IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

ALIGN TECHNOLOGY, INC., Plaintiff, v. CLEARCORRECT OPERATING, LLC, CLEARCORRECT HOLDINGS, INC., INSTITUT STRAUMANN AG, & STRAUMANN USA, LLC Defendants.	Civil Action No. 6:24-cv-00187-ADA-DTG JURY TRIAL DEMANDED
CLEARCORRECT OPERATING, LLC, CLEARCORRECT HOLDINGS, INC., & STRAUMANN USA, LLC, Counterclaim-Plaintiffs, v. ALIGN TECHNOLOGY, INC., Counterclaim-Defendant.	

DEFENDANTS' AND COUNTERCLAIM-PLAINTIFFS' PRIOR ART NARROWING DISCLOSURE

Pursuant to the Scheduling Order (Dkt. 188) and discussions between the parties, Defendants and Counterclaim-Plaintiffs ClearCorrect Holdings, Inc., ClearCorrect Operating, LLC, and Straumann USA, LLC and Defendant Institut Straumann AG (collectively, "ClearCorrect") narrow prior art references as set forth below.

On July 18, 2025 Plaintiff and Counterclaim-Defendant Align Technology, Inc. ("Align") narrowed its asserted patent claims as follows:

Patent No.	Previously Asserted Claims	Claims Dropped on July 18, 2025	Currently Asserted Claims
10,973,613	1, 3, 4, 6-10, 12-15, 17, 18, 20, 22	None	1, 3, 4, 6-10, 12-15, 17, 18, 20, 22
11,154,384	1, 2, 4, 6-8, 10-12, 14, 16-18, 20-22, 24, 26-28, 30	None	1, 2, 4, 6-8, 10-12, 14, 16-18, 20-22, 24, 26-28, 30
11,648,090	1-3, 5, 9-10	None	1-3, 5, 9-10
11,648,091	1, 4-7, 9-11, 13, 17-19, 21, 25, 26	None	1, 4-7, 9-11, 13, 17-19, 21, 25, 26
8,038,444	1-42	7-10, 13, 17-18, 21-24, 27, 35-38, 41	1-6, 11-12, 14-16, 19-20, 25-26, 28-34, 39-40, 42
10,456,217	1-20	1-20	None
10,524,879	1-24	1-24	None
11,369,456	1-19	1-19	None
10,791,936	1, 4-17, 20[1]	None	1, 4-17, 20

See July 18, 2025 Email from Potter. ClearCorrect agreed to narrow its prior art references to 100 by August 4, 2025. ClearCorrect hereby narrows its prior art references as set forth below. To be clear, ClearCorrect's prior art narrowing applies only to prior art references used as anticipatory and/or as part of an obviousness combination (or single-reference obviousness theory) under § 102 and/or § 103, including at least under Align's apparent infringement theory. ClearCorrect's

[1] Claims 2, 3, 18, 19 were dropped previously. *See* July 1, 2025 Email from A. Potter.

narrowing does not apply to prior art references used only to show the state of the art, or under § 101 and/or § 112. Further, for product and system art identified below, ClearCorrect reserves the right to rely on documents, testimony, and other evidence describing the properties and/or features of those products. Because ClearCorrect has listed below only 98 references (fewer than the 100 agreed to), ClearCorrect reserves the right to add up to 2 additional references before its deadline for submitting final invalidity contentions.

1. Zendura FLX product (Bay Materials)
2. SmartTrack / Bayer #34 product (Align)
3. SmartTrack / Bayer #54 product (Align)
4. Essix ACE product (Dentsply / Raintree Essix)
5. Durasoft (TPU/PC) product (Scheu Dental GmbH)
6. US Patent Application Publication No. 2011/0020761 (Kalili)
7. WO Publication No. 2010043419 (Hinz) (IPR2022-01214, Exhibit No. 1015 (certified translation to English))
8. US Patent Application Publication No. 2015/0374464 (Stewart-464)
9. US Patent Application Publication No. 2005/0100853 (Tadros)
10. US Patent No. 6,077,075 (Bedard)
11. US Patent Application Publication No. 2009/0246724 (Chen)
12. WO Publication No. 2006/096558 (Wen)
13. US Patent Application Publication No. 2006/0078841 (DeSimone)
14. US Patent Application Publication No. 2005/0082703 (Wrosz)
15. WO Publication No. 2013/171124 (Pudleiner)
16. US Patent No. 10,549,511 (Stewart-511)
17. US Patent No. 9,655,691 (Li)

18. WO Publication No. 2007/110071 (including certified translation to English) (Paulus)

19. US Patent No. 9,022,903 (Rafih)

20. Texin 990R Data Sheet

21. Texin RxT50D Data Sheet

22. Texin 970U Data Sheet

23. Desmopan 9365D Data Sheet

24. Desmopan DP 9365D Data Sheet

25. Durasoft pd (TPU/PET-G) Data Sheet

26. Durasoft (TPU/PC) Data Sheet

27. Imprelon S pd Data Sheet

28. Hytrel 8238 Data Sheet

29. Pellethane 2363-90AE Data Sheet

30. Eastar 6763 Data Sheet

31. Tritan EX401 Data Sheet

32. Tritan MP100 Data Sheet

33. Public Awareness Drives Market for Safer Alternatives (Bailin, Paul S., et al.)

34. Dishwasher Safe: New Clear Copolyester Is Tougher, More Heat-Resistant, and Processes Easier, Too (Porter, David S., et al.)

