

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. IPR2025-00523

U.S. Patent No. 10,278,647

**DECLARATION OF CHIARA CARNI IN SUPPORT OF PATENT
OWNER'S REQUEST FOR DISCRETIONARY DENIAL**

**EXHIBIT 2014
IPR2025-00523**

I, Chiara Carni, declare as follows:

1. I am an attorney at the Devlin Law Firm LLC and counsel for Patent Owner Worcester Polytechnic Institute in the parallel litigation.
2. I make this declaration in support of Patent Owner's Request for Discretionary Denial in the aforementioned proceeding.
3. I have personal knowledge of the facts set forth in this Declaration, except as otherwise stated. I am competent to testify as to all matters stated, and if called upon to do so, I would testify to the facts set forth in this Declaration.
4. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2001 is a true and correct copy of the Complaint for Patent Infringement, Dkt. 1 in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex. July 31, 2023).
5. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2002 is a true and correct copy of the First Amended Complaint for Patent Infringement, Dkt. 11 in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex. Sept. 11, 2023).
6. Attached to the Patent Owner's Request for Discretionary Denial

as Exhibit 2003 is a true and correct copy of the Waiver of Service of Summons, Dkt. 18 in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex. Feb. 7, 2024).

7. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2004 is a true and correct copy of Defendant Zepp health Corporation's Motion to Dismiss the First Amended Complaint Under Fed. R. Civ. P. 12(b)(2), Dkt. 22 in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex. May 6, 2024).

8. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2005 is a true and correct copy of Defendant Zepp health Corporation's Motion to Dismiss the First Amended Complaint Under Fed. R. Civ. P. 12(b)(6), Dkt. 23 in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex. May 6, 2024).

9. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2006 is a true and correct copy of Defendant Zepp health Corporation's Motion to Dismiss the First Amended Complaint Under Fed. R. Civ. P. 12(b)(7) and 19(a) & (b), Dkt. 24 in *The Research Foundation for The*

State University of New York, et al v. Xiaomi Corporation, et al, Case No. 2:23-cv-353 (E.D. Tex. May 6, 2024).

10. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2007 is a true and correct copy of Report & Recommendation, Dkt. 73 in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex. Mar. 4, 2025).

11. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2008 is a true and correct copy of the Order, Dkt. 74 in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex. Mar.26, 2025).

12. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2009 is a true and correct copy of the Docket Control Order, Dkt. 58 in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex. Sept. 23, 2024).

13. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2010 is a true and correct copy of Plaintiffs' Disclosure of Asserted Claims and Infringement Contentions to Defendant Zepp Health Corporation (without exhibits), in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex.) served on Aug. 12, 2024.

14. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2011 is a true and correct copy of Plaintiffs' Disclosure of Asserted Claims and Infringement Contentions (without exhibits) to Defendant Xiaomi Corporation, et al, in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex.) served on Aug. 12, 2024.

15. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2012 is a true and correct copy of Defendants Invalidity Contentions (without exhibits), in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex.) served on Dec. 12, 2024.

16. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2013 is a true and correct copy of the Exhibit A to Joint Claim Construction Chart, Dkt. 78-1 in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex. May 14, 2025).

17. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2015 is a true and correct copy of a Chart regarding Pre-Institution Motion Success by Year generated by Docket Navigator on May 14, 2025.

18. Attached to the Patent Owner's Request for Discretionary Denial

as Exhibit 2016 is a true and correct copy of a Chart regarding Post-Institution Motion Success by Year generated by Docket Navigator on May 14, 2025.

19. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2017 is a true and correct copy of a Chart regarding Time to Milestones generated by Docket Navigator on May 14, 2025.

20. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2018 is a true and correct copy of a Chart of Case Outcomes for Judge Robert W. Schroeder's cases generated by Docket Navigator on May 14, 2025.

21. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2019 is a true and correct copy of Defendant Zepp Health Corporation's Stipulation Regarding Invalidity Challenges, Dkt. 72 in *The Research Foundation for The State University of New York, et al v. Xiaomi Corporation, et al*, Case No. 2:23-cv-353 (E.D. Tex. Jan. 30, 2025).

22. Attached to the Patent Owner's Request for Discretionary Denial as Exhibit 2020 is a true and correct copy of Appeal Statistics by Patent Trial and Appeal Board dated April 30, 2025.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I further

declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code.

Dated: May 19, 2025

/Chiara M. Carni /
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