

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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THERABODY, INC.,

Petitioner,

v.

HYPERICE IP SUBCO, LLC,

Patent Owner.

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Case No. PGR2025-00013

U.S. Patent No. 11,938,082

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**PATENT OWNER'S OBJECTIONS TO  
PETITIONER'S DEMONSTRATIVE EXHIBITS**

Pursuant to the Board's Order Setting Oral Argument (Paper No. 31), Patent Owner Hyperice IP Subco, LLC presented Petitioner Therabody, Inc. with objections to Petitioner's Demonstrative Exhibit<sup>1</sup>. Despite good faith efforts, the following objections remain unresolved:

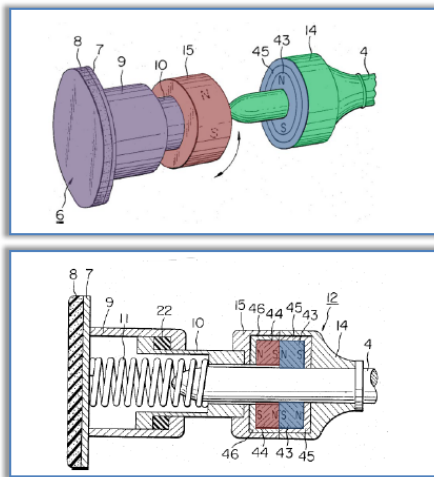
| Slide Number | Statement of the Reason for the Objection                                                         |
|--------------|---------------------------------------------------------------------------------------------------|
| 58-60, 66    | Petitioner provides annotated figures of Mabuchi not previously presented in any paper of record. |

Mabuchi Discloses Easy Attachment and Removal of the Patter Assembly

When connecting the patter assembly 6 to the actuator 4, the end face of the actuator is brought in close contact with the end face of the flange 15. This causes the magnet 43 implanted in the coupling 14 and the magnet 44 implanted in the flange 15 to attract with each other, bringing the actuator 4 and the patter assembly 6 in position.

This connecting mechanism 12 utilizing the different polarities of the magnets 43 and 44 ensures positive connection of the actuator 4 and the patter assembly 6, both of which are subjected to vibrations caused by high-speed reciprocating motion. In addition, positive connection can be ensured without positioning the actuator 4 and the patter assembly 6.

The changing of the patter assembly 6 can be easily accomplished since the actuator 4 and the patter assembly 6 are automatically disconnected merely by turning each other.



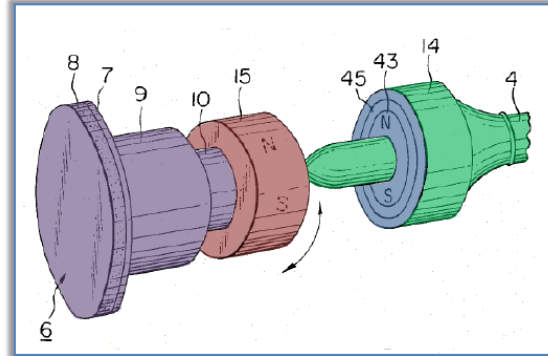
Demonstrative Exhibit Not Evidence
Ex-1005, Fig. 19 (annotated), 8:26-43; '482 Petition (paper 2) at 37-42; '082 Petition (Paper 2) at 40-44

<sup>1</sup> Patent Owner understands that Petitioner will be filing its Demonstrative as Ex. 1035.

## Mabuchi Discloses Easy Attachment and Removal of the Patter Assembly

### '482 Patent Claim 34

34. A percussive massager comprising:  
a housing;  
a piston in the housing having a proximal end and a distal end;  
a motor at least partially within the housing and operatively connected to the proximal end of the piston, wherein the motor is configured to cause the piston to reciprocate at a first speed  
a drive mechanism between the motor and the piston that controls a predetermined stroke length of the piston; and  
a quick release connector at the distal end of the piston, wherein the quick release connector is configured to secure a first massaging head while the piston reciprocates a predetermined stroke length at the first speed, wherein the first massaging head has a substantially cylindrical pocket to receive the quick release connector;

