IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BABY JOGGER, LLC, Plaintiff, v. MONAHAN PRODUCTS, LLC, D/B/A UPPABABY, Defendant.	Civil Action No. 1:24-CV-11582-ADB **(CONTAINS CONFIDENTIAL INFORMATION – PUBLIC REDACTED VERSION)**

PLAINTIFF BABY JOGGER, LLC'S OBJECTIONS AND RESPONSES
TO DEFENDANT'S FIRST SET OF INTERROGATORIES

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and L.R. 33.1, Plaintiff Baby Jogger, LLC ("Plaintiff" or "Baby Jogger"), through its undersigned attorneys, hereby provides the following objections and responses to Defendant Monahan Products, LLC d/b/a UPPAbaby's ("Defendant" or "UPPAbaby") First Set of Interrogatories dated December 10, 2024.

RESERVATION OF RIGHTS

1. Baby Jogger's objections and responses (collectively, "Responses") are based on information presently available to Baby Jogger following a reasonable inquiry. Additional discovery and/or investigation may lead to additions to, changes in, and/or modifications to these Responses. Baby Jogger reserves the right to amend, modify, and/or supplement its Responses if and when additional information becomes available.

2. Baby Jogger's Responses are based on its interpretation and understanding of each interrogatory. If UPPAbaby subsequently asserts an interpretation of any particular interrogatory that differs from Baby Jogger's interpretation and understanding, Baby Jogger reserves the right

to amend, supplement, and/or change its Responses based on any new interpretation asserted by UPPAbaby, if necessary.

3. Baby Jogger's Responses shall not constitute an admission by Baby Jogger that any of the interrogatories, any of the Responses, any documents, and/or any other information produced or provided in connection with any Response are admissible evidence in any trial or other proceeding. Baby Jogger expressly reserves the right to object on any ground, at any time, to the admission of any interrogatory, any Response, any document, and/or any other information produced or provided in any Response in any such trial or other proceeding.

4. Baby Jogger does not waive any objection or claim of privilege, whether expressly asserted or not, by providing any information or identifying any document in these Responses. Pursuant to Rule 26(b)(5)(B) of the Federal Rules of Civil Procedure and Rule 502 of the Federal Rules of Evidence, the inadvertent disclosure of such information, or the inadvertent identification or production of such a document, shall not constitute a waiver of any applicable privilege as to that information, that document, or any other information or document identified or produced by Baby Jogger. All objections as to privilege, immunity, relevance, authenticity, or admissibility of any information or documents referred to herein are expressly reserved. Further, these Responses are not a concession that any individual identified by Baby Jogger may be called as a witness or that such individuals possess discoverable information, or that the subject matter of any particular interrogatory or Response thereto is relevant to this action.

5. Unless otherwise specified, all persons identified in response to any interrogatory shall be contacted through counsel for Baby Jogger.

OBJECTIONS TO DEFINITIONS

1. Baby Jogger objects to UPPAbaby's definition of "Accused Products" as incomplete and not reflective of those products accused of infringement in Baby Jogger's Preliminary Infringement Contentions served on UPPAbaby on December 20, 2024 pursuant to L.R., D. Mass. 16.6(d)(1). To the extent necessary in responding to any of the below Interrogatories, Baby Jogger incorporates its identification of the accused products set for in its Preliminary Infringement Contentions, including and supplements or amendments thereto, into the definition of "Accused Products." Baby Jogger additionally includes with this definition of Accused Products, the RumbleSeat V3, which was recently released by UPPAbaby.

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SPECIFIC OBJECTIONS AND RESPONSES

Subject to the foregoing, Baby Jogger objects and responds to UPPAbaby's First Set of Interrogatories as follows:

INTERROGATORY NO. 1:

For each alleged inventor of the Asserted Patents, describe the contributions that each alleged inventor made to each alleged invention in each of the Asserted Patents, including the subject matter allegedly invented by the alleged inventor, the date(s) of said alleged inventions, and, on a limitation-by-limitation basis, the limitations of each of the claims of the Asserted Patents allegedly invented by each inventor.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory as overbroad, not proportional to the needs of the case, and seeking information not relevant to any parties' claims or defenses at least to the extent it seeks information related to claims that have not been asserted in this litigation.

