UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.; AND
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

OURARING, INC.
Patent Owner.

PGR2024-00039
U.S. Patent No. 11,874,702

PATENT OWNER'S SUPPLEMENTAL BRIEF ON U.S. INTERNATIONAL TRADE COMMISSION'S ADJUDICATION OF THE SAME OR SUBSTANTIALLY SAME CLAIMS

TABLE OF EXHIBITS

Exhibit No.	Description
2001	Article titled "The Best Smart Rings to Rule Them All"
2002	Article titled "'Best Consumer Wellness Company' award from the UCSF Digital Health Awards and Time magazine's '100 Best Inventions of 2020'"
2003	Article titled "Why the Oura Ring Gen 3 was our wearable of the year – Wearable 2022"
2004	Article titled "On the Heels of 1 Million Rings Sold, Oura Now Valued at $2.55 Billion"
2005	U.S. Patent Application Publication No. 2013/0106603 ("Weast")
2006	U.S. Patent No. 10,768,666
2007	Non-Final Office Action from Application No. 16/224,686, dated October 2, 2019
2008	Response to Non-Final Office Action from Application No. 16/224,686, dated April 2, 2020
2009	Notice of Allowance from Application No. 16/224,686, dated May 4, 2020
2010	Web capture of OVD Kinegram Website, "KINEGRAM – The Superior DOVID for Highly Secure Passports and IDs"
2011	Article Titled "How are PCBs made? A Beginner's Guide to the PCB Manufacturing Process"
2012	U.S. Patent Application Publication No. 2012/0130203 ("Stergiou")
2013	U.S. Patent Application Publication No. 2003/0142065 ("Pahvlan")
2014	U.S. Patent No. 8,554,297 ("Moon")

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2015	U.S. Patent Application Publication No. 2015/0277559 ("Vescovi")
2016	Claim Construction Order, *Certain Smart Wearable Devices, Systems, and Components Thereof*, Inv. No. 337-TA-1398, Order No. 17 (Oct. 23, 2024)
2017	**RESERVED**
2018	Declaration of Dr. Patrick Mercier.
2019	Declaration of Andrew Clarke, CFA **(Outside Attorney's Eyes Only - Protective Order Material)**
2020	Deposition Transcript of Dr. Brian Anthony, Volume I, dated February 25, 2025
2021	Deposition Transcript of Dr. Brian Anthony, Volume II, dated February 25, 2025
2022	**RESERVED**
2023	Wikipedia - Printed Circuit Board (Dr. Anthony Depo. Ex- 4)
2024	Inv. No. 337-TA-1398 Evidentiary Hearing Transcript, Day 1 (Open & Closed Sessions), dated December 11, 2024 and Day 3 (Open Session), dated December 13, 2024 **(Outside Attorney's Eyes Only - Protective Order Material)**
2025	U.S. Patent No. 5,964,701 to Asada
2026	Coin Cell vs. Button Cell vs. Pouch Cell: Understanding the Differences
2027	Ultrahuman Air Ring Teardown Images
2028	RingConn Smart Ring Teardown Images

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2029	Oura Ring Gen. 3 Tear Down Images
2030	Oura Ring Gen. 4 Tear Down Images
2031	Capture from Go Inside Oura Ring Video
2032	Capture of Oura Ring Instagram Page Site
2033	The Motiv Ring User's Manual, available at https://mymotiv.com/static/assets/the-motiv-ring-users-manual.pdf
2034	Schematic, Oura Ring Gen. 1 **(Outside Attorney's Eyes Only - Protective Order Material)**
2035	Samsung Electronics Co., Ltd. Business Report for the Year Ended December 31, 2023
2036	Arjun Kharpal, Samsung launches the Galaxy Ring — a first-of-its-kind product for the tech giant, CNBC, available at: https://www.cnbc.com/2024/07/10/samsung-galaxy-ring-launch-price-specs-feature-availability.html
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2048	Maria Diaz, Samsung Galaxy Ring vs. Oura Ring: Which Wearable Should you buy?, Zdnet, available at: https://www.zdnet.com/article/samsung-galaxy-ring-vs-oura-ring-which-wearable-should-you-buy/
2049	Explore the Benefits of Oura: Smart Rings for Wellness, Why Oura, Ouraring, available at: https://ouraring.com/why-oura
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2052	Previous Oura Ring Generations, Oura Help, available at: https://support.ouraring.com/hc/en-us/articles/360025570153-Previous-Oura-Ring-Generations

