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9
10 Attorneys for Plaintiff HYPER ICE, INC.

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**
14

15 HYPER ICE, INC., a California
corporation,

16 Plaintiff,

17 v.

18 THERABODY, INC.,

19 Defendant.
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25
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27
28

CASE NO. 8:24-cv-02034-JWH-DFM
(Consolidated)

PLAINTIFF'S FIRST AMENDED
DISCLOSURE OF ASSERTED
CLAIMS AND INFRINGEMENT
CONTENTIONS
(P.R. 3-1 & 3-2)

Pursuant to P.R. 3-1 and 3-2, Plaintiffs Hyper Ice, Inc. (“Plaintiff” or “Hyperice”) provides Disclosure of Asserted Claims and Infringement Contentions, state as follows:

(a) Each claim of each patent in suit that is allegedly infringed by each opposing party, including for each claim the applicable statutory subsections of 35 U.S.C. §271 asserted.

Based on publicly-available information, and without the benefit of discovery in this action, Hyperice contends that Defendant Therabody, Inc. (“Defendant” or “Therabody”) directly infringes, pursuant to 35 U.S.C. §271(a), numerous claims of U.S. Patent No. 12,036,174 (“the ’174 Patent”) and U.S. Patent No. 12,097,161 (“the ’161 Patent”). Attached hereto are claim charts detailing the claims of the ’174 Patent and ’161 Patent that Defendant infringes. Hyperice reserves the right to amend and/or supplement the identification of asserted claims as discovery progresses, in response to the Court’s claim construction, and otherwise in accordance with the Patent Rules, Local Rules, and/or any Court Order.

(b) Separately for each asserted claim, each accused apparatus, product, device, process, method, act, or other instrumentality (“Accused Instrumentality”) of each opposing party of which the party is aware. This identification shall be as specific as possible. Each product, device, and apparatus shall be identified by name or model number, if known. Each method or process shall be identified by name, if known, or by any product, device, or apparatus which, when used, allegedly results in the practice of the claimed method or process.

Based on publicly-available information, and without the benefit of discovery in this action, the claim charts attached hereto detail the claims infringed by each Accused Instrumentality sold by Defendant. Hyperice reserves the right to amend and/or supplement the identification of accused products as discovery progresses, in response to the Court’s claim construction, and otherwise in accordance with the Patent Rules, Local Rules, and/or any Court Order.

1 (c) *A chart identifying specifically where and how each limitation of each*
2 *asserted claim is found within each Accused Instrumentality, including for each*
3 *limitation that such party contends is governed by 35 U.S.C. § 112(6), the identity*
4 *of the structure(s), act(s), or material(s) in the Accused Instrumentality that*
5 *performs the claimed function.*

6 Based on publicly-available information, and without the benefit of discovery
7 in this action, the claim charts attached hereto detail that the Accused Instrumentalities
8 literally meet each element of each asserted claim. Hyperice does not presently
9 contend that any element is governed by 35 U.S.C. § 112(6). Hyperice reserves the
10 right to amend and/or supplement as discovery progresses, in response to the Court's
11 claim construction, and otherwise in accordance with the Patent Rules, Local Rules,
12 and/or any Court Order.

13 (d) *For each claim which is alleged to have been indirectly infringed, an*
14 *identification of any direct infringement and a description of the acts of the alleged*
15 *indirect infringer that contribute to or are inducing that direct infringement.*
16 *Insofar as alleged direct infringement is based on joint acts of multiple parties, the*
17 *role of each such party in the direct infringement must be described.*

18 Based on publicly-available information, and without the benefit of discovery
19 in this action, Hyperice states that it does not presently contend that Defendant
20 indirectly infringes any claim of the '174 Patent or '161 Patent. Hyperice reserves the
21 right to amend and/or supplement as discovery progresses, in response to the Court's
22 claim construction, and otherwise in accordance with the Patent Rules, Local Rules,
23 and/or any Court Order.

24 (e) *Whether each element of each asserted claim is claimed to be literally*
25 *present or present under the doctrine of equivalents in the Accused Instrumentality.*

26 Based on publicly-available information, and without the benefit of discovery
27 in this action, the claim charts attached hereto detail that the Accused Instrumentalities
28 literally meet each element of each asserted claim. If any of the limitations are not

1 literally met, the Accused Instrumentalities meet the limitations under the doctrine of
2 equivalents, because they perform the same function in substantially the same way to
3 achieve substantially the same result, and/or because the relevant structures and
4 functions of the infringing products are insubstantially different from the claimed
5 limitations. Hyperice reserves the right to amend and/or supplement as discovery
6 progresses, in response to the Court's claim construction, and otherwise in accordance
7 with the Patent Rules, Local Rules, and/or any Court Order.

8 **(f) For any patent that claims priority to an earlier application, the priority**
9 **date to which each asserted claim allegedly is entitled.**

10 The asserted claims of the '174 Patent and '161 Patent are entitled to a priority
11 date of October 23, 2017.

12 **(g) If a party claiming patent infringement wishes to preserve the right to**
13 **rely, for any purpose, on the assertion that its own apparatus, product, device,**
14 **process, method, act or other instrumentality practices the claimed invention, the**
15 **party must identify, separately for each asserted claim, each such apparatus,**
16 **product, device, process, method, act, or other instrumentality that incorporates or**
17 **reflects that particular claim.**

18 Hyperice does not currently contend that any of its products practice any claim
19 of the '174 Patent or '161 Patent.

20 **(h) Identify the timing of the point of first infringement, the start of**
21 **claimed damages, and the end of claimed damages.**

22 Hyperice contends that the first infringement of the '174 Patent occurred on the
23 later of the date of first sale of the Accused Instrumentalities or July 16, 2024 – the
24 issue date of the '174 Patent. Hyperice contends that the damages period began on
25 September 19, 2024 – the date that Hyperice provided notice of the infringement –
26 and the damages period continues to run.

27 Hyperice contends that the first infringement of the '161 Patent occurred on the
28 later of the date of first sale of the Accused Instrumentalities or Sept. 24, 2024 – the

1 issue date of the '161 Patent. Hyperice contends that the damages period began on
2 December 11, 2024 – the date that Hyperice provided notice of the infringement –
3 and the damages period continues to run.

4 (i) ***If a party claiming patent infringement alleges willful infringement,***
5 ***the basis for such allegation.***

6 Hyperice contends that Defendant willfully infringes the '174 Patent. By no
7 later than September 19, 2024, Defendant knew of the '174 Patent and knew, or acted
8 with willful, intentional, and conscious disregard of the objectively high likelihood,
9 that its conduct constitutes infringement of the '174 Patent. On September 19, 2024,
10 Hyperice provided notice of infringement, and Hyperice included a claim chart
11 demonstrating infringement by the Accused Instrumentalities. As such, Defendant
12 knew of the '174 Patent and knew, or acted with willful, intentional, and conscious
13 disregard of the objectively high likelihood, that its conduct constitutes infringement
14 of the '174 Patent.

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16 later than December 11, 2024, Defendant knew of the '161 Patent and knew, or acted
17 with willful, intentional, and conscious disregard of the objectively high likelihood,
18 that its conduct constitutes infringement of the '161 Patent. On December 11, 2024,
19 Hyperice provided notice of infringement, and Hyperice included a claim chart
20 demonstrating infringement by the Accused Instrumentalities. As such, Defendant
21 knew of the '161 Patent and knew, or acted with willful, intentional, and conscious
22 disregard of the objectively high likelihood, that its conduct constitutes infringement
23 of the '161 Patent.

DOCUMENT PRODUCTION ACCOMPANYING DISCLOSURE

Pursuant to P.R. 3-2, and after conducting a reasonable search, Hyperice identifies documents for production as described below. Hyperice reserves the right to supplement and/or amend the disclosure as necessary. In addition, Hyperice intends to produce additional Confidential and/or Highly Confidential documents responsive to the categories listed below once a Protective Order is entered in the above-captioned matter.