Subject to and without waiving the foregoing objections, Baby Jogger identifies Mark Zehfuss as the individual who conceived of and contributed to all of the specific combinations of features disclosed in each of the Asserted Claims[1] of U.S. Patent No. 8,955,869 (the "'869 Patent"), U.S. Patent No. 9,403,550 (the "'550 Patent"), U.S. Patent No. 11,192,568 (the "'568 Patent"), U.S. Patent No. 11,505,231 (the "'231 Patent"), and U.S. Patent No. 11,878,729 (the

[1] For purposes of these objections and responses, "Asserted Claims" refers to those claims asserted against UPPAbaby as infringing in Baby Jogger's Preliminary Infringement Contentions served on December 20, 2024, including any amendments or supplements thereto.

"'729 Patent"). These specific combinations of features are disclosed in U.S. Provisional Patent Application No. 61/119,920 (BJvU-0001483). Baby Jogger further identifies Jon Hee Lee, Megan Roe, and Stacy Noel Simpson as contributors to certain additional features disclosed in the '568 Patent. The contributions of Jon Hee Lee, Megan Roe, and Stacy Noel Simpson are further disclosed in U.S. Provisional Patent Application No. 62/311,224 (BJvU-0001531). These contributions include the design and development of certain components of the claimed seat attachment housing. *See, e.g.*, '568 Patent, claims 2, 3, 5, 13, 14, 17, 18. As the U.S. Patent and Trademark Office concluded after examining each of the applications the resulted in the Asserted Patents, none of the prior art located by the examiner, when considered alone or in combination, included or otherwise rendered obvious the specific combination of features in the Asserted Claims. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 2:

Identify each person and company involved in the research, design, development, manufacture, or testing of Baby Jogger product(s) that Baby Jogger contends embody the Asserted Patents and describe the nature of each such person's and company's role or involvement.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory as vague, ambiguous, and overbroad at least to the extent it uses the undefined phrase "involved in." It is unclear from this

interrogatory how UPPAbaby defines this phrase and thus the scope of this interrogatory is not clear.

Subject to and without waiving the foregoing objections, Baby Jogger identifies the City Select®, City Select® LUX, City Select® 2, and City Select® 2 Eco Collection (collectively, the "Embodying Products") as products that embody claims of the Asserted Patents. Baby Jogger further identifies inventor Mark Zehfuss as the individual who conceived of and contributed to all of the specific combinations of features disclosed in each of the Asserted Claims of the Asserted Patents. In addition to Mr. Zehfuss, inventors Jon Hee Lee, Megan Roe, and Stacey Noel Simpson, contributed to certain additional features claimed in the '568 Patent, but not asserted in this litigation. Each of these inventors contributed to aspects of the research, design, development, and/or testing of the Embodying Products. Baby Jogger further incorporates by reference its response and objections to Interrogatory No. 1, including any amendments or supplements thereto.

Baby Jogger further identifies [redacted] as the manufacturer of the Embodying Products since 2010. *See* BJvU-0007491. Baby Jogger further identifies Drew Kitchens and Jordi Dorca Pujol as individuals who contributed to, or have knowledge of, the research, design, development, or testing of one or more of the Embodying Products. Baby Jogger further incorporates by reference its Initial Disclosures, including any amendments and/or supplements thereto. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 3:

Identify each person and company involved in the importation, advertising, sale, and distribution of Baby Jogger product(s) that Baby Jogger contends embody the Asserted Patents and describe the nature of each such person's and company's role or involvement.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory as vague, ambiguous, and overbroad at least to the extent it uses the undefined phrase "involved in." It is unclear from this interrogatory how UPPAbaby defines this phrase and thus the scope of this interrogatory is not clear.

