motion to Dismiss the litigation related to the ’362 Patent—*The Research Foundation for The State University of New York et al v. Xiaomi Corporation et al*, 2:23-cv-00353-RWS-RSP (E.D. Tex.) (Dkt. 84.) To be clear, there are no currently pending district court litigations involving the ’362 Patent. The Parties are not aware of any related proceedings currently before the Office.

Good cause exists to terminate these proceeding because (1) the Agreement executed by the Parties is a written settlement agreement that resolves all disputes

in these matters and (2) the Board has not determined the merits of the proceedings. Indeed, the Board has not yet rendered a decision on institution. Terminating this proceeding thus serves the interests of judicial economy as well as the mutual interests of the Parties.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), a true and correct copy of the Agreement is being filed concurrently herewith¹. The Parties are also filing concurrently herewith a joint request under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) to treat the Agreement as business confidential information and keep it separate from the files of the IPR proceedings and their respective subject patents. The Parties certify that there are no other agreements or understanding, oral or written, between the Parties made in connection with, or in contemplation of, the termination of this proceeding.

Dated: June 30, 2025

Respectfully submitted,

FOR PETITIONER	FOR PATENT OWNER
/s/ Jack Shaw Jack Shaw (Reg. No. 72,262) Cherry Johnson Siegmund James PC JShaw@cjsjlaw.com 8140 Walnut Hill Lane, Suite 105, Dallas, TX 75231 Tel: 254-732-2242 <i>Lead Counsel for Petitioner</i>	/Jason Shapiro/ Jason Shapiro (Reg. No. 35,354) Devlin Law Firm LLC 1526 Gilpin Avenue Wilmington, DE 19806 Phone: (302) 449-9010 jshapiro@devlinlawfirm.com <i>Lead Counsel for Patent Owner</i>

¹ The agreement is being filed via the Patent Trial and Appeal Board Case Tracking System (PTACTS) system with access to the “Board only.”