P.R. 3-2 Documents	Production Number
(a) Documents (e.g., contracts, purchase orders, invoices, advertisements, marketing materials, offer letters, beta site testing agreements, and third party or joint development agreements) sufficient to evidence each discussion with, disclosure to, or other manner of providing to a third party, or sale of or offer to sell, or any public use of, the claimed invention prior to the date of application for the patent in suit. A party's production of a document as required herein shall not constitute an admission that such document evidences or is prior art under 35 U.S.C. § 102;	Hyperice is not presently aware of the existence of any such documents.

P.R. 3-2 Documents	Production Number
(b) All documents evidencing the conception, reduction to practice, design, and development of each claimed invention, which were created on or before the date of application for the patent in suit or the priority date identified pursuant to Patent L.R. 3-1(f), whichever is earlier.	Hyperice is not presently aware of the existence of any such documents.
(c) A copy of the file history for each patent in suit.	See HYPER174_000001–HYPER174_004489.
(d) All documents evidencing ownership of the patent rights by the party asserting patent infringement.	See HYPER174_004490–HYPER174_004495. Additionally, Hyperice intends to produce certain additional Confidential and/or Highly Confidential documents once a Protective Order is entered in the above-captioned lawsuit.
(e) If a party identifies instrumentalities pursuant to Patent L.R. 3-1(g), documents sufficient to show the operation of any aspects or elements of such instrumentalities the patent claimant relies upon as embodying any asserted claims.	N/A

P.R. 3-2 Documents	Production Number
(f) All agreements, including licenses, transferring an interest in any patent-in-suit.	<i>See</i> HYPER174_004490–HYPER174_004495. Additionally, Hyperice intends to produce certain additional Confidential and/or Highly Confidential documents once a Protective Order is entered in the above-captioned lawsuit.
(g) All agreements that may be related to the accused instrumentality or may be comparable to a license that would result from a hypothetical reasonable royalty negotiation.	All such documents are Confidential, and Hyperice will produce such documents once a Protective Order is entered in the above-captioned lawsuit.
(h) All agreements that otherwise may be used to support the party asserting infringement’s damages case.	Hyperice is not presently aware of the existence of any such additional documents, other than those referenced in (g) above.

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(j) All documents comprising or reflecting a F/RAND commitment or agreement with respect to the asserted patent.	Hyperice is not presently aware of the existence of any such documents.

DATED: February 27, 2025

By: 

BENJAMIN A. HERBERT
MILLER BARONDESS, LLP

LAWRENCE ROBERT LAPORTE
LEWIS BRISBOIS BISGAARD and
SMITH LLP

Attorneys for HYPER ICE, INC.

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18 that its conduct constitutes infringement of the '161 Patent. On December 11, 2024,
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22 disregard of the objectively high likelihood, that its conduct constitutes infringement
23 of the '161 Patent.

DOCUMENT PRODUCTION ACCOMPANYING DISCLOSURE

Pursuant to P.R. 3-2, and after conducting a reasonable search, Hyperice identifies documents for production as described below. Hyperice reserves the right to supplement and/or amend the disclosure as necessary. In addition, Hyperice intends to produce additional Confidential and/or Highly Confidential documents responsive to the categories listed below once a Protective Order is entered in the above-captioned matter.

P.R. 3-2 Documents	Production Number
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P.R. 3-2 Documents	Production Number
(b) All documents evidencing the conception, reduction to practice, design, and development of each claimed invention, which were created on or before the date of application for the patent in suit or the priority date identified pursuant to Patent L.R. 3-1(f), whichever is earlier.	Hyperice is not presently aware of the existence of any such documents.
(c) A copy of the file history for each patent in suit.	See HYPER174_000001–HYPER174_004489.
(d) All documents evidencing ownership of the patent rights by the party asserting patent infringement.	See HYPER174_004490–HYPER174_004495. Additionally, Hyperice intends to produce certain additional Confidential and/or Highly Confidential documents once a Protective Order is entered in the above-captioned lawsuit.
(e) If a party identifies instrumentalities pursuant to Patent L.R. 3-1(g), documents sufficient to show the operation of any aspects or elements of such instrumentalities the patent claimant relies upon as embodying any asserted claims.	N/A

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(g) All agreements that may be related to the accused instrumentality or may be comparable to a license that would result from a hypothetical reasonable royalty negotiation.	All such documents are Confidential, and Hyperice will produce such documents once a Protective Order is entered in the above-captioned lawsuit.
(h) All agreements that otherwise may be used to support the party asserting infringement’s damages case.	Hyperice is not presently aware of the existence of any such additional documents, other than those referenced in (g) above.

P.R. 3-2 Documents	Production Number
(i) If a party identifies instrumentalities pursuant to Patent L.R. 3-1(g), documents sufficient to show marking of such embodying accused instrumentalities and if it wants to preserve the right to recover lost profits based on such products, sales, revenues, costs and profits of such embodying accused instrumentalities	N/A
(j) All documents comprising or reflecting a F/RAND commitment or agreement with respect to the asserted patent.	Hyperice is not presently aware of the existence of any such documents.

DATED: February 27, 2025

By: _____

BENJAMIN A. HERBERT
MILLER BARONDESS, LLP

LAWRENCE ROBERT LAPORTE
LEWIS BRISBOIS BISGAARD and
SMITH LLP

Attorneys for HYPER ICE, INC.

EXHIBIT 1

Claim Chart – U.S. Patent No. 12,036,174 – Theragun PRO Plus

U.S. Patent No. 12,036,174	Theragun PRO Plus				
8. A treatment device, comprising:	The accused product is a treatment device: A black handheld massager with a blue circular light on the front and a red light at the bottom. The brand name 'Therabody' is visible on the handle. 6TH GENERATION ★★★★☆ 68 Reviews The ultimate multi-therapy device for athletic performance \$599 ✓ HSA FSA ACCEPTED ⓘ <table><thead><tr><th data-bbox="889 1467 984 1493">Benefits</th><th data-bbox="1250 1467 1378 1493">Description</th></tr></thead><tbody><tr><td colspan="2" data-bbox="784 1558 1268 1791"> • Relieve pain and reduce tension + soreness • Recover faster • Repair tissue to boost healing • Enhance performance • Improve circulation, mobility + flexibility • Maximize warm-up + reduce injury risk • Prevent soreness from exercise </td></tr></tbody></table>	Benefits	Description	• Relieve pain and reduce tension + soreness • Recover faster • Repair tissue to boost healing • Enhance performance • Improve circulation, mobility + flexibility • Maximize warm-up + reduce injury risk • Prevent soreness from exercise	
Benefits	Description				
• Relieve pain and reduce tension + soreness • Recover faster • Repair tissue to boost healing • Enhance performance • Improve circulation, mobility + flexibility • Maximize warm-up + reduce injury risk • Prevent soreness from exercise					

a body provided with a sensor,

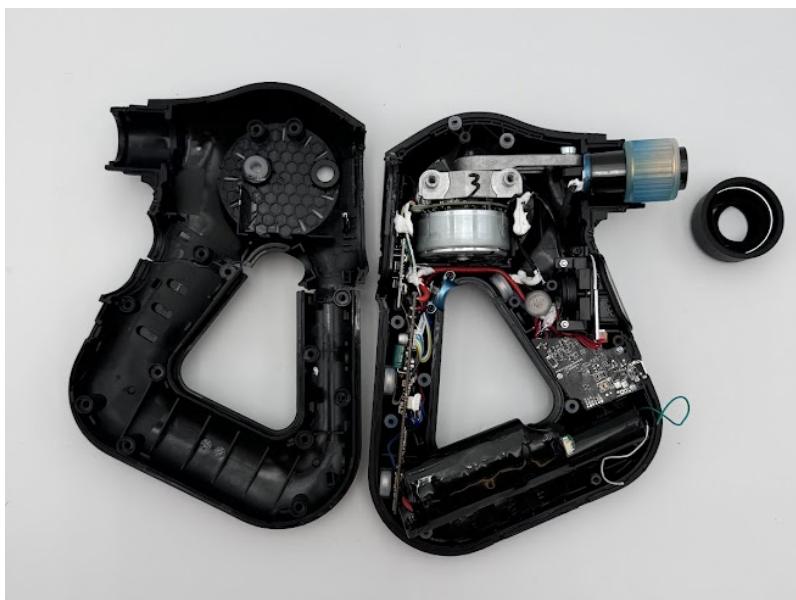
The accused product has a body provided with a sensor:



Built-in biometric sensor. Theragun PRO Plus's built-in biometric sensor delivers precise, on-device heart rate readings.

a power source, and a processing unit configured to receive input data and generate a control signal based on the input data,

The body of the accused product includes a power source, and a processing unit configured to receive input data and generate a control signal based on the input data:



the body further including a skin contacting surface maintainable against skin of a user by a force applied by a hand of the user when gripping the body; and

In accused product, the body includes a skin contacting surface maintainable against skin of a user by a force applied by a hand of the user when gripping the body:



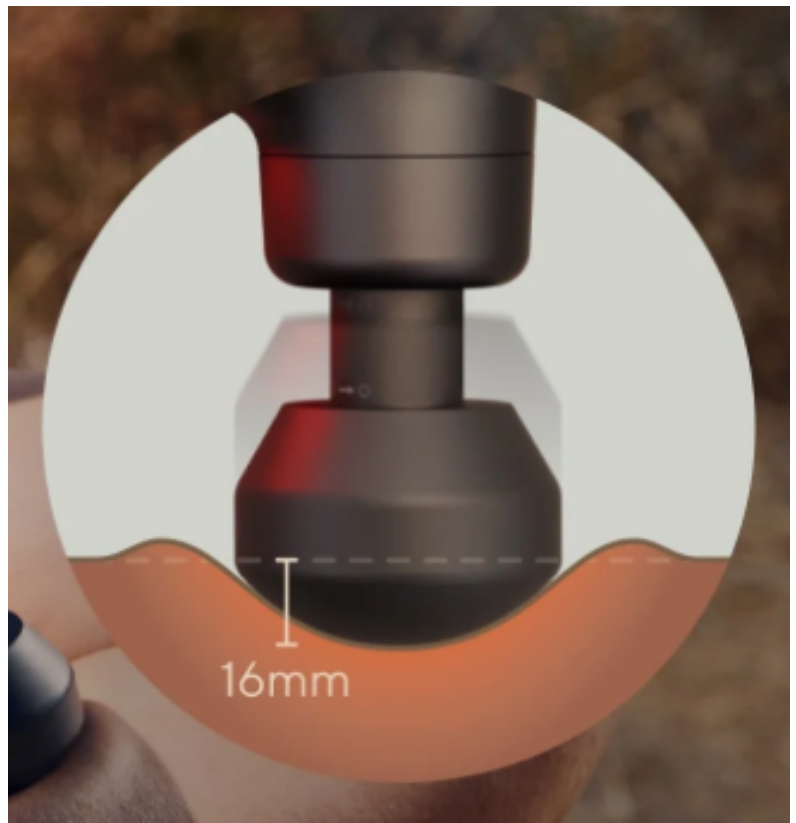
a first energy generator element and a second energy generator element coupled to the body,

The accused product has a first energy generator element (*e.g.*, for percussive therapy)

Treat your muscles to deep, powerful massage.

Theragun PRO Plus delivers 16mm percussive massage therapy (our deepest level) to target serious muscle soreness and offer all the recovery benefits of a 15-minute massage in just two minutes.

[EXPLORE THE SCIENCE](#)



and a second energy generator element (e.g., for heat therapy) coupled to the body:



Heat Therapy

Loosen up stiff muscles and
accelerate recovery.

the first and second energy generator elements being independently operable to convert electricity from the power source into a first energy type and a second energy type, respectively, and direct the first and second energy types toward an area of skin

In the accused product, the first and second energy generator elements are independently operable to convert electricity from the power source into a first energy type and a second energy type, respectively, and direct the first and second energy types toward an area of skin:



Combinable therapies for even better results. Use each treatment individually or combine them for maximum effectiveness.

See also Theragun PRO Plus User Manual, at p. 6.

the first energy generator element including an impact generator element having a tissue contact surface that is linearly actuatable along an axis to contact and cause corresponding physical movement of the area of skin,

The accused product has a first energy generator element including an impact generator element having a tissue contact surface that is linearly actuatable along an axis to contact and cause corresponding physical movement of the area of skin:

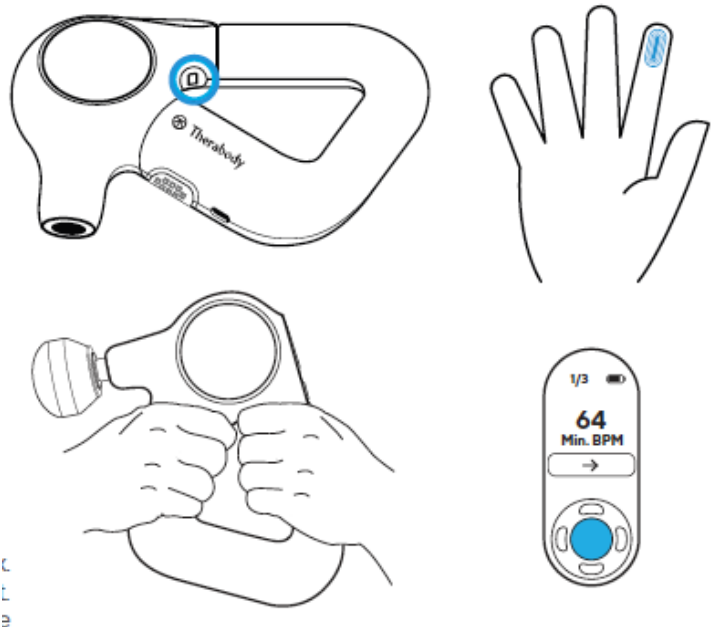


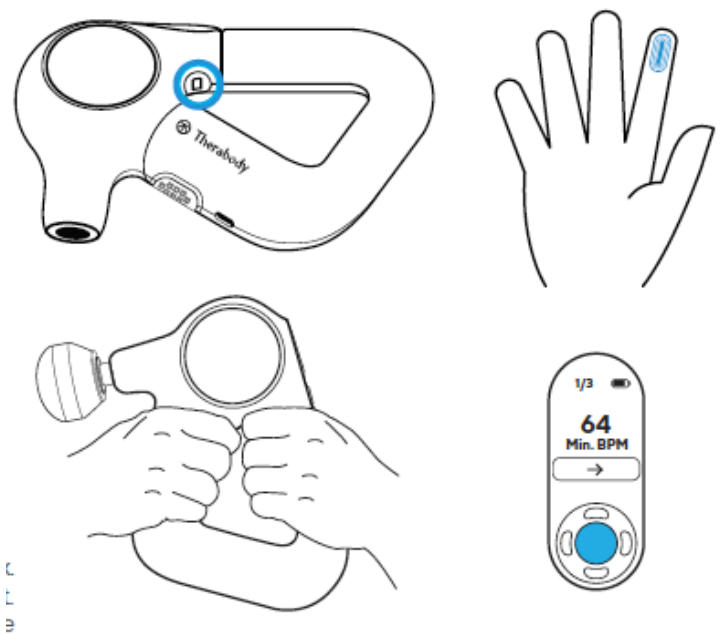
wherein the sensor is configured to detect additional input data based on a vital sign of the user and transmit the input data for display.