Subject to and without waiving the foregoing objections, Baby Jogger identifies Casey Anthony and Fawn Dalton as contributing to the advertising, sale, and distribution of one or more of the Embodying Products. Ms. Anthony contributes to the advertising and sale of one or more of the Embodying Products, while Ms. Dalton contributes to the sale and distribution of one or more of the Embodying Products. Baby Jogger further incorporates by reference its Initial Disclosures, including any amendments and/or supplements thereto. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information

INTERROGATORY NO. 4:

Describe Gordon Liao's and any past or present officer, director, agent, employee, consultant, or agent of Unique Product & Design Co., LTD's involvement in the research, design,

development, manufacture, or testing of product(s) that Baby Jogger contends embody the Asserted Patents and describe the nature of the role or involvement.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory as vague, ambiguous, and overbroad at least to the extent it uses the undefined phrase "involvement in." It is unclear from this interrogatory how UPPAbaby defines this phrase and thus the scope of this interrogatory is not clear.

Subject to and without waiving the foregoing objections, Baby Jogger states that Unique Product & Design Co., LTD had no involvement in the research, design, development, manufacture, or testing of any Embodying Product. Baby Jogger further states that [redacted] is the manufacturer of the Embodying Products and has been since 2010. Baby Jogger further understands that Gordon Liao [redacted]. Following the conception of the specific combinations of features now disclosed in each of the Asserted Claims of the Asserted Patents by Mark Zehfuss, [redacted] provided assistance in the reduction to practice of one or more aspects of the Embodying Products. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 5:

Describe each and every instance in which Baby Jogger disclosed the alleged invention(s) of each of the Asserted Patents to any person or company other than Baby Jogger before December 4, 2008, including the manner in which the alleged invention(s) were disclosed, the date on which the disclosure(s) was made, the person(s) who made the disclosure, and the person(s) who were present for or who received said disclosure.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges.

Subject to and without waiving the foregoing objections, Baby Jogger is unaware of any disclosures of the subject matter disclosed in the Asserted Patents prior to December 4, 2008 to any person or company other than Baby Jogger. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 6:

Describe each and every instance in which Baby Jogger disclosed the alleged invention(s) of each of the CIP Branch Patents to any person or company other than Baby Jogger before March 21, 2016, including the manner in which the alleged invention(s) were disclosed, the date on which the disclosure(s) was made, the person(s) who made the disclosure, and the person(s) who were present for or who received said disclosure.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory as overbroad, not proportional to the needs of the case, and seeking information not relevant to any parties' claims or defenses at least to the extent it seeks information related to claims that have not been asserted in this litigation.

Subject to and without waiving the foregoing objections, Baby Jogger incorporates by reference its response and objections to Interrogatory No. 1, including any amendments or supplements thereto. Baby Jogger further states that it is unaware of any disclosures of the additional features disclosed in the '568 Patent prior to March 21, 2016. Baby Jogger further responds that the subject matter disclosed in U.S. Provisional Patent Application No. 61/119,920 (BJvU-0001483), the '869 Patent, as well as the original City Select® stroller, released in 2010, were disclosed before March 21, 2016. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 7:

For each Asserted Patent, identify the first date on which Baby Jogger advertised, promoted, marketed, or marked a product as allegedly covered by any of the Asserted Patents, including the complete URL of any websites on which said claim appears or had ever appeared and the identity of any other advertising, promotional marketing, product marking or instructional material claiming that Baby Jogger's product(s) is covered by any of the Asserted Patents.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges.

Subject to and without waiving the foregoing objections, Baby Jogger states that it first advertised, promoted, and/or marketed its original City Select® stroller when it was introduced in and around 2010. Baby Jogger further states that it began virtually marking Embodying Products through its website at https://www.newellbrands.com/patents since at least as early as November 2023. Since that time, this website has identified the following:

City Select 2	US8955869, US9403550, US9944305, US10730543, US11192568, US11505231
City Select 2 Eco Collection	US8955869, US9403550, US9944305, US10730543, US11192568, US11505231

https://www.newellbrands.com/dA/bf1da3af-6c0a-4002-a42c-ee77403b60e7/BabyJogger-Patents-11-23.pdf (last accessed January 30, 2025).

Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 8:

Identify all prior art to the Asserted Patents and Unasserted Family Members known to Baby Jogger, including the date on which each piece of prior art became known to Baby Jogger and the circumstances under which each piece of prior art became known to Baby Jogger.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other

applicable privileges. Baby Jogger further objects to this interrogatory as overbroad, not proportional to the needs of the case, and seeking information not relevant to any parties' claims or defenses at least to the extent it seeks information related to claims and patents that have not been asserted in this litigation. Baby Jogger further objects this interrogatory's use of the term "prior art" as defined by UPPAbaby as incomplete and inconsistent with the provisions of 35 U.S.C. § 102. Baby Jogger further objects to this interrogatory to the extent that it seeks to define "any publication, patent, use, sale, offer for sale, prior invention, knowledge or other activity" as "prior art," as it is UPPAbaby's burden to prove that a reference or otherwise qualifies as "prior art." By responding, Baby Jogger does not concede that any particular reference is "prior art" to the Asserted Patents or Unasserted Family Members.

Subject to and without waiving the foregoing objections, Baby Jogger identifies the references cited to and by the United States Patent and Trademark Office during prosecution of the Asserted Patents and Unasserted Family Members. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Baby Jogger identifies the following documents that contain information responsive to this interrogatory: BJvU-0000947; BJvU-0001583; BJvU-0002337; BJvU-0003330; BJvU-0003758; BJvU-0004367; BJvU-0005355; BJvU-0005636; BJvU-0005836; BJvU-0006008; BJvU-0006320. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 9:

Identify the date, title, and contracting parties thereto of all agreements, licenses, contracts, or equivalents, and any addendums, amendments or revisions, concerning any of the Asserted Patents or Unasserted Family Members.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory as overbroad, not proportional to the needs of the case, and seeking information not relevant to any parties' claims or defenses at least to the extent it seeks information related to claims and patents that have not been asserted in this litigation.

Subject to and without waiving the foregoing objections, Baby Jogger states that to the best of its knowledge, no such information exists concerning any of the Asserted Patents or the Unasserted Family Members. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 10:

Identify the date, title, and contracting parties thereto of all agreements, licenses, contracts, or equivalents, and any addendums, amendments or revisions, concerning the research, design, development, manufacture, testing, importation, advertising, sale, and/or distribution of Baby Jogger product(s) that Baby Jogger contends embody the Asserted Patents.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory as overbroad, unduly burdensome, not proportional to the needs of the case, and seeking information that is not relevant to the parties' claims or defenses in that it requests "all agreements, licenses, contracts, or

equivalents" concerning the stated topic as opposed to a request described with reasonable particularity, and also because it lacks a temporal limitation.

Subject to and without waiving the foregoing objections, pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Baby Jogger identifies the following documents that contain information responsive to this interrogatory: BJvU-0007491. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 11:

For each Accused Product, describe Baby Jogger's first awareness of the Accused Product, including without limitation, the date of such first awareness, the person(s) who first became aware of the Accused Product, the circumstances under which the person(s) first became aware of the Accused Product, and all documents comprising, referring, or relating to such first awareness.

RESPONSE:

Baby Jogger objects to this interrogatory seeking "all documents" on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory as vague, ambiguous, and overbroad at least to the extent it uses the undefined phrase "first awareness." It is unclear from this interrogatory how UPPAbaby defines this phrase and thus the scope of this request is not clear. Baby Jogger further objects to this interrogatory seeking its first knowledge of the Accused Products as overbroad, not proportional to the needs of the case, and seeking information not relevant to any parties' claims or defenses.

Subject to and without waiving the foregoing objections, Baby Jogger states that at least as early as December 2015, Baby Jogger had knowledge of the 2015 versions of the Vista stroller

and RumbleSeat. At that time, previous Chief Patent Counsel for Baby Jogger, Karen Borrelli, sent a letter and email to UPPAbaby raising concerns that the 2015 versions of the Vista stroller and RumbleSeat may be covered by claims of the '869 Patent. ECF 31-1, 42-2 at 2, 48-3. Baby Jogger further states that it had knowledge of each of the Accused Products at or near the time that they were released by UPPAbaby. Baby Jogger's investigation is on-going and thus reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of any additional responsive information.

