UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THERABODY, INC.,

Petitioner

v.

HYPERICE IP SUBCO, LLC,

Patent Owner.

Case No.: PGR2024-00053
U.S. Patent No. 11,857,482

PATENT OWNER'S SECOND AMENDED NOTICE OF DEPOSITION OF JOHN D. PRATT, Ph.D., P.E.

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 42.53, Patent Owner Hyperice IP Subco, LLC ("Patent Owner"), by and through its counsel, will take the deposition upon oral examination of Petitioner Therabody Inc.'s witness, Dr. John D. Pratt, on September 16, 2025 beginning at 9:00 a.m. PDT at the offices of O'Melveny & Myers LLP, 610 Newport Center Drive, 17th Floor, Newport Beach, CA 92660, or at another time and place mutually agreed upon by counsel for the parties and the deponent and continuing from day to day thereafter until completed. In accordance with 37 C.F.R. § 42.53(d)(1), the parties have conferred and have agreed upon this time and method for the deposition of Dr. Pratt.

YOU ARE FURTHER NOTIFIED that we reserve the right to record the deposition either by stenographic means by a court reporter certified to record depositions or a digital reporter utilizing state-of-the-art digital recording equipment. Both the court reporter and digital reporter are authorized to administer oaths by the laws of the United States. We further reserve the right to record the deposition utilizing audio technology. We also reserve the right to utilize Exhibit Capture (picture-in-picture) and Advanced Case Exhibits (ACE) technology in which any exhibit reviewed by the deponent during the deposition can be captured visually.

In the event we utilize the stenographic reporting method, we reserve the right to utilize instant visual display such that the reporter's writing of the proceeding will

be available to all who are a party to this proceeding to request and receive it in realtime.

In addition, we also reserve the right to utilize instant visual display technology such that the court reporter's writing of the proceeding will be displayed simultaneous to their writing of same on one's laptop, iPad, tablet or other type of display device connected to the court reporter.

Dated: September 5, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies the foregoing document with any attachments was served by electronic mail upon the following:

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Dated: September 5, 2025

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