From:	Rodeen Talebi
To:	cleggett@nixonpeabody.com; Steven Pepe; Amanda Stephenson
Cc:	omni@nixonpeabody.com; OMNI-DF@davisfirm.com; Omni v OnePlus; US-CLIENT-OURA-OmniMedSci-Service; David Chun; James Davis; Daniel Kim; FossilOmniFishService; melissa@gillamsmithlaw.com; RopesSamsungOmniMedSci1070
Subject:	RE: Omni MedSci v. Samsung et al. || Defendants" Non-Compliance with P.R. 3-3
Date:	Thursday, October 2, 2025 7:10:55 AM
Attachments:	image001.png

Corey,

Thank you for the follow-up. We disagree with your characterizations and do not concede any deficiency.

- Prior art systems: We did not acknowledge that our disclosures are deficient. We provided detailed descriptions and citations to publicly available materials. Discovery regarding third-party systems is ongoing, and we will supplement as appropriate under the rules and schedule. We are not required to provide full claim-by-claim charts for third-party systems before obtaining discovery, and we are preparing appropriate subpoenas despite our efforts to obtain the information otherwise.
- Obviousness: Our contentions identify specific references, representative combinations, and articulated motivations to combine. The local rules do not require enumerating every permutation. We do not agree that amendment is required, and any further narrowing, to the extent appropriate, will occur in accordance with the case schedule and expert reports. However, Defendants are open to discussing a mutually agreeable schedule for additional narrowing of asserted claims and prior art references similar to the process set forth in EDTX General Order No. 13-20
- Incorporation by reference: Our contentions cite specific materials, which are in the possession of Omni. We are not relying on unidentified materials outside what has been cited, identified, or produced in this case. To the extent prior materials from related matters are cited, they have been identified, and Omni is aware of those contentions; we will not rely on unspecified, uncited materials but believe that the incorporation by reference is justified and expect Omni to produce these materials, after which we will cite them appropriately.

We remain available to continue meeting and conferring. Defendants reserve all rights.

Thanks,
Rodeen

Rodeen Talebi
Attorney ■ Fish & Richardson P.C.

T: 214 760 6150 | talebi@fr.com | Bio

From: Leggett, Corey <cleggett@nixonpeabody.com>
Sent: Wednesday, October 1, 2025 8:09 PM
To: Rodeen Talebi <talebi@fr.com>; Steven Pepe <spepe@sheppardmullin.com>; Amanda Stephenson <AStephenson@mayerbrown.com>
Cc: omni@nixonpeabody.com; OMNI-DF@davisfirm.com; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; David Chun <dchun@sheppardmullin.com>; James Davis <jdavis@sheppardmullin.com>; Dan Kim <hykim@sheppardmullin.com>; FossilOmniFishService <FossilOmniFishService@fr.com>; melissa@gillamsmithlaw.com; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Counsel:

Thank you for making time for the lead and local meet-and-confer yesterday regarding Defendants' invalidity contentions. The Parties discussed the following issues: (1) Defendants' insufficient disclosure of prior art systems; (2) Defendants' improper, boundless obviousness combinations and alleged motivations to combine; and (3) Defendants' improper attempt to "incorporate by reference" extrinsic materials into their contentions.

Defendants acknowledged that their disclosure of alleged prior art systems is deficient because, among other things, Defendants have failed to provide any claim charts identifying specifically where in each alleged prior art system each asserted claim is found. Defendants stated that their prior art system contentions require additional discovery but acknowledged that they have not sought such discovery to date and could not provide any timeline for when they would do so. If Defendants have a more definitive timeline, please provide it.

Regarding obviousness combinations, the Parties discussed how Defendants' contentions repeatedly assert that "any charted or incorporated reference in combination with one or more other charted or incorporated references renders the Asserted Claims obvious" and that "any of the references disclosed [in the contentions] may be combined with one another to render obvious (and therefore invalid) each of Omni's Asserted Claims." (*See, e.g.*, Defendants' 07/18/2025 Supp. Invalidity Contentions at 69-70, 75-76.) Defendants' contentions identify over 100 alleged prior art references. We further reiterated from my September 8 letter that such an approach creates an astronomical number of obviousness combinations, which is tantamount to no disclosure at all. Notwithstanding this, Defendants' position is that their contentions comply with the local patent rules. Upon request from Omni to narrow and more specifically identify obviousness combinations, Defendants stated that they would not propose any amendments to their contentions.

Lastly, the Parties discussed Defendants' attempt to "incorporate by reference" a slew of extrinsic materials, including "all invalidity contentions and subject matter eligibility contentions, prior art, and

invalidity claim charts" that were disclosed at any time in "previous or related litigation." Omni explained that such a vague and overbroad "incorporation by reference" leaves Omni guessing as to the full scope of Defendants' contentions. Omni requested that Defendants propose amended contentions removing the alleged "incorporation by reference" materials. Defendants stated that they would not amend their contentions.

As noted on the meet-and-confer, Omni reserves all rights to pursue appropriate remedies with the Court to address the various deficiencies in Defendants' invalidity contentions, including the issues summarized above.