35. Helping You Shape What's Next In Rigid Medical Packaging (Eastman Chemical)

36. U.S. Patent No. 7,987,099 (Kuo)

37. U.S. Patent Application Publication No. 2002/0010568 (Rubbert-568)

38. U.S. Patent No. 6,471,511 (Chishti-511)

39. U.S. Patent Application Publication No. 2004/0137400 (Chishti-400)

40. U.S. Patent No. 6,729,876 (Chishti-876)

41. WO Publication No. 2000/019929A1 (Chishti-929)

42. The Invisalign System (Tuncay)

43. Align TREAT system

44. Align ClinCheck

45. OraMetrix SureSmile system

46. U.S. Patent Application Publication No. 2002/0150859 (Imgrund)

47. WO Publication No. 01/80761 (Rubbert-761)

48. U.S. Patent No. 6,250,918 (Sachdeva)

49. Group Distal Movement of Teeth Using Microscrew Implant Anchorage (Park)

50. The Amalgamated Technique, a Mechanically and Biologically Efficient Method for Controlled Tooth Movement (DeAngelis)

51. Light Arch Wire Technique (Begg)

52. The Orthodontic Treatment of Impacted Teeth (Becker)

53. Nonextraction treatment of upper canine-premolar transposition in an adult patient (Kuroda)

54. U.S. Patent Application Publication No. 2002/0072027 (Chishti-027)

55. U.S. Patent Application Publication No. 2003/0096210 (Rubbert-210)

56. U.S. Patent Application Publication No. 2002/0006217 (Rubbert-417)

57. WO Publication No. 03/094102 (Rubbert-102)

58. OrthoCAD system

59. OrthoCAD Virtual Set-Up Quick Overview Version 2.4 (dated March 2004) [WBM page of April 4, 2004] Video, https://web.archive.org/web/20040404191456/http://orthocad.com/services/setup_presentation.htm#expand

60. OrthoCAD 2.3 Help Manual (dated Jan. 13, 2004) [WBM page of April 19, 2004], https://web.archive.org/web/20040419173450/http:/orthocad.com:80/download/OrthoCAD%202.3%20Help%20Manual.pdf

61. Release Notes for OrthoCAD Version 2.7 (dated Dec. 11, 2005) [WBM page of March 11, 2006], https://web.archive.org/web/20060311173619/http:/www.orthocad.com/download/OrthoCAD%202.7%20R.%20Notes.pdf

62. iTero scanner system

63. Jacobson, Taking the Headache Out of Impressions, Dentistry Today, (Sept. 2007), 74-76

64. Henkel G., A Comparison of Fixed Prostheses Generated from Conventional vs Digitally Scanned Dental Impressions, Compend Contin Educ Dent., 28(8):422-431 (Aug. 2007)

65. iTero Scanning Demo, SmileyDental (Dec. 15, 2008), https://www.youtube.com/watch?v=2wAxAXN4uPs&list=FLtVa6v5nq58YbWhbfzF2I4w&index=3

66. Lava COS scanner system

67. 3M ESPE Lava Chairside Oral Scanner User Guide 2.0, (June 10, 2009)

68. 3M ESPE Lava Chairside Oral Scanner User Guide 3.0, 3M ESPE, (Dec. 9, 2010)

69. CEREC scanner system

70. CEREC 3D Operator's Manual Software Version 3.6X (Mar. 2009)

71. CEREC – New Products 2009: Seeing CAD/CAM in a new light, Sirona (Dec. 23, 2008)

72. OraScanner scanner system

73. SureSmile Clinical Reference Manual, Release 5.2 (2006)

74. James Mah, DDS, MSc, DMSc, Rohit Sachdeva, BDS, MSc, Computer-assisted orthodontic treatment: The SureSmile process, Am. J. Orthod. Dentofacial Orthop, Vol. 120, No. 1, (July 2001), 85-87

75. Sachdeva, SureSmile Technology in a Patient-Centered Orthodontic Practice, JCO, Vol. 35, No. 4 (Apr. 2001), 245-53

76. E4D scanner system

77. E4D Dentist Elements of Success Manual (2009)

78. E4D Dentist User Manual, Version 10560400.G (2009)

79. Dental Wings 5 Series scanner system

80. Dental Wings 3 Series scanner system

81. Dental Wings iSeries scanner system

82. Dental Wings Software Version 2.1 User Guide

83. Dental Wings Software Version 2.5 User Guide

84. WO Publication No. 2007/084727 (Boerjes)

85. U.S. Patent No. 7,474,932 (Geng)

86. U.S. Patent Application Publication No. 2007/0236494 (Kriveshko-494)

87. U.S. Patent Application Publication No. 2002/0006217 (Rubbert-217)

88. U.S. Patent Application Publication No. 2009/0316966 (Marshall)

89. U.S. Patent No. 6,227,850 (Chishti-850)

90. U.S. Patent Application Publication No. 2005/0283065 (Babayoff-065)

91. U.S. Patent Application Publication No. 2007/0172112 (Paley)

92. U.S. Patent Application Publication No. 2004/0155975 (Hart)

93. U.S. Patent Application Publication No. 2006/0115793 (Kopelman-793)

94. Contemporary Fixed Prosthodontics (Rosentiel)

95. WO Publication No. 2003094102 (Rubbert-102)

96. WO Publication No. 2000008415 (Babayoff-415)

97. U.S. Patent Application Publication No. 2003/0232302 (Babayoff-302)

98. WO Publication No. 2007/062658 (Fisker-658)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served on all counsel of record via electronic mail on August 4, 2025.

/s/ Marissa A. Lalli