

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MONAHAN PRODUCTS, LLC, d/b/a UPPABABY; and
BABY GENERATION, INC., d/b/a MOCKINGBIRD,
Petitioner,

v.

BABY JOGGER, LLC,
Patent Owner.

IPR2025-01106
Patent 9,403,550

PETITIONER'S STIPULATION

Patent Owner, Baby Jogger, LLC, is asserting U.S. Patent No. 9,403,550 (“’550 Patent”) against Petitioner, Monahan Products, LLC, d/b/a UPPAbaby and Baby Generation, Inc., d/b/a Mockingbird, in the following district court litigations (collectively, “Litigations”):

- (1) *Baby Jogger, LLC v. Baby Generation, Inc., d/b/a Mockingbird*,
No. 1:24-cv-00725-GBW (D. Del.);
- (2) *Baby Jogger v. Monahan Products, LLC, d/b/a UPPAbaby*,
No. 1:24-cv-11582-ADB (D. Mass.).

Pursuant to the Interim Processes for PTAB Workload Management, issued March 26, 2025,¹ the FAQs for Interim Processes for PTAB Workload Management,² and the Board’s guidance in the “Learn about the new interim processes relating to institution in AIA proceedings” presentation,³ Petitioner,

¹ *Available at* <https://www.uspto.gov/sites/default/files/documents/InterimProcesses-PTABWorkloadMgmt-20250326.pdf>.

² *Available at* <https://www.uspto.gov/patents/ptab/faqs/interim-processes-workload-management> (FAQ 14).

³ Presentation, video, and FAQs *available at* <https://www.uspto.gov/about-us/events/learn-about-new-interim-processes-relating-institution-aia-proceedings>.

stipulates as follows. *See Sotera Wireless, Inc. v Masimo Corp.*, IPR2020-01019, Paper 12 at 18-19 (PTAB Dec. 1, 2020 (“*Sotera*”).

Petitioner hereby stipulates, consistent with the stipulation by the petitioner in *Sotera*, that if the PTAB institutes IPR2025-01106, Petitioner will not pursue against the '550 Patent in any of the Litigations (i) the specific invalidity grounds raised in IPR2025-01106, or (ii) any other invalidity ground that was raised or could have been reasonably raised in IPR2025-01106 (i.e., any ground that could be raised under §§ 102 or 103 on the basis of prior art patents or printed publications).

If the PTAB denies institution in IPR2025-01106, or if institution is denied through rehearing or director review, Petitioner reserves the right to pursue any non-instituted ground in the Litigations.

Respectfully,

Date: August 1, 2025

/Craig R. Smith/

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Lead Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), I hereby certify that on August 1, 2025, I caused a copy of the foregoing Petitioner's Stipulation to be served via electronic mail:

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