INTERROGATORY NO. 12:

For each claim of the Asserted Patents, state the date(s) you contend the alleged invention was conceived and reduced to practice and identify the contribution of each person who participated or was otherwise involved in conception and reduction to practice.

RESPONSE:

Baby Jogger objects to this interrogatory as vague, ambiguous, and overbroad at least to the extent it uses the undefined term "conceived." It is unclear from this interrogatory how UPPAbaby defines this phrase and thus the scope of this interrogatory is not clear. Baby Jogger further objects to this interrogatory as premature and improper, at least to the extent it seeks expert opinion or testimony prior to the deadline for such expert disclosures. Baby Jogger further objects to this interrogatory as overbroad, not proportional to the needs of the case, and seeking information not relevant to any parties' claims or defenses at least to the extent it seeks information related to claims that have not been asserted in this litigation.

Subject to and without waiving the foregoing objections, Baby Jogger states that the subject matter each of the Asserted Claims of the Asserted Patents were conceived of and reduced to practice at least as early as February 2008 by Mark Zehfuss. Pursuant to Rule 33(d) of the Federal

Rules of Civil Procedure, Baby Jogger identifies the following documents that contain information responsive to this interrogatory: BJvU-0000001; BJvU-0000002; BJvU-0000003; BJvU-0000004; BJvU-0000005; BJvU-0000007; BJvU-0001483; BJvU-0006769; BJvU-0006781; BJvU-0006832; BJvU-0006856; BJvU-0006861; BJvU-0006870. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Graco becomes aware of any additional responsive information.

INTERROGATORY NO. 13:

State the basis for any contention by Baby Jogger that UPPAbaby's alleged infringement of any of the Asserted patents is willful, or any contention by Baby Jogger that it is entitled to enhanced damages, including all facts known to Baby Jogger related to UPPAbaby's alleged knowledge or awareness of the Asserted Patents.

RESPONSE:

Baby Jogger objects to this interrogatory seeking "all facts" to the extent it seeks information protected by attorney-client privilege, the work-product doctrine, or any other applicable doctrines. Baby Jogger further objects to this interrogatory as premature as discovery in this matter has just begun, including into facts relevant to UPPAbaby's willful infringement.

Subject to and without waiving the foregoing objections, Baby Jogger states that UPPAbaby's infringement has been willful because it has knowingly and deliberately infringed each of the Asserted Patents. Prior to 2015, UPPAbaby had a very rudimentary seat attachment for a stroller, capable only of attaching to the stroller frame such that it positioned the second child close to and facing the back of a backward-facing first seat and reduced under-seat storage, and the seat was not reversible or interchangeable. But then, in late 2015, UPPAbaby introduced a new version of its RumbleSeat product that was strikingly similar to what was disclosed in Baby

Jogger's '869 Patent and thus infringed. *See, e.g.*, ECF 29, ¶¶ 57-70. Baby Jogger further responds that UPPAbaby has had knowledge of the '869 Patent since at least as early as December 4, 2015, when Baby Jogger sent a letter to UPPAbaby providing notice of the '869 Patent, and its potential infringement of the '869 Patent. UPPAbaby has also had knowledge of the '550 Patent, '568 Patent, '231 Patent, and the '729 Patent since at least as early as June 18, 2024. Despite this knowledge, UPPAbaby has continued to knowingly and deliberately infringe the Asserted Claims of the Asserted Patents.

Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 14:

State the basis for Baby Jogger's damages calculation, including whether Baby Jogger is seeking an award of lost profits or reasonable royalties, the amount of Baby Jogger's alleged damages based on information presently known to Baby Jogger, and all facts known to Baby Jogger related to Baby Jogger's claim for damages.

RESPONSE:

Baby Jogger objects to this interrogatory seeking "all facts" to the extent it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory on the grounds that it is premature and improper at least to the extent that it seeks Baby Jogger's damages contentions at this early stage in the proceedings and because it seeks expert testimony related to the issue of damages. Baby Jogger further objects to this interrogatory on the grounds that it is premature as UPPAbaby has not yet produced any relevant financial documents.