Regards,
Corey

From: Leggett, Corey <cleggett@nixonpeabody.com>
Sent: Friday, September 26, 2025 4:11 PM
To: Rodeen Talebi <talebi@fr.com>; Jared Smith <jasmith@fr.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: Omni MedSci <omni@nixonpeabody.com>; OMNI-DF@davisfirm.com; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>; Steven Pepe <spepe@sheppardmullin.com>; David Chun <dchun@sheppardmullin.com>; James Davis <jdavis@sheppardmullin.com>; Dan Kim <hykim@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Rodeen,

We are available on Tuesday at 3:30pm ET for a lead and local counsel meet-and-confer regarding Defendants' deficient invalidity contentions. The topics we wish to discuss, and Omni's positions on such topics, are sufficiently set forth in our September 8 letter.

We will send a calendar invite for the meet-and-confer.

Best,
Corey

From: Rodeen Talebi <talebi@fr.com>
Sent: Wednesday, September 24, 2025 12:33 PM
To: Leggett, Corey <cleggett@nixonpeabody.com>; Jared Smith <jasmith@fr.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: Omni MedSci <omni@nixonpeabody.com>; OMNI-DF@davisfirm.com; Omni v OnePlus

<Omni_v_OnePlus@CJSJLAW.com>; Steven Pepe <spepe@sheppardmullin.com>; David Chun <dchun@sheppardmullin.com>; James Davis <jdavis@sheppardmullin.com>; Dan Kim <hykim@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Corey,

The following windows next week work for Defendants—please let us know which of these works for Omni:

- Tue: 12:00 - 1:00pm / 3:00 - 4:30pm ET
- Wed: 11:00am – 12:00pm ET

Also, please provide Omni's response to Defendants' Sept. 19 letter in advance of the call so that we have a full understanding of Omni's position before entering the meet-and-confer.

Thanks,
Rodeen

Rodeen Talebi
Attorney ■ Fish & Richardson P.C.

T: 214 760 6150 | talebi@fr.com | Bio

From: Rodeen Talebi
Sent: Tuesday, September 23, 2025 7:05 PM
To: Leggett, Corey <cleggett@nixonpeabody.com>; Jared Smith <jasmith@fr.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: omni@nixonpeabody.com; OMNI-DF@davisfirm.com; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>; Steven Pepe <spepe@sheppardmullin.com>; David Chun <dchun@sheppardmullin.com>; James Davis <jdavis@sheppardmullin.com>; Dan Kim <hykim@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Corey,

Unfortunately, Fossil's lead counsel is no longer available at that time. Defendants are coordinating to find a time that works for all their lead and local counsel.

Thanks,
Rodeen

Rodeen Talebi
Attorney ■ Fish & Richardson P.C.

T: 214 760 6150 | talebi@fr.com | Bio

From: Leggett, Corey <cleggett@nixonpeabody.com>
Sent: Tuesday, September 23, 2025 6:03 PM
To: Rodeen Talebi <talebi@fr.com>; Jared Smith <jasmith@fr.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: omni@nixonpeabody.com; OMNI-DF@davisfirm.com; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>; Steven Pepe <spepe@sheppardmullin.com>; David Chun <dchun@sheppardmullin.com>; James Davis <jdavis@sheppardmullin.com>; Dan Kim <hykim@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Hi Rodeen,

We shuffled some schedules and are available tomorrow at your originally proposed time, 2:30-3:00pm CT. Please confirm that still works for Defendants, and I will send a calendar invite.

Thank you.

Regards,
Corey

From: Rodeen Talebi <talebi@fr.com>
Sent: Tuesday, September 23, 2025 12:11 PM
To: Leggett, Corey <cleggett@nixonpeabody.com>; Jared Smith <jasmith@fr.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: Omni MedSci <omni@nixonpeabody.com>; OMNI-DF@davisfirm.com; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>; Steven Pepe <spepe@sheppardmullin.com>; David Chun <dchun@sheppardmullin.com>; James Davis <jdavis@sheppardmullin.com>; Dan Kim <hykim@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Corey,

That timeframe does not work for Defendants.

Defendants are coordinating to find the earliest availability date/time and will circle back.

Thanks,
Rodeen

Rodeen Talebi
Attorney ■ Fish & Richardson P.C.

T: 214 760 6150 | talebi@fr.com | Bio

From: Leggett, Corey <cleggett@nixonpeabody.com>
Sent: Tuesday, September 23, 2025 12:11 PM
To: Rodeen Talebi <talebi@fr.com>; Jared Smith <jasmith@fr.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: omni@nixonpeabody.com; OMNI-DF@davisfirm.com; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>; Steven Pepe <spepe@sheppardmullin.com>; David Chun <dchun@sheppardmullin.com>; James Davis <jdavis@sheppardmullin.com>; Dan Kim <hykim@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Hi Rodeen,

Are Defendants available at 3:30-4:00pm CT tomorrow?