In the accused device, the sensor is configured to detect additional input data based on a vital sign of the user (heart rate) and transmit the input data for display:



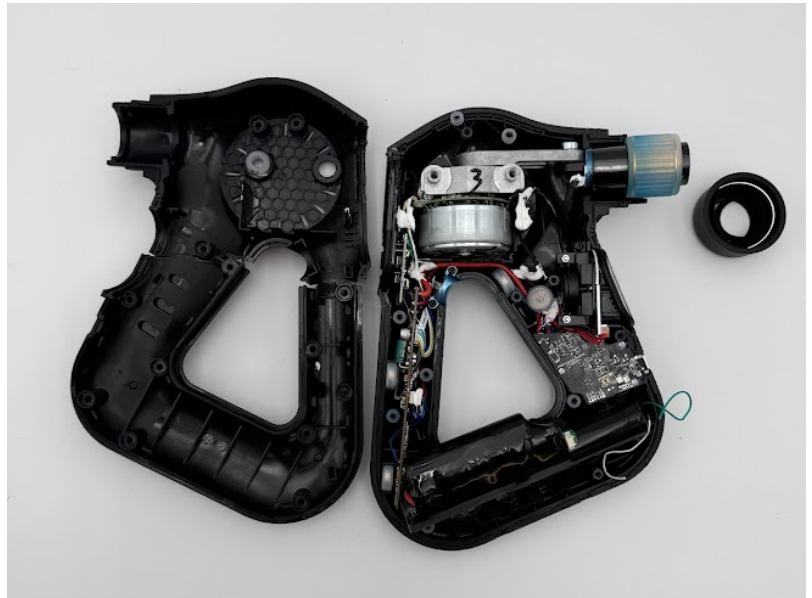
Built-in biometric sensor. Theragun PRO Plus's built-in biometric sensor delivers precise, on-device heart rate readings.



9. The treatment device of claim 8, wherein the additional input data corresponds to a heart rate of the user.	In the accused product, the additional input data corresponds to a heart rate of the user: 
10. The treatment device of claim 8, further comprising a controller configured to modify intensity of the first energy type and the second energy type.	The accused product has a controller configured to modify intensity of the first energy type (percussion) and the second energy type (e.g., heat): 7. Using the Theragun PRO Plus Device 1. Select a percussive therapy attachment and connect it to your device. 2. Slide your hand into the ergonomically designed Theragun Triangle handle. Firmly press the center button on the front of the device to power on the Theragun PRO Plus device. The device's TFT LCD screen will light up when the device is on. 3. Select "Quick Start" to begin using the device without a guided routine, or toggle through preset guided treatment routines and press the center button to select a treatment routine. 4. Once your desired treatment is selected, toggle through the five speed options to increase or decrease treatment speed, respectively. 5. Move the device across the areas in need of treatment, gradually applying light to moderate pressure as needed. The Force Meter will appear on the TFT LCD display momentarily when pressure is applied from the device to your body. 6. Follow the preset treatment as the device guides you to move between muscle groups. 7. To pause, skip, exit, or resume your treatment, toggle to the respective indicator and short press the button. 8. Infrared LED light therapy. The Theragun PRO Plus device is equipped with 13 LED lights to provide infrared LED light therapy. To add infrared LED light therapy to your routine, toggle to the infrared LED light indicator. Short press to turn the infrared LED light therapy on and short press to turn it off. Infrared LED light therapy is most effective when applied directly to the skin. Infrared LED light therapy will be applied to the treatment area simultaneously with percussive, vibration, and heat therapy. To maximize your treatment benefits, use for approximately 90 seconds on each treatment area. Infrared LED light therapy will not turn on during cold treatments. 9. Vibration therapy. To add Vibration Therapy to your routine, connect the Vibration attachment to your device. Proceed to step 2 to use the device with the Vibration attachment. 10. Heat therapy. To add Heat Therapy to your routine, connect the Heat Therapy attachment to your device. Short press the right button to toggle to the heat indicator. Short press the up button to increase the heat temperature and short press the down button to decrease the heat temperature. There are three heat temperature settings, low, medium, and high. a. Low: Use the low temperature setting if you are new to heat therapy. b. Medium: Use the medium temperature setting for performance. c. High: Use the high temperature setting over light clothing or while moving quickly across a treatment area. 11. Cold therapy. *Cold therapy attachment sold separately. To add Cold Therapy to your routine, connect the Cold Therapy attachment to your device. Short press the right button to toggle to the cold indicator. Short press the up button to make the temperature colder and vice versa. There are three cold temperature settings, low, medium, and high. a. Low: Use the low temperature setting on sensitive areas and if you are new to cold therapy. b. Medium: Use the medium temperature setting for full-body recovery and general discomfort. c. High: Use the high temperature setting for targeted pain relief.

12. The treatment device of claim 8, wherein the impact generator element further includes a drive mechanism and a piston, wherein the drive mechanism is operably coupled to a controller to direct electricity to the drive mechanism and move the piston and the tissue contacting surface along the axis.

In the accused device, the impact generator element further includes a drive mechanism and a piston, wherein the drive mechanism is operably coupled to a controller to direct electricity to the drive mechanism and move the piston and the tissue contacting surface along the axis



13. The treatment device of claim 12, wherein the second energy generator element is a heat generator element configured to output the second energy type including a heat flux toward the area of skin.

In the accused product, the second energy generator element is a heat generator element configured to output the second energy type including a heat flux toward the area of skin.



Heat Therapy

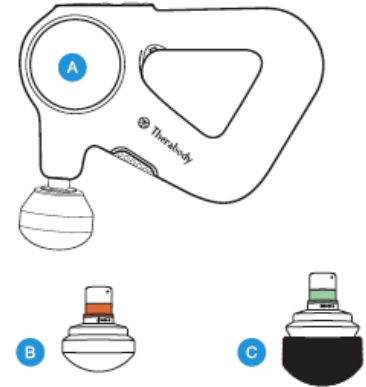
Loosen up stiff muscles and
accelerate recovery.

15. The treatment device of claim 13, further comprising a third energy generator element independently operable of the first and second energy generator elements to output a third energy type toward the area of skin.

The accused product has a third energy generator element (to provide vibration) independently operable of the first and second energy generator elements to output a third energy type toward the area of skin:

4. What's in the box

- A Theragun PRO Plus device
- B Heat attachment
- C Vibration attachment
- D Five percussive attachments (Dampener, Thumb, Standard Ball, Micro-point, Wedge)
- E USB-C charging cable
- F (*Cold sold separately)



Therapy Mode	Therapy Area	Recommended use When and where to use
Percussive Therapy Only	Muscles	Use as a daily massage for up to two minutes per muscle to reduce tension and improve flexibility.
Percussive Therapy + Infrared LED Light Therapy	Muscles	Use for up to 60 seconds per muscle to maximize your warm-up by loosening up stiff muscles and helping prevent soreness, allowing you to perform your best.
Percussive Therapy + Heat Therapy	Muscles	Use for up to 60 seconds per muscle to accelerate your recovery by reducing soreness, boosting circulation, and stimulating healing.
Percussive Therapy + Heat Therapy + Infrared LED Light Therapy	Muscles	Use this highest-intensity massage treatment for up to 60 seconds per muscle to stimulate circulation and reduce pain.
Vibration Therapy Only	Joints + Muscles	Use for up to 5 minutes on sore and sensitive muscles and joints to increase circulation and reduce pain and stiffness.
Vibration Therapy + Infrared LED Light Therapy	Joints + Muscles	Use for up to 3 minutes on sore and sensitive muscles and joints to stimulate healing, boost circulation, and improve recovery.
Cold Therapy (Cold attachment sold separately)	Joints + Muscles	Use for 2-5 minutes on muscles and joints to reduce swelling, inflammation, and pain.

17. A treatment device,
comprising:

The accused product is a treatment device:



6TH GENERATION

★★★★☆ [68 Reviews](#)

The ultimate multi-therapy device for athletic performance

\$599

✓ **HSA | FSA** ACCEPTED ⓘ

Benefits

Description

- Relieve pain and reduce tension + soreness
- Recover faster
- Repair tissue to boost healing
- Enhance performance
- Improve circulation, mobility + flexibility
- Maximize warm-up + reduce injury risk
- Prevent soreness from exercise

a body provided with a power source and a processing unit	The accused product has a body provided with a power source and a processing unit: 
--	---

configured to receive input data and generate a control signal based on the input data,

The accused product is configured to receive input data from the control buttons and generate a control signal to, e.g., **turn the accused product on**, **start percussive therapy**, or **start heat therapy**, based on the input data:



See also Theragun PRO Plus User Manual, at p. 5.

the body including a skin contacting surface maintainable against skin of a user by a force applied by a hand of the user when gripping the body; and

The accused product includes a body including a skin contacting surface maintainable against skin of a user by a force applied by a hand of the user when gripping the body:



a first energy generator element and a second energy generator element coupled to the body,

The accused product has a first energy generator element (*e.g.*, for percussive therapy):

Treat your muscles to deep, powerful massage.

Theragun PRO Plus delivers 16mm percussive massage therapy (our deepest level) to target serious muscle soreness and offer all the recovery benefits of a 15-minute massage in just two minutes.

[EXPLORE THE SCIENCE](#)



and a second energy generator element (e.g., for heat therapy) coupled to the body:



Heat Therapy

Loosen up stiff muscles and
accelerate recovery.



Heat - For muscles

Loosen up stiff muscles and accelerate recovery. Use the Heat attachment to loosen up stiff muscles before a workout, or after a workout to accelerate muscle recovery.

the first and second energy generator elements being independently operable to convert electricity from the power source into a first energy type and a second energy type, respectively

The accused product has first and second energy generator elements that are independently operable to convert electricity from the power source into a first energy type and a second energy type, respectively:



Combinable therapies for even better results. Use each treatment individually or combine them for maximum effectiveness.

Therapy Mode

Percussive Therapy Only

Percussive Therapy +
Infrared LED Light Therapy

Percussive Therapy +
Heat Therapy

See also Theragun PRO Plus User Manual, at p. 6.

and direct the first and second energy types toward an area of skin,

The accused product directs the first and second energy types toward an area of skin,



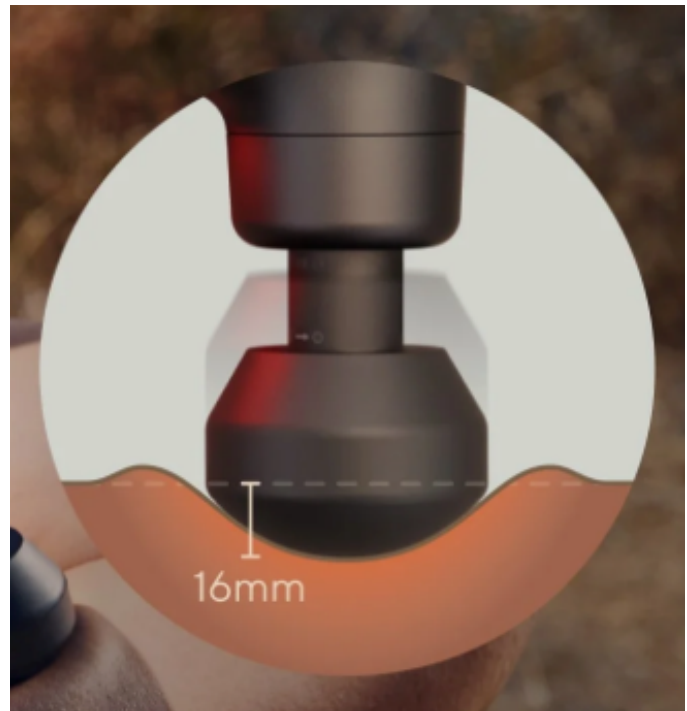
Combinable therapies for even better results. Use each treatment individually or combine them for maximum effectiveness.

Therapy Mode
Percussive Therapy Only
Percussive Therapy + Infrared LED Light Therapy
Percussive Therapy + Heat Therapy

See also Theragun PRO Plus User Manual, at p. 6.

the first energy generator element including an impact generator element having a tissue contact surface that is linearly actuatable along an axis to contact and cause corresponding physical movement of the area of skin;

The accused product includes a first energy generator element including an impact generator element having a tissue contact surface that is linearly actuatable along an axis to contact and cause corresponding physical movement of the area of skin:



wherein the processing unit is operable to output an optical signal on a display that is observable by eyes of the user, the output corresponding to the control signal.

The accused product has a processing unit that is operable to output an optical signal on a display that is observable by eyes of the user, the output corresponding to the control signal:



19. The treatment device of claim 17, further comprising a sensor to detect additional input data based on a vital sign of the user, the additional input data corresponding to a heart rate of the user.

The accused product has a sensor to detect additional input data based on a vital sign of the user, the additional input data corresponding to a heart rate of the user:



Built-in biometric sensor. Theragun PRO Plus's built-in biometric sensor delivers precise, on-device heart rate readings.

EXHIBIT 2

Claim Chart – U.S. Patent No. 12,036,174 – TheraFace PRO

U.S. Patent No. 12,036,174	TheraFace PRO				
1. A treatment device, comprising:	The accused product is a treatment device: TheraFace PRO ★★★★★ 66 Reviews Award-winning, all-in-one skincare device \$399 <table><thead><tr><th>Benefits</th><th>Description</th></tr></thead><tbody><tr><td colspan="2"> • Firms skin and reduces fine lines and wrinkles with red LED light therapy • Treats and helps reduce mild to moderate acne with blue LED light therapy • Reduces dark spots and improves radiance with red+infrared LED light therapy • Reduces tension and boosts circulation with facial massage </td></tr></tbody></table>	Benefits	Description	• Firms skin and reduces fine lines and wrinkles with red LED light therapy • Treats and helps reduce mild to moderate acne with blue LED light therapy • Reduces dark spots and improves radiance with red+infrared LED light therapy • Reduces tension and boosts circulation with facial massage	
Benefits	Description				
• Firms skin and reduces fine lines and wrinkles with red LED light therapy • Treats and helps reduce mild to moderate acne with blue LED light therapy • Reduces dark spots and improves radiance with red+infrared LED light therapy • Reduces tension and boosts circulation with facial massage					

a body provided with a processing unit and a power source; and

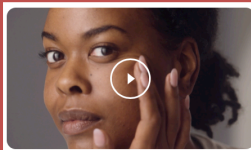
The accused product has a body provided with a power source and a processing unit:



a plurality of energy generator elements being independently operable to convert electricity from the power source into a plurality of different energy types transmittable towards an area of skin of a user,

The accused product has a plurality of energy generator elements being independently operable to convert electricity from the power source into a plurality of different energy types (e.g., percussion and infrared) transmittable towards an area of skin of a user:

The only multi-tasking skincare tool you need.



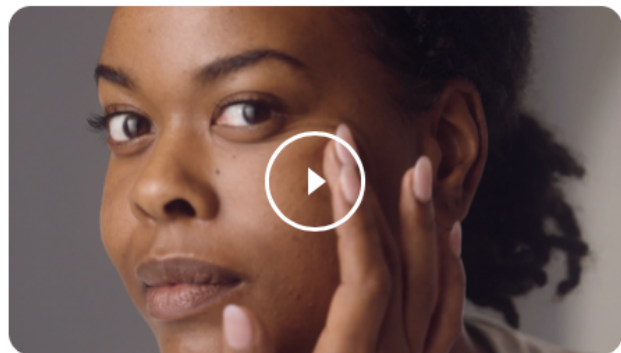
Percussive Therapy
For Roni, the inside-out process of aging needed an inside-out approach.



Microcurrent
Firming, Tightening, Toning, Hear Van's journey to glowing skin.



LED Light Therapy
Three powerful light therapies - Red, Blue, and Infrared. Amber's clear skin, revealed.



Percussive Therapy

For Roni, the inside-out process of aging needed an inside-out approach.



LED Light Therapy

Three powerful light therapies - Red, Blue, and Infrared. Amber's clear skin, revealed.

Using the TheraFace PRO

Start by washing your face completely and rinse twice to remove residue. Allow skin to dry completely before starting treatment. Be sure to visit therabody.com for treatment protocols and instructional videos.

Note: The TheraFace PRO device will make a beeping sound every 15 seconds. This will help you track the time within each treatment and will also inform you if a treatment has been disconnected or is completed.

- 1 beep = timed feedback every 15 sec so you can time their protocols better
- 2 beeps = the LED, Microcurrent, Hot, or Cold treatment has been accidentally disconnected
- 3 beeps = the LED, Microcurrent, Hot, or Cold treatment is over

A. Percussive Therapy Feature

1. Select and attach the desired percussive therapy attachment
2. Once attached to the TheraFace PRO, turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
3. Turn on the percussive feature by pressing the percussive button once.
4. To toggle between the 3 speed options (1750, 2100 and 2400 rpm), press the percussive button again.
5. To stop the percussive treatment, press the percussive button a third time.

Note: • Can be combined with the Cold Ring* - (*Hot and Cold Rings sold separately)
• Cannot be combined with the Microcurrent Ring, Hot Ring, LED Rings and Cleansing Ring

B. LED Treatment

1. The LED ring has 3 light therapy wavelength options: red, blue and red+infrared.
2. To start using the LED therapy mode, attach the LED ring to the TheraFace PRO device.
3. Turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
4. Then, turn ON the LED ring by pressing the Attachment Ring button.
5. To toggle between light options (blue, red and red+infrared), press the Attachment Ring button again.
6. The TheraFace PRO LED ring has a proximity sensor system, and will only reach full light intensity (brightness) once the device is placed at the right distance from your face (0.5 inches), reducing glare in the interim. Avoid direct skin contact.
7. To turn off the LED ring, toggle to the Red+IR light mode and press the Attachment Ring Button one more time or power off the TheraFace PRO device by pressing the Power Button for 2 seconds.

Warning: Do not place the LED Ring directly on the skin. Keep the LED Ring approximately **0.5 inches** away from the skin.

the plurality of energy generator elements being arranged coaxially about an axis,

In the accused product, the plurality of energy generator elements are arranged coaxially about an axis:



wherein the body includes a grip arranged to be grasped by a hand of the user applying a gripping force to maintain the plurality of energy generator elements on or adjacent the area of skin,

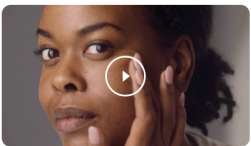
In the accused product, the body includes a grip arranged to be grasped by a hand of the user applying a gripping force to maintain the plurality of energy generator elements on or adjacent the area of skin:



wherein the plurality of energy generator elements includes a first energy generator element and a second energy generator element,

In the accused product, the plurality of energy generator elements includes a first energy generator element (for percussive therapy) and a second energy generator element (ring shaped for, e.g., LED light therapy):

The only multi-tasking skincare tool you need.



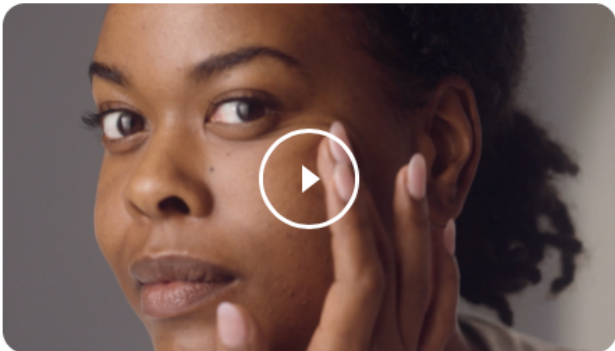
Percussive Therapy
For Roni, the inside-out process of aging needed an inside-out approach.



Microcurrent
Firming, Tightening, Toning. Hear Van's journey to glowing skin.



LED Light Therapy
Three powerful light therapies - Red, Blue, and Infrared. Amber's clear skin, revealed.



Percussive Therapy

For Roni, the inside-out process of aging needed an inside-out approach.



LED Light Therapy

Three powerful light therapies - Red, Blue, and Infrared. Amber's clear skin, revealed.

and wherein the first energy generator element is an impact generator element having a tissue contact surface that is linearly actuatable along the axis to contact and cause corresponding physical movement of the area of skin.

In the accused product, the first energy generator element is an impact generator element having a tissue contact surface that is linearly actuatable along the axis to contact and cause corresponding physical movement of the area of skin:



Using the TheraFace PRO

Start by washing your face completely and rinse twice to remove residue. Allow skin to dry completely before starting treatment. Be sure to visit therabody.com for treatment protocols and instructional videos.

Note: The TheraFace PRO device will make a beeping sound every 15 seconds. This will help you track the time within each treatment and will also inform you if a treatment has been disconnected or is completed.

- 1 beep = timed feedback every 15 sec so you can time their protocols better
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- 3 beeps = the LED, Microcurrent, Hot, or Cold treatment is over

A. Percussive Therapy Feature

1. Select and attach the desired percussive therapy attachment
2. Once attached to the TheraFace PRO, turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
3. Turn on the percussive feature by pressing the percussive button once.
4. To toggle between the 3 speed options (1750, 2100 and 2400 rpm), press the percussive button again.
5. To stop the percussive treatment, press the percussive button a third time.

Note: • Can be combined with the Cold Ring* - (*Hot and Cold Rings sold separately)
• Cannot be combined with the Microcurrent Ring, Hot Ring, LED Rings and Cleansing Ring

2. The treatment device of claim 1, wherein the impact generator element further includes a drive mechanism and a piston,

In the accused product, the impact generator element further includes a drive mechanism and a piston:



wherein the drive mechanism is operably coupled to a controller that directs electricity to the drive mechanism to move the piston and the tissue contact surface along the axis.

In the accused product, the drive mechanism is operably coupled to a controller that directs electricity to the drive mechanism to move the piston and the tissue contact surface along the axis:



3. The treatment device of claim 1, wherein the second energy generator element is substantially ring shaped and arranged coaxially about the first energy generator element.

In the accused product, the second energy generator element is substantially ring shaped and arranged coaxially about the first energy generator element:



4. The treatment device of claim 1, wherein the second energy generator element includes a reflecting groove circumferentially arranged about the axis, the reflecting groove defining a concave shape arranged to reflect energy generated from the second energy generator element towards the area of skin.

In the accused product, the second energy generator element includes a reflecting groove circumferentially arranged about the axis, the reflecting groove defining a concave shape arranged to reflect energy generated from the second energy generator element towards the area of skin:



5. The treatment device of claim 1, wherein the second energy generator element includes a heat generator element.

In the accused product, the second energy generator element includes a heat generator element:

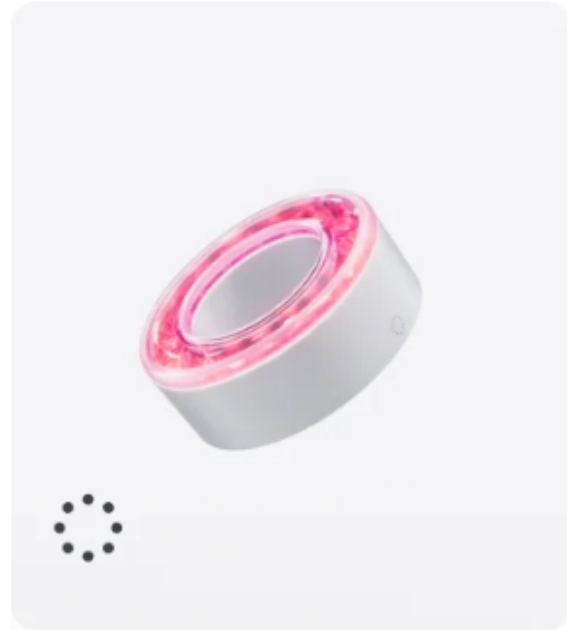


LED: Red+Infrared Light

Helps reduce wrinkles around the eyes.
Warming temporarily reduces pain.
Pairs with percussive attachments.

6. The treatment device of claim 1, wherein a first one of the plurality of different energy types is an impact force applied against a surface of the area of skin and a second one of the plurality of different energy types is a heat flux directed toward the area of skin.

In the accused product, a first one of the plurality of different energy types is an impact force applied against a surface of the area of skin and a second one of the plurality of different energy types is a heat flux directed toward the area of skin:



LED: Red+Infrared Light

Helps reduce wrinkles around the eyes.
Warming temporarily reduces pain.
Pairs with percussive attachments.

7. The treatment device of claim 1, wherein at least one of the plurality of energy generator elements is contained at least partially within a housing that is removably securable to the body.	In the accused product, at least one of the plurality of energy generator elements is contained at least partially within a housing that is removably securable to the body. The LED ring is removably securable to the body of the device: E LED Ring: Blue/Red/Red+IR ◦Magnetic connection to the device and can be removed by pulling ◦The LED treatment is delivered through the LED Ring 				
17. A treatment device, comprising:	The accused product is a treatment device: TheraFace PRO ★★★★★ 66 Reviews Award-winning, all-in-one skincare device \$399 <table><thead><tr><th>Benefits</th><th>Description</th></tr></thead><tbody><tr><td colspan="2"> • Firms skin and reduces fine lines and wrinkles with red LED light therapy • Treats and helps reduce mild to moderate acne with blue LED light therapy • Reduces dark spots and improves radiance with red+infrared LED light therapy • Reduces tension and boosts circulation with facial massage </td></tr></tbody></table>	Benefits	Description	• Firms skin and reduces fine lines and wrinkles with red LED light therapy • Treats and helps reduce mild to moderate acne with blue LED light therapy • Reduces dark spots and improves radiance with red+infrared LED light therapy • Reduces tension and boosts circulation with facial massage	
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• Firms skin and reduces fine lines and wrinkles with red LED light therapy • Treats and helps reduce mild to moderate acne with blue LED light therapy • Reduces dark spots and improves radiance with red+infrared LED light therapy • Reduces tension and boosts circulation with facial massage					

a body provided with a power source and a processing unit

The accused product has a body provided with a power source and a processing unit:

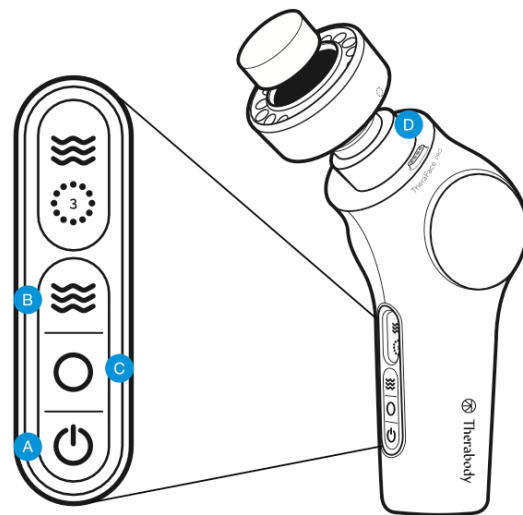


configured to receive input data and generate a control signal based on the input data,

The accused product is configured to receive input data from the control buttons and generate a control signal to, e.g., turn the accused product on, start percussive therapy, or turn on the LED ring, based on the input data:

Getting To Know Your TheraFace PRO Device

- A Power Button**
 - Powers the device ON / OFF
- B Percussive Therapy Button**
 - Controls the Percussive Attachment
- C Ring Button**
 - Controls the Attachment Ring
- D Attachment Ring**
 - Magnetic connection to the device and can be removed by pulling
 - All the Attachment Rings have only one correct position



6

the body including a skin contacting surface maintainable against skin of a user by a force applied by a hand of the user when gripping the body; and

The accused product includes a body including a skin contacting surface maintainable against skin of a user by a force applied by a hand of the user when gripping the body:



a first energy generator element and a second energy generator element coupled to the body,

The accused product has a first energy generator element (percussive therapy) and a second energy generator element (e.g., infrared) coupled to the body:

▶ The only multi-tasking skincare tool you need. ◀



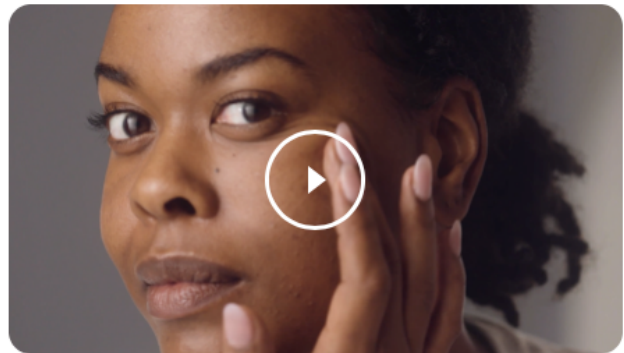
Percussive Therapy
For Roni, the inside-out process of aging needed an inside-out approach.



Microcurrent
Firming, Tightening, Toning. Hear Van's journey to glowing skin.



LED Light Therapy
Three powerful light therapies - Red, Blue, and Infrared. Amber's clear skin, revealed.



Percussive Therapy

For Roni, the inside-out process of aging needed an inside-out approach.



LED Light Therapy

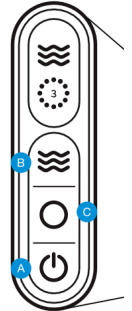
Three powerful light therapies - Red, Blue, and Infrared. Amber's clear skin, revealed.

the first and second energy generator elements being independently operable to convert electricity from the power source into a first energy type and a second energy type, respectively

The accused product has first and second energy generator elements that are independently operable to convert electricity from the power source into a first energy type and a second energy type, respectively:

Getting To Know Your TheraFace PRO Device

- A Power Button**
 - Powers the device ON / OFF
- B Percussive Therapy Button**
 - Controls the Percussive Attachment
- C Ring Button**
 - Controls the Attachment Ring
- D Attachment Ring**
 - Magnetic connection to the device and can be removed by pulling
 - All the Attachment Rings have only one correct position



Using the TheraFace PRO

Start by washing your face completely and rinse twice to remove residue. Allow skin to dry completely before starting treatment. Be sure to visit therabody.com for treatment protocols and instructional videos.

Note: The TheraFace PRO device will make a beeping sound every 15 seconds. This will help you track the time within each treatment and will also inform you if a treatment has been disconnected or is completed.

- 1 beep = timed feedback every 15 sec so you can time their protocols better
- 2 beeps = the LED, Microcurrent, Hot, or Cold treatment has been accidentally disconnected
- 3 beeps = the LED, Microcurrent, Hot, or Cold treatment is over

A. Percussive Therapy Feature

1. Select and attach the desired percussive therapy attachment
2. Once attached to the TheraFace PRO, turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
3. Turn on the percussive feature by pressing the percussive button once.
4. To toggle between the 3 speed options (1750, 2100 and 2400 rpm), press the percussive button again.
5. To stop the percussive treatment, press the percussive button a third time.

Note: • Can be combined with the Cold Ring* - (*Hot and Cold Rings sold separately)
• Cannot be combined with the Microcurrent Ring, Hot Ring, LED Rings and Cleansing Ring

B. LED Treatment

1. The LED ring has 3 light therapy wavelength options: red, blue and red+infrared.
2. To start using the LED therapy mode, attach the LED ring to the TheraFace PRO device.
3. Turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
4. Then, turn ON the LED ring by pressing the Attachment Ring button.
5. To toggle between light options (blue, red and red+infrared), press the Attachment Ring button again.
6. The TheraFace PRO LED ring has a proximity sensor system, and will only reach full light intensity (brightness) once the device is placed at the right distance from your face (0.5 inches), reducing glare in the interim. Avoid direct skin contact.
7. To turn off the LED ring, toggle to the Red+IR light mode and press the Attachment Ring Button one more time or power off the TheraFace PRO device by pressing the Power Button for 2 seconds.

Warning: Do not place the LED Ring directly on the skin. Keep the LED Ring approximately **0.5 inches** away from the skin.

and direct the first and second energy types toward an area of skin,

The accused product directs the first and second energy types toward an area of skin,



Using the TheraFace PRO

Start by washing your face completely and rinse twice to remove residue. Allow skin to dry completely before starting treatment. Be sure to visit therabody.com for treatment protocols and instructional videos.

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3. Turn on the percussive feature by pressing the percussive button once.
4. To toggle between the 3 speed options (1750, 2100 and 2400 rpm), press the percussive button again.
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B. LED Treatment

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2. To start using the LED therapy mode, attach the LED ring to the TheraFace PRO device.
3. Turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
4. Then, turn ON the LED ring by pressing the Attachment Ring button.
5. To toggle between light options (blue, red and red+infrared), press the Attachment Ring button again.
6. The TheraFace PRO LED ring has a proximity sensor system, and will only reach full light intensity (brightness) once the device is placed at the right distance from your face (0.5 inches), reducing glare in the interim. Avoid direct skin contact.
7. To turn off the LED ring, toggle to the Red+IR light mode and press the Attachment Ring Button one more time or power off the TheraFace PRO device by pressing the Power Button for 2 seconds.