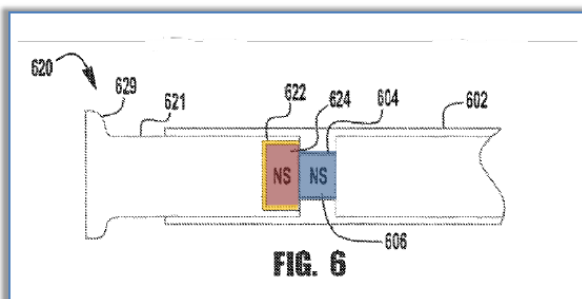


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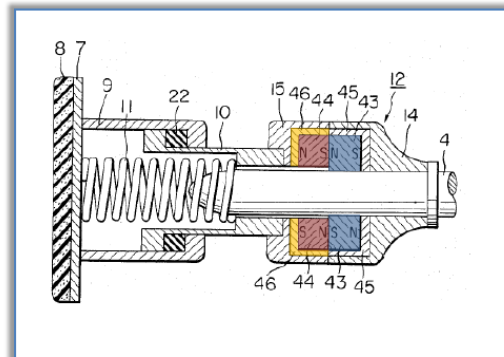
Ex-1005, Fig. 19 (annotated), 8:26-43; '482 Petition (paper 2) at 37-42; '082 Petition (Paper 2) at 40-44

## Mabuchi Discloses A Nearly Identical Connection Mechanism As The '482 and '082 Patents

### '482 Patent Figure 6



### Mabuchi Figure 18



Demonstrative Exhibit Not Evidence

Ex-1005, Fig. 18 (annotated), '482, Fig. 6 (annotated) '482 Petition (Paper 2) at 37-42; see also '082, Fig. 6; '082 Petition (Paper 2) at 40-44

## Mabuchi's Patter Assembly Does Not Require Alignment of Magnetic Connector

### PO sur-reply

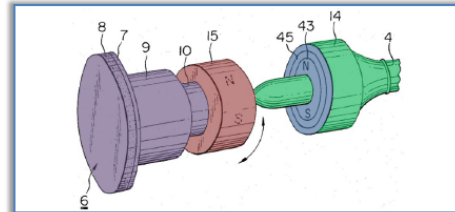
As best understood, Petitioner's broader post-grant construction of Element 34[e] is "a connection mechanism where the massaging head is designed to be secured without the need to align it to the piston." Pet., p.40. Fatal to Petitioner's argument, Mabuchi's magnetic connection system requires alignment for connection.

### Mabuchi

When connecting the patter assembly 6 to the actuator 4, the end face of the actuator is brought in close contact with the end face of the flange 15. This causes the magnet 43 implanted in the coupling 14 and the magnet 44 implanted in the flange 15 to attract with each other, bringing the actuator 4 and the patter assembly 6 in position.

This connecting mechanism 12 utilizing the different polarities of the magnets 43 and 44 ensures positive connection of the actuator 4 and the patter assembly 6, both of which are subjected to vibrations caused by high-speed reciprocating motion. In addition, positive connection can be ensured without positioning the actuator 4 and the patter assembly 6.

### Mabuchi



'482 Petition (Paper 2) at 39-42; '482 PO Sur-reply (Paper 29) at 24; '482 Reply (Paper 27) at 19-20; Ex-1005 at 8:26-39, Fig. 19 (annotated)

Demonstrative Exhibit Not Evidence

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| Slide Number | Statement of the Reason for the Objection                                                                                                                  |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 62-65        | Petitioner presents a new argument applying Therabody's District Court claim construction to the Petition not previously presented in any paper of record. |

**The Petition Demonstrates How Mabuchi Satisfies Therabody's District Court Claim Construction Proposal**

**Petition**

Mabuchi discloses a quick release connector at the distal end of actuator 4. Ex-1002 ¶109. In particular, the "patter connecting mechanism" in Mabuchi's Figures 18 and 19 (shown below) includes magnet 43 implanted in the coupling 14 and the protruding actuator head, all located at the distal end of actuator 4. Ex-1005, 7:67-8:10. These elements form a quick release connector: "The changing of the patter assembly 6 can be easily accomplished since the actuator 4 and the patter assembly 6 are automatically disconnected merely by turning each other." *Id.*, 8:40-43.

**Therabody's Proposal**

the distal end of the piston includes a structure that *is specially designed and adapted to quickly and easily secure the first massaging head to the piston* regardless of rotational alignment while the piston reciprocates a predetermined stroke length at the first speed, *not merely capable of doing so*

'482 PO Sur-reply (Paper 39) at 20-23; Ex-2013 at 10; '482 Petition (Paper 2) at 37; '082 PO Sur-reply (Paper 34) at 23-26; '082 Petition (Paper 2) at 40-43

**Demonstrative Exhibit Not Evidence** 62

## The Petition Demonstrates How Mabuchi Satisfies Therabody's District Court Claim Construction Proposal

### Petition

Mabuchi also discloses that the quick release connector "is configured to secure a first massaging head while the piston reciprocates a predetermined stroke length at the first speed." Ex-1002 ¶¶110-116. For example, Mabuchi discloses that padder assembly 6 (i.e., the "first massaging head") is configured to be attached to actuator 4 merely by "the end face of the actuator [being] brought in close contact with the end face of the flange 15." Ex-1005, §:26-28. "This causes the magnet 43 implanted in the coupling 14 and the magnet 44 implanted in the flange 15 to attract with each other, bringing the actuator 4 and the padder assembly 6 in position." *Id.*, 8:28-32. Mabuchi teaches that this design prevents the padder assembly 6 from unintentionally separating from the actuator 4 during use, yet allows a user to quickly remove and replace the padder assembly 6.

