IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

OMNI MEDSCI, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 25-140 (WCB)
	)	
WHOOP, INC.,	)	
	)	
Defendant.	)	

DEFENDANT WHOOP, INC.'S STIPULATION REGARDING INVALIDITY CONTENTIONS FOR U.S. PATENT NO. 9,651,533

On September 26, 2025, Defendant WHOOP, Inc. ("Defendant" or "WHOOP") filed petition no. IPR2025-01583 with the Patent Trial and Appeal Board ("PTAB"), requesting *inter partes* review of U.S. Patent No. 9,651,533 ("the '533 patent").

The petition asserts three grounds of invalidity: (1) claims 11, 12, and 18 would have been obvious over U.S. Patent No. 9,241,676 ("Lisogurski") in view of U.S. Patent App. Pub. No. 2005/0049458 ("Carlson"); (2) claims 6 and 14 would have been obvious over Lisogurski in view of Carlson and U.S. Patent No. 6,144,867 ("Walker"); and (3) claims 6 and 14 would have been obvious over Lisogurski in view of Carlson and U.S. Patent No. 7,029,867 ("Tam").

Defendant hereby stipulates that if the PTAB institutes IPR on a ground presented in the petition, Defendant will not pursue in this co-pending district court litigation the specific ground asserted in the petition, or any other ground that was raised or could have been reasonably raised in an IPR (*i.e.*, grounds that could have been raised under §§ 102 or 103 on the basis of prior art patent or printed publications). *See Sotera Wireless, Inc. v. Masimo Corp.*, No. IPR2020-00109, Paper 12 at 18–19 (P.T.A.B. Dec. 1, 2020).

In so stipulating, WHOOP seeks to avoid a situation in which multiple proceedings address the validity of the challenged claims based on the same grounds. Instead, through this Stipulation, WHOOP expresses its preference that only the PTAB address the grounds of invalidity raised or that could have been reasonably raised in the IPR for these claims.

Defendant further stipulates that if the PTAB institutes IPR on a ground presented in Defendant's petition, Defendant will not pursue in this co-pending district court litigation an argument that a claim subject to such IPR is indefinite.

Notwithstanding this Stipulation, WHOOP reserves the right to assert in this litigation any grounds or claims on which the PTAB declines to institute *inter partes* review. WHOOP also reserves the right to assert grounds other than the grounds raised or could have been reasonably raised in the IPR for these claims.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jennifer Ying

Jennifer Ying (#5550)
Travis J. Murray (#6882)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jying@morrisnichols.com
tmurray@morrisnichols.com

Attorneys for Defendant WHOOP, Inc.

OF COUNSEL:

Brian A. Rosenthal
Hyunjong Ryan Jin
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
(212) 351-4000

Jaysen S. Chung
GIBSON, DUNN & CRUTCHER LLP
One Embarcadero Center, Suite 2600
San Francisco, CA 94111-3715
(415) 393-8200

Frank P. Coté
Nathaniel R. Scharn
GIBSON, DUNN & CRUTCHER LLP
3161 Michelson Drive, Suite 1200
Irvine, CA 92612-4412
(949) 451-3800

Audrey Yang
Julia G. Tabat
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue Suite 2100
Dallas, TX 75201-2923
(214) 698-3100

January 5, 2026

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2026, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on January 5, 2026, upon the following in the manner indicated:

Stephen B. Brauerman, Esquire *VIA ELECTRONIC MAIL*
Ronald P. Golden, III, Esquire
Emily L. Skaug, Esquire
BAYARD, P.A.
600 North King Street, Suite 400
P.O. Box 25130
Wilmington, DE 19899
Attorneys for Plaintiff

Daniel S. Stringfield, Esquire *VIA ELECTRONIC MAIL*
Timothy P. Maloney, Esquire
Dragan Gjorgiev, Esquire
Peter Krusiewicz, Esquire
NIXON PEABODY LLP
70 West Madison, Suite 5200
Chicago, IL 60602
Attorneys for Plaintiff

Elizabeth M. Chiaviello, Esquire *VIA ELECTRONIC MAIL*
NIXON PEABODY LLP
799 9th Street NW, Suite 500
Washington, D.C. 20001
Attorneys for Plaintiff

William E. Davis, III, Esquire *VIA ELECTRONIC MAIL*
Ty Wilson, Esquire
DAVIS FIRM PC
213 N. Fredonia Street, Suite 230
Longview, TX 75601
Attorneys for Plaintiff

/s/ Jennifer Ying

Jennifer Ying (#5550)

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WHOOP, INC.,	)	
	)	
Defendant.	)	

DEFENDANT WHOOP, INC.'S STIPULATION REGARDING INVALIDITY CONTENTIONS FOR U.S. PATENT NO. 10,874,304

On September 26, 2025, Defendant WHOOP, Inc. ("Defendant" or "WHOOP") filed petition no. IPR2025-01584 with the Patent Trial and Appeal Board ("PTAB"), requesting *inter partes* review of U.S. Patent No. 10,874,304 ("the '304 patent").