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2054	Software Updates for Android, Oura Help, available at: https://support.ouraring.com/hc/en-us/articles/10470796678035-Software-Updates-for-Android
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2058	Oura Ring 4 — everything we know so far about the next generation smart ring, Tom's Guide, available at: https://www.tomsguide.com/wellness/fitness-trackers/oura-ring-4
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2070	Fitness Tracker Market Size, Share & Trends Analysis Report By Type, By Application, By Wearing Type, By Distribution Channel, By Region, And Segment Forecasts, 2025 - 2030, Research and Markets, available at: https://www.researchandmarkets.com/reports/5390580/fitness-tracker-market-size-share-and-trends
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2102	Kate Kozuch, Oura Ring 4 review: the new gold standard for smart rings, Tom's Guide, available at: https://www.tomsguide.com/wellness/fitness-trackers/oura-ring-4-review
2103	Samsung Electronics Co., Ltd. and Its Subsidiaries Consolidated Statements of Profit or Loss For the Years Ended December 31, 2020 and 2021
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2106	Samsung Electronics Co., Ltd. and Its Subsidiaries Interim Consolidated Statements of Profit or Loss For the Three- and Nine-Month Periods Ended September 30, 2023 and 2024
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2108	FY23 USD Consolidated Income Statement **(Outside Attorney's Eyes Only - Protective Order Material)**
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2111	Rings sold ALL TIME – Cumulative **(Outside Attorney's Eyes Only - Protective Order Material)**
2112	Gross Booked Walk **(Outside Attorney's Eyes Only - Protective Order Material)**
2113	Ultrahuman Marketing Graphics
2114	RingConn Marketing Graphics
2115	Pingu: another User-Friendly Interface Device (2012).
2116	**RESERVED**
2117	**RESERVED**
2118	Deposition Tr. of Mr. Michael Davies (**Outside Attorney's Eyes Only - Protective Order Material**)
2119	**RESERVED**
2120	**RESERVED**

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2122	Inv. No. 337-TA-1398 ALJ Final Initial Determination on Violation and Recommended Determination on Remedy and Bond, April 18, 2025 (Public)
2123	Inv. No. 337-TA-1398, Notice of the Commission's Final Determination, Aug. 21, 2025
2124	Inv. No. 337-TA-1398, Commission Opinion, Aug. 21, 2025 (Public)
2125	Inv. No. 337-TA-1398 Complainants' Pre-Hearing Brief (Public)
2126	Inv. No. 337-TA-1398 Respondents' Pre-Hearing Brief (Public)
2127	Inv. No. 337-TA-1398 Staff Pre-Hearing Brief (Public)
2128	Inv. No. 337-TA-1398 Complainants' Initial Post-Hearing Brief (Public)
2129	Inv. No. 337-TA-1398 Respondents' Initial Post-Hearing Brief (Public)
2130	Inv. No. 337-TA-1398 Complainants' Responsive Post-Hearing Brief (Public)
2131	Inv. No. 337-TA-1398 Respondents' Responsive Post-Hearing Brief (Public)
2132	Inv. No. 337-TA-1398 Evidentiary Hearing Transcript, Day 4, dated December 16, 2024 (Public)
2133	Inv. No. 337-TA-1398 Evidentiary Hearing Transcript, Day 5, dated December 17, 2024 (Public)
2134	Sept. 26, 2025 Ltr. From Members of Congress to Office of the USTR regarding Inv. No. 337-TA-1398

Patent Owner files this brief pursuant to the authorization granted in Paper 48 to file relevant materials (Exs. 2122-2133) from the U.S. International Trade Commission (ITC) investigation on the related U.S. Patent No. 11,868,178 ("'178 patent") that shares similar claims to the U.S. Patent No. 11,874,702 ("'702 patent"). *See* Paper 48 (Order) at 3, n4. In addition, pursuant to the Board's Order "that the parties shall submit in each proceeding subject to this Order any additional exhibits or materials from the Presidential Review or U.S. Trade Representative in the ITC proceeding," (*id.* at 5), Patent Owner also submits a letter submitted from multiple members of the U.S. Congress to the Office of the United States Trade Representative (USTR) related to the Presidential Review of the ITC's finding on the '178 patent. *See* Ex. 2134.

I. The ITC adjudicated substantially similar claims based on the same or substantially the same evidence and arguments presented here and the Board should come to the same conclusions.

The '178 patent that is related to the '702 patent was recently the subject of an ITC Investigation where the presiding Administrative Law Judge (ALJ) and the Commission issued a Final Determination finding that the claims of the '178 patent were infringed and not invalid. *See* Ex. 2122 at 81-116; Ex. 2123 at 1-3, Ex. 2124 at 29. For example, claim 1 of the '702 patent—like the '178 patent—is directed to "finger-worn wearable ring device" and requires an external and internal housing components. *Compare* Ex. 1001 ('702 patent) at 45:64-45:29 *with* Ex. 1001 in

PGR2024-00030 (’178 patent) at 44:45-45:8. Both require a printed circuit board positioned within the two housing components. *Id.* And both also include dependent claims that require a curved battery. *Id.* (’702 patent at Cls. 16-17 and ’178 patent at Cl. 12).