### Therabody's Proposal

the distal end of the piston includes a structure that *is specially designed and adapted to quickly and easily secure the first massaging head to the piston* regardless of rotational alignment while the piston reciprocates a predetermined stroke length at the first speed, *not merely capable of doing so*

Demonstrative Exhibit Not Evidence

'482 PO Sur-reply (Paper 39) at 20-23; Ex-2013 at 10; '482 Petition (Paper 2) at 38

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## The Petition Demonstrates How Mabuchi Satisfies Therabody's District Court Claim Construction Proposal

### Petition

A person of ordinary skill in the art would understand that the Mabuchi padder connecting mechanism is configured to secure the massage head while the piston reciprocates a predetermined stroke length at a first speed. Ex-1002 ¶¶110-113. Mabuchi discloses that the purpose of the padder connecting mechanism is to allow for "changing the shape or patting intensity of the padder assembly 6 . . . in accordance with the portion being treated or the purpose of treatment," and thus padder assembly 6 must be "interchangeable" while also "securely connected to the actuator 4 to prevent unwanted disengagement." Ex-1005, §:52-64. The padder connecting mechanism of Figures 18 and 19 utilizes the "attracting force caused by different polarities on the two magnets 43 and 44." *Id.*, 8:11-15. Mabuchi notes that the device can be operated before the padder assembly 6 is connected: "In this state, or in the state where the actuator 4 is connected to the padder assembly 6, the padder assembly 6 is operated." *Id.*, 8:15-18 (emphasis added). And Mabuchi discloses that magnet 43 in coupling 14 and magnet 44 inside flange 15 "ensures positive connection of the actuator 4 and the pattern assembly 6, both of which are subjected to vibrations caused by high-speed reciprocating motion." *Id.*, 8:33-37.

### Therabody's Proposal

the distal end of the piston includes a structure that *is specially designed and adapted to quickly and easily secure the first massaging head to the piston* regardless of rotational alignment while the piston reciprocates a predetermined stroke length at the first speed, *not merely capable of doing so*

Demonstrative Exhibit Not Evidence

'482 PO Sur-reply (Paper 29) at 20-23; Ex-2013 at 10; '482 Petition (Paper 2) at 39

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**The Petition Demonstrates How Mabuchi Satisfies Therabody's District Court Claim Construction Proposal**

**Petition**

Moreover, Mabuchi discloses that, using this pater connecting mechanism, a "positive connection can be ensured *without positioning* the actuator 4 and the pater assembly 6." *Id.*, 8:33-39 (emphasis added). A POSITA would understand that configuring a connecting system to ensure a positive connection without positioning (i.e., aligning) the actuator 4 and the pater assembly 6 suggests that the connecting mechanism is configured to secure the pater assembly to the actuator while the actuator is reciprocating. Ex-1002 ¶113. This is confirmed by the file history, where the Applicants distinguished a prior art device by arguing that its head "*must be aligned* in one orientation" to secure it to the piston, and thus failed to teach or suggest a similar limitation of a "quick release connector is configured to connect the first massaging head while the piston moves between the minimum reciprocation stroke length and the maximum reciprocation stroke length at the first speed." Ex-1004 at 2356-57; Ex-1002 ¶¶114-116. In other words, a POSITA would understand that Applicants were arguing that a connection mechanism where the massaging head is designed to be secured without the need to align it to the piston is configured to do so while the piston is reciprocating. Ex-1002 ¶116.

**Therabody's Proposal**

the distal end of the piston includes a structure that *is specially designed and adapted to quickly and easily secure the first massaging head to the piston* regardless of rotational alignment while the piston reciprocates a predetermined stroke length at the first speed, *not merely capable of doing so*

Demonstrative Exhibit Not Evidence

\*482 PO Sur-reply (Paper 29) at 20-23; Ex-2013 at 10; \*482 Petition (Paper 2) at 39-40  
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Dated: January 30, 2026

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies the foregoing Patent Owner's Objections to Petitioner's Demonstrative Exhibit was served, today, January 30, 2026, by electronic mail upon the following:

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Dated: January 30, 2026

/Kyle W. Kellar/  
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