The petition asserts six grounds of invalidity: (1) claims 1, 11, 19–20, and 25 would have been obvious over U.S. Patent No. 9,241,676 ("Lisogurski") in view of U.S. Patent App. Pub. No. 2005/0049458 ("Carlson"); (2) claim 3 would have been obvious over Lisogurski in view of Carlson and U.S. Patent No. 8,175,667 ("Debreczeny"); (3) claims 2, 14, and 27 would have been obvious over Lisogurski in view of Carlson and U.S. Patent Appl. Pub. No. 2012/0197093 ("Valencell-093"); (4) claims 4–8, 10, 15–18, and 21–24 would have been obvious over Lisogurski in view of Carlson and U.S. Patent No. 6,304,767 ("Soller"); (5) claims 12–13 and 26 would have been obvious over Lisogurski in view of Carlson and U.S. Patent No. 8,108,036 ("Tran"); and (6) claim 9 would have been obvious over Lisogurski in view of Carlson, Soller, and Tran.

Defendant hereby stipulates that if the PTAB institutes IPR on a ground presented in the petition, Defendant will not pursue in this co-pending district court litigation the specific ground asserted in the petition, or any other ground that was raised or could have been reasonably raised

in an IPR (*i.e.*, grounds that could have been raised under §§ 102 or 103 on the basis of prior art patent or printed publications). *See Sotera Wireless, Inc. v. Masimo Corp.*, No. IPR2020-00109, Paper 12 at 18–19 (P.T.A.B. Dec. 1, 2020).

In so stipulating, WHOOP seeks to avoid a situation in which multiple proceedings address the validity of the challenged claims based on the same grounds. Instead, through this Stipulation, WHOOP expresses its preference that only the PTAB address the grounds of invalidity raised or that could have been reasonably raised in the IPR for these claims.

Defendant further stipulates that if the PTAB institutes IPR on a ground presented in Defendant's petition, Defendant will not pursue in this co-pending district court litigation an argument that a claim subject to such IPR is indefinite.

Notwithstanding this Stipulation, WHOOP reserves the right to assert in this litigation any grounds or claims on which the PTAB declines to institute *inter partes* review. WHOOP also reserves the right to assert grounds other than the grounds raised or could have been reasonably raised in the IPR for these claims.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jennifer Ying

Jennifer Ying (#5550)
Travis J. Murray (#6882)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jying@morrisnichols.com
tmurray@morrisnichols.com

Attorneys for Defendant WHOOP, Inc.

OF COUNSEL:

Brian A. Rosenthal
Hyunjong Ryan Jin
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
(212) 351-4000

Jaysen S. Chung
GIBSON, DUNN & CRUTCHER LLP
One Embarcadero Center, Suite 2600
San Francisco, CA 94111-3715
(415) 393-8200

Frank P. Coté
Nathaniel R. Scharn
GIBSON, DUNN & CRUTCHER LLP
3161 Michelson Drive, Suite 1200
Irvine, CA 92612-4412
(949) 451-3800

Audrey Yang
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GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue Suite 2100
Dallas, TX 75201-2923
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Stephen B. Brauerman, Esquire *VIA ELECTRONIC MAIL*
Ronald P. Golden, III, Esquire
Emily L. Skaug, Esquire
BAYARD, P.A.
600 North King Street, Suite 400
P.O. Box 25130
Wilmington, DE 19899
Attorneys for Plaintiff

Daniel S. Stringfield, Esquire *VIA ELECTRONIC MAIL*
Timothy P. Maloney, Esquire
Dragan Gjorgiev, Esquire
Peter Krusiewicz, Esquire
NIXON PEABODY LLP
70 West Madison, Suite 5200
Chicago, IL 60602
Attorneys for Plaintiff