Thanks,
Corey

From: Rodeen Talebi <talebi@fr.com>
Sent: Monday, September 22, 2025 12:18 PM
To: Leggett, Corey <cleggett@nixonpeabody.com>; Jared Smith <jasmith@fr.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: Omni MedSci <omni@nixonpeabody.com>; OMNI-DF@davisfirm.com; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>; Steven Pepe <spepe@sheppardmullin.com>; David Chun <dchun@sheppardmullin.com>; James Davis <jdavis@sheppardmullin.com>; Dan Kim <hykim@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Corey,

Defendants are available for a meet-and-confer on Wednesday, September 24, between 2:30-3:00pm CT. Please circulate an conference invite.

Thanks,
Rodeen

Rodeen Talebi
Attorney ■ Fish & Richardson P.C.

T: 214 760 6150 | talebi@fr.com | Bio

From: Leggett, Corey <cleggett@nixonpeabody.com>
Sent: Friday, September 19, 2025 10:25 PM
To: Jared Smith <jasmith@fr.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: omni@nixonpeabody.com; OMNI-DF@davisfirm.com; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>; Steven Pepe <spepe@sheppardmullin.com>; David Chun <dchun@sheppardmullin.com>; James Davis <jdavis@sheppardmullin.com>; Dan Kim <hykim@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Jared (and counsel for Defendants):

We received your letter this morning responding to our September 8 letter concerning deficiencies in Defendants' invalidity contentions. We reiterate our request for Defendants' availability on Wednesday, September 24, for a meet-and-confer between lead and local counsel, in accordance with this case's governing Discovery Order (Dkt. 50).

Thanks,
Corey

From: Leggett, Corey <cleggett@nixonpeabody.com>
Sent: Thursday, September 18, 2025 7:30 PM
To: Jared Smith <jasmith@fr.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: Omni MedSci <omni@nixonpeabody.com>; OMNI-DF@davisfirm.com; Omni v OnePlus

<Omni_v_OnePlus@CJSJLAW.com>; spepe@sheppardmullin.com; dchun@sheppardmullin.com; 'jdavis@sheppardmullin.com' <jdavis@sheppardmullin.com>; Dan Kim <HyKim@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Jared,

Your email contradicts the parties' agreement for discovery disputes. As memorialized in the governing Discovery Order (Dkt. 50), the parties agreed that a meet-and-confer would be conducted "promptly" after service of a letter detailing deficiencies in Defendants' invalidity contentions. *See id*. at ¶ 9(a). We no longer have availability to meet and confer tomorrow but are available for a lead and local counsel meet-and-confer next week on Wednesday. Please advise of Defendants' availability that day.

Regards,
Corey

From: Jared Smith <jasmith@fr.com>
Sent: Wednesday, September 17, 2025 8:44 AM
To: Leggett, Corey <cleggett@nixonpeabody.com>; US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: Omni MedSci <omni@nixonpeabody.com>; OMNI-DF@davisfirm.com; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>; spepe@sheppardmullin.com; dchun@sheppardmullin.com; 'jdavis@sheppardmullin.com' <jdavis@sheppardmullin.com>; Dan Kim <HyKim@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

[EXTERNAL E-MAIL]
Be Aware of Links and Attachments

Corey,

As you noted in your September 8 letter, Defendants served their invalidity and subject matter eligibility contentions on June 3, followed by a supplement on July 18. Omni waited nearly two months from the supplement to send its letter and is now unreasonably demanding a response within one week.

Defendants are preparing a response and will serve it in due course. Requesting a meet and confer this week, before Defendants have had sufficient time to complete their response, is

premature.

Best,
Jared

Jared A. Smith
Principal ■ Fish & Richardson P.C.
858.678.4702 | jasmith@fr.com | Bio

From: Leggett, Corey <cleggett@nixonpeabody.com>
Sent: Monday, September 15, 2025 7:29 PM
To: US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: omni@nixonpeabody.com; OMNI-DF@davisfirm.com; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>; spepe@sheppardmullin.com; dchun@sheppardmullin.com; 'jdavis@sheppardmullin.com' <jdavis@sheppardmullin.com>
Subject: RE: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

[This email originated outside of F&R.]

Counsel,

We have not received a response to our September 8 letter. Please provide availability to meet and confer on Thursday or Friday this week.

Regards,
Corey

From: Leggett, Corey <cleggett@nixonpeabody.com>
Sent: Monday, September 8, 2025 7:26 PM
To: US-CLIENT-OURA-OmniMedSci-Service <Oura-Omni@mayerbrown.com>; RopesSamsungOmniMedSci1070 <RopesSamsungOmniMedSci1070@ropesgray.com>; FossilOmniFishService <FossilOmniFishService@fr.com>
Cc: Omni MedSci <omni@nixonpeabody.com>; OMNI-DF <OMNI-DF@davisfirm.com>; Omni v OnePlus <Omni_v_OnePlus@CJSJLAW.com>
Subject: Omni MedSci v. Samsung et al. || Defendants' Non-Compliance with P.R. 3-3

Counsel,

Please see attached correspondence.

Regards,

Corey

Corey T. Leggett
Counsel
cleggett@nixonpeabody.com
T/ +1 415.984.8340 M/ +1 415.515.9593 F/ +1 415.984.8300

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