Here, the Petition relies on substantially the same evidence that was presented at the ITC with respect to the ’178 patent and the Board should find similarly to the ITC. Indeed, the Petition relies largely on Schröder, Niwa, Mestas, and LeBoeuf for various grounds of challenge. *See* Paper 3 (Petition) at 4. Respondents at the ITC relied on substantially the same evidence, including Schröder, Niwa, Mestas, Yuen, Asada, Webster, Babashan, Wissmar, Armstrong, and Yang. *See* Ex. 2126 (Respondents Pre-hearing Br.) at 168-400; Ex. 2129 (Respondents Initial Post-Hearing Br.) at 1-61.[1]

And while the Petitioner was not party to the ITC Investigation, the ALJ and the Commission made number of findings of fact and conclusion of laws that are directly relevant here. For example, with respect to dependent claims 12-13 (power management and battery limitations) and claims 16-17 (curved battery limitations),

[1] LeBoeuf was not presented before the ITC by the respondents but substantially similar references and disclosures were presented through other references.

the Petitioner relies on Schröder alone (Ground 1), Schröder in view of Mestas (Ground 4), LeBoeuf in view of Schröder (Ground 5), and LeBoeuf in view of Schröder and further in view of Mestas (Ground 7). Paper 3 (Petition) at 4.

But the ALJ concluded that "Schröder's design, while disclosing separate housing components, only contemplates the inclusion of an inlay between them" and "Dr. Rosing credibly testified that one of skill would understand that the thickness of Schroder's inlay is on the order of 100 microns." Ex. 2122 at 101. Dr. Mercier offered similar evidence here and Dr. Anthony does not dispute. Ex. 1081 at 96:1-9. Critically, the ALJ held that Schröder does not disclose a battery within the inlay:

> Schröder, however, does not in fact disclose that the battery would be in the cavity of Fig. 4. Schröder discusses the possibility of a battery (although it does not show it) when addressing Fig. 3 but not when addressing the embodiment shown in Fig. 4. In Fig. 3, the chip module 10 is disposed above and outside of the inlay 12. While Schröder explains that the battery is 'connected to the chip module 10' . . . there is no disclosure in Schröder that the battery is disposed in the inlay embodiment of Fig. 4. While respondents contend that 'Schröder also discloses that the battery can reside within the curved recess shown in Figures 4-10 and would be connected to the chip module 10 that resides within the recess between components 16 and 18,' . . . there is, simply no such disclosure in Schröder.

Ex. 2122 at 104-105. Thus, the ALJ concluded that "Read in context, the evidence supports that one of skill would understand that Schröder's battery would be placed adjacent to the chip module 10 of Fig. 3." *Id.* at 106. And suggestion that a POSITA

would understand the inlay to occupy the inlay is "improperly guided by hindsight." *Id.* at 104-106. Petitioner offers no evidence that is different than that offered by respondent's expert at the ITC.

As for Petitioner and respondents' arguments that a POSITA would look to curved batteries from larger wearable devices such as wrist wearables to implement in finger-worn wearables, the ALJ made a number of factual findings that also rejected such premise. *See* Ex. 2122 at 92-97 (rejecting that the GMBPow battery art and Henderson that are both configured for wrist wearable similar to Mestas could be adapted for finger worn rings). Here, Petitioner argues that "[a] POSITA would have been motivated to implement Mestas's curved battery in Schröder's finger ring because having a curved battery would allow for a larger battery that conforms to the circular shape of the ring without stressing the battery or ring housing." Paper 3 at 59. Respondents' expert made similar argument at the ITC that was rejected by the ALJ:

> Respondents rely on the testimony of Mr. Alarcon, who testified that, based on Schröder's description of the inlay, one of skill would understand that 'there is a cavity formed all the way around by the internal housing component and the external housing component, and that is where, within the annular cavity, that is where the PCB would reside, as well as the battery to power the electrical components mounted to the printed circuit board. Alarcon further testified that this also discloses a 'curved battery' so 'they could get more capacity than if they had just used a flat battery,' and that this curved battery would be located in the cavity 'where the inlay resides.'

> Mr. Alarcon's testimony . . . conflicts with Dr. Rosing's credible testimony that 'batteries that are flat actually have higher energy density than batteries that are curved."

Ex. 2122 at 105. Thus, same arguments presented here were considered and rejected for similar claims in the ITC Investigation.

Finally, the ALJ concluded that the non-obviousness of the claims was so apparent that even "[i]f Oura had submitted no evidence of objective indicia, I would still find that the asserted claims were not proved obvious." Ex. 2122 at 107. Nonetheless, the ALJ held that Oura was entitled to presumption of nexus because Oura Ring Gens. 3 and 4 were commercial embodiments and coextensive with the claims of the '178 patent (*id.* at 108-110), Oura Ring was a commercial success (*id.* at 110-112), received industry praise (*id.* at 114), there was failure of others (*id.* at 114-116), and there was a long-felt but unmet need (*id.* at 115-16) with each of the factors weighing in favor of a determination of non-obviousness of the asserted claims.

The Board should come to the same conclusions as the ITC. There is no evidence presented here that supports findings that are different than those found by the ITC.

Dated: October 8, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, on October 8, 2025, I caused a true and correct copy of Patent Owner's Supplemental Brief on U.S. International Trade Commission's Adjudication of the Same or Substantially Same Claims to be served in its entirety, via filing through the Patent Trial and Appeal Case Tracking System (P-TACTS), as well as by delivering copies via email to the following counsel for Petitioner:

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