Subject to and without waiving the foregoing objections, Baby Jogger anticipates that at the appropriate time it will serve one or more expert reports on the issue of alleged damages that will contain information responsive to this interrogatory and thus incorporates by reference any such report(s). Baby Jogger further incorporates by reference its Rule 26(a)(1)(A)(iii) disclosures. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information

INTERROGATORY NO. 15:

For each of the Asserted Patents, state the basis for any contention that U.S. Design Patent No. D593,459 ("Liao") does not disclose, teach, or suggest the alleged invention(s) of each of the Asserted Patents, including on a limitation by limitation basis, the limitations allegedly not found in said reference, and the bases for the contention that said limitation(s) are not found in the reference.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory on the grounds that it is a premature contention interrogatory as discovery in this action has just begun, no depositions have been taken, the claims have not yet been construed by the Court, and UPPAbaby's Invalidity Contentions have not been served. Baby Jogger further objects to this interrogatory as premature and improper at least to the extent it seeks expert testimony prior to the deadline for such disclosures. Baby Jogger further objects to this interrogatory as overbroad, not proportional to the needs of the case, and seeking information not relevant to any parties' claims or defenses at least to the extent it seeks information related to claims that have not been asserted in this litigation.

Subject to and without waiving the foregoing objections, Baby Jogger anticipates that at the appropriate time, and if necessary, it will serve one or more expert reports on the issue of validity that will contain information responsive to this interrogatory and thus incorporates by reference any such report(s). Baby Jogger further incorporates by reference its Answer to UPPAbaby's Counterclaim. *See, e.g.*, ECF 32, ¶¶ 37-117. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

INTERROGATORY NO. 16:

Describe the qualifications of the relevant person having ordinary skill in the art of the Asserted Patents, including, but not limited to, the educational level and knowledge of such a person, years of industry experience, and the field of such experience, and identify all documents supporting your contentions.

RESPONSE:

Baby Jogger objects to this interrogatory as premature and improper at least to the extent it seeks expert testimony prior to the deadline for such expert disclosures.

Subject to and without waiving the foregoing objections, Baby Jogger states that a person of ordinary skill in the field of baby strollers, baby carriers, or similar products would have a degree in mechanical engineering, industrial design, or a related field of study as well as expertise and/or advanced knowledge regarding baby products, baby strollers, and/or standards set by the American Society for Testing and Materials or similar organizations. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of any additional responsive information.

INTERROGATORY NO. 17:

State the basis for any contention that each of Jon Hee Lee, Megan Roe, and Stacy Noel Simpson is not an inventor of the '231 Patent or the '729 Patent, and, on a limitation-by-limitation basis, the limitations allegedly not invented by any of Jon Hee Lee, Megan Roe, or Stacy Noel Simpson, and the bases for the contention that said limitation(s) are not invented by Jon Hee Lee, Megan Roe, or Stacy Noel Simpson.

RESPONSE:

Baby Jogger objects to this interrogatory on the grounds, and to the extent, that it seeks information protected by the attorney-client privilege, the work product doctrine, or any other applicable privileges. Baby Jogger further objects to this interrogatory as overbroad, unduly burdensome, and seeking information that is not relevant to any parties' claims or defenses at least to the extent that it is not tailored to the claims-in-suit.

Subject to and without waiving the foregoing objections, Baby Jogger incorporates by reference its responses and objections to Interrogatory Nos. 1-2, including amendments or supplements thereto. Baby Jogger further states that Jon Hee Lee, Megan Roe, and Stacy Noel Simpson did not contribute to the subject matter claimed in the '231 Patent or '729 Patent. Baby Jogger's investigation is on-going and thus it reserves the right to amend, modify, and/or supplement this response as Baby Jogger becomes aware of additional responsive information.

Dated: February 10, 2025

/s/ *Robert J. Leonard*
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Attorneys for Plaintiff Baby Jogger, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 10, 2025, the foregoing document was served on all counsel of record for Defendant.

/s/ *Robert J. Leonard*
Robert J. Leonard