Elizabeth M. Chiaviello, Esquire *VIA ELECTRONIC MAIL*
NIXON PEABODY LLP
799 9th Street NW, Suite 500
Washington, D.C. 20001
Attorneys for Plaintiff

William E. Davis, III, Esquire *VIA ELECTRONIC MAIL*
Ty Wilson, Esquire
DAVIS FIRM PC
213 N. Fredonia Street, Suite 230
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Attorneys for Plaintiff

/s/ Jennifer Ying

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WHOOP, INC.,	)	
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Defendant.	)	

DEFENDANT WHOOP, INC.'S STIPULATION REGARDING INVALIDITY CONTENTIONS FOR U.S. PATENT NO. 11,160,455

On September 26, 2025, Defendant WHOOP, Inc. ("Defendant" or "WHOOP") filed petition no. IPR2025-01585 with the Patent Trial and Appeal Board ("PTAB"), requesting *inter partes* review of U.S. Patent No. 11,160,455 ("the '455 patent").

The petition asserts four grounds of invalidity: (1) claims 1–4, 8–9, 10–11, and 15–16 would have been obvious over U.S. Patent No. 9,241,676 ("Lisogurski") in view of U.S. Patent App. Pub. No. 2005/0049458 ("Carlson") and U.S. Patent No. 6,304,767 ("Soller"); (2) claims 5 and 12 would have been obvious over Lisogurski in view of Carlson, Soller, and U.S. Patent No. 8,108,036 ("Tran"); (3) claim 17 would have been obvious over Lisogurski in view of Carlson, Soller, and U.S. Patent Appl. Pub. No. 2012/0197093 ("Valencell-093"); and (4) claims 6–7, 13–14, and 18–20 would have been obvious over Lisogurski in view of Carlson, Soller, Tran, and Valencell-093.

Defendant hereby stipulates that if the PTAB institutes IPR on a ground presented in the petition, Defendant will not pursue in this co-pending district court litigation the specific ground asserted in the petition, or any other ground that was raised or could have been reasonably raised in an IPR (*i.e.*, grounds that could have been raised under §§ 102 or 103 on the basis of prior art

patent or printed publications). *See Sotera Wireless, Inc. v. Masimo Corp.*, No. IPR2020-00109, Paper 12 at 18–19 (P.T.A.B. Dec. 1, 2020).

In so stipulating, WHOOP seeks to avoid a situation in which multiple proceedings address the validity of the challenged claims based on the same grounds. Instead, through this Stipulation, WHOOP expresses its preference that only the PTAB address the grounds of invalidity raised or that could have been reasonably raised in the IPR for these claims.

Defendant further stipulates that if the PTAB institutes IPR on a ground presented in Defendant's petition, Defendant will not pursue in this co-pending district court litigation an argument that a claim subject to such IPR is indefinite.

Notwithstanding this Stipulation, WHOOP reserves the right to assert in this litigation any grounds or claims on which the PTAB declines to institute *inter partes* review. WHOOP also reserves the right to assert grounds other than the grounds raised or could have been reasonably raised in the IPR for these claims.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jennifer Ying

Jennifer Ying (#5550)
Travis J. Murray (#6882)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jying@morrisnichols.com
tmurray@morrisnichols.com

Attorneys for Defendant WHOOP, Inc.

OF COUNSEL:

Brian A. Rosenthal
Hyunjong Ryan Jin
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
(212) 351-4000

Jaysen S. Chung
GIBSON, DUNN & CRUTCHER LLP
One Embarcadero Center, Suite 2600
San Francisco, CA 94111-3715
(415) 393-8200

Frank P. Coté
Nathaniel R. Scharn
GIBSON, DUNN & CRUTCHER LLP
3161 Michelson Drive, Suite 1200
Irvine, CA 92612-4412
(949) 451-3800

Audrey Yang
Julia G. Tabat
GIBSON, DUNN & CRUTCHER LLP
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Dallas, TX 75201-2923
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Ronald P. Golden, III, Esquire
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BAYARD, P.A.
600 North King Street, Suite 400
P.O. Box 25130
Wilmington, DE 19899
Attorneys for Plaintiff

Daniel S. Stringfield, Esquire *VIA ELECTRONIC MAIL*
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Peter Krusiewicz, Esquire
NIXON PEABODY LLP
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Chicago, IL 60602
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Elizabeth M. Chiaviello, Esquire *VIA ELECTRONIC MAIL*
NIXON PEABODY LLP
799 9th Street NW, Suite 500
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