Warning: Do not place the LED Ring directly on the skin. Keep the LED Ring approximately **0.5 inches** away from the skin.

the first energy generator element including an impact generator element having a tissue contact surface that is linearly actuatable along an axis to contact and cause corresponding physical movement of the area of skin;

The accused product includes a first energy generator element including an impact generator element having a tissue contact surface that is linearly actuatable along an axis to contact and cause corresponding physical movement of the area of skin:



Using the TheraFace PRO

Start by washing your face completely and rinse twice to remove residue. Allow skin to dry completely before starting treatment. Be sure to visit therabody.com for treatment protocols and instructional videos.

Note: The TheraFace PRO device will make a beeping sound every 15 seconds. This will help you track the time within each treatment and will also inform you if a treatment has been disconnected or is completed.

- 1 beep = timed feedback every 15 sec so you can time their protocols better
- 2 beeps = the LED, Microcurrent, Hot, or Cold treatment has been accidentally disconnected
- 3 beeps = the LED, Microcurrent, Hot, or Cold treatment is over

A. Percussive Therapy Feature

1. Select and attach the desired percussive therapy attachment
2. Once attached to the TheraFace PRO, turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
3. Turn on the percussive feature by pressing the percussive button once.
4. To toggle between the 3 speed options (1750, 2100 and 2400 rpm), press the percussive button again.
5. To stop the percussive treatment, press the percussive button a third time.

Note: • Can be combined with the Cold Ring* - (*Hot and Cold Rings sold separately)
• Cannot be combined with the Microcurrent Ring, Hot Ring, LED Rings and Cleansing Ring

wherein the processing unit is operable to output an optical signal on a display that is observable by eyes of the user, the output corresponding to the control signal.

The accused product has a processing unit that is operable to output an optical signal on a display that is observable by eyes of the user, the output corresponding to the control signal:



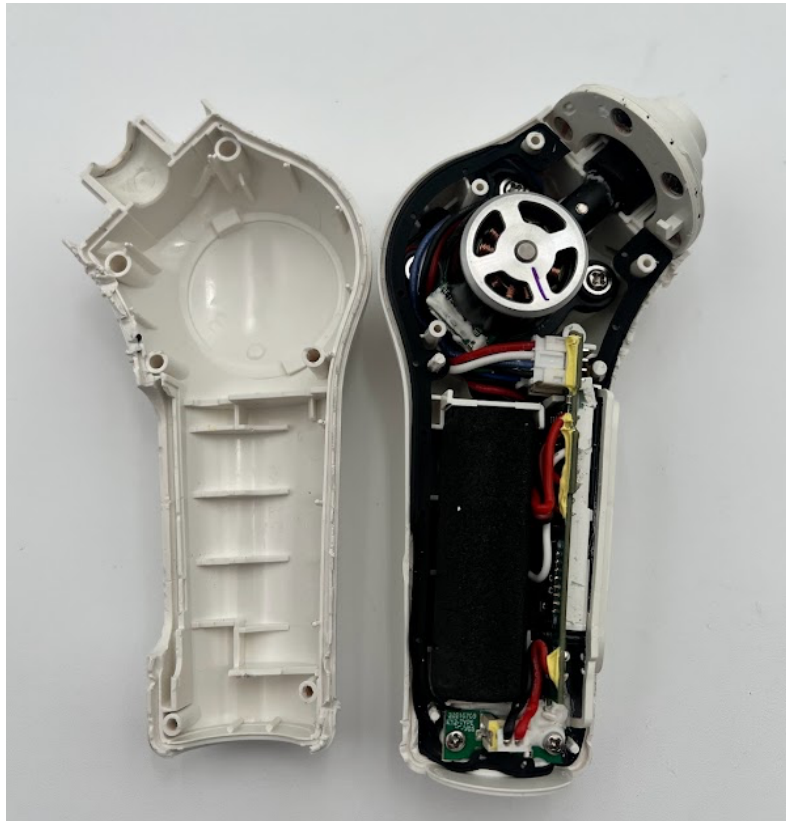
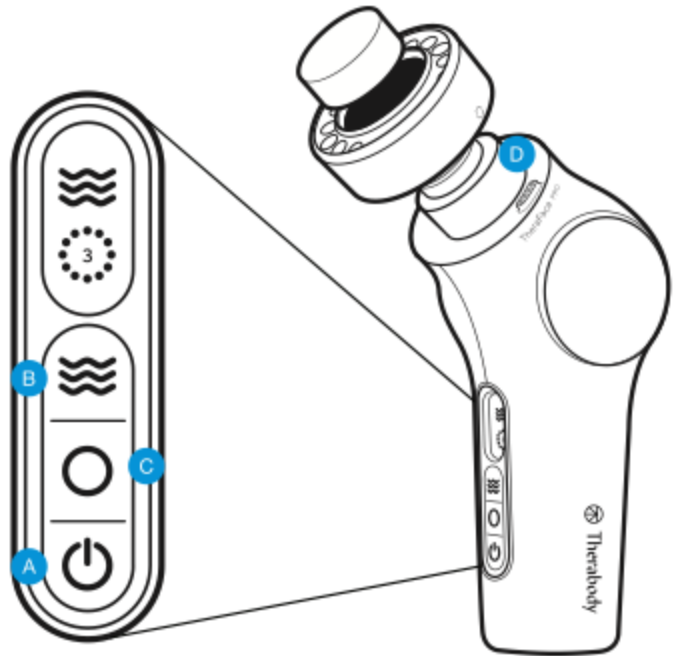
EXHIBIT 3

Claim Chart – U.S. Patent No. 12,036,174 – TheraFace PRO with Cold Ring

U.S. Patent No. 12,036,174	TheraFace PRO with Cold Ring
1. A treatment device, comprising:	The accused product is a treatment device:  The image shows the TheraFace PRO facial health device, which is a black handheld device with a large circular opening in the center. To the right of the main device are two accessories: a black ring with a silver-colored inner ring, and a black ring with a silver-colored outer ring. The device has the 'Therabody' logo on the handle. The Complete TheraFace Bundle The ultimate TheraFace PRO experience \$498 As low as 4 interest-free payments or \$42/mo with affirm. Learn more Get the most customization possible out of our TheraFace PRO facial health device with this best-selling set. Now you'll get all of the facial treatments included with the device, plus the popular Hot and Cold Rings – unlocking the full power of TheraFace PRO to provide 8 treatments in 1. This is the ultimate facial health routine, providing the rejuvenating, toning benefits of treatments like microcurrent and LED light therapy, along with the added benefits of the Hot and Cold Rings to relieve minor facial pain and decrease inflammation. <i>Includes TheraFace PRO device with all included treatments, plus a set of Hot and Cold Rings. See specifications. Items in set may ship separately.</i>

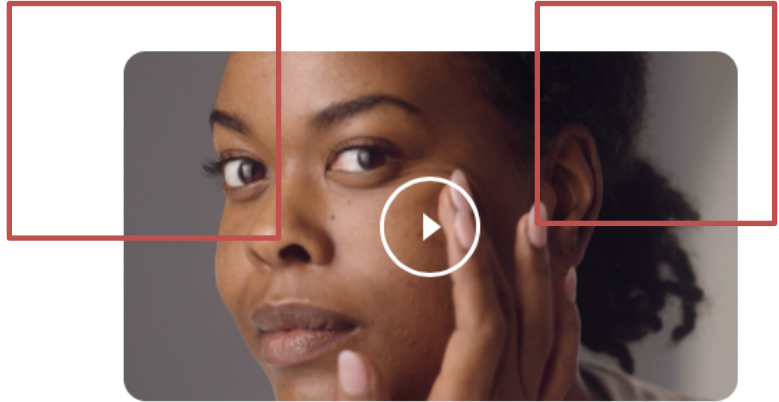
a body provided with a processing unit and a power source; and

The accused product has a body provided with a power source and a processing unit:



a plurality of energy generator elements being independently operable to convert electricity from the power source into a plurality of different energy types transmittable towards an area of skin of a user,

The accused product has a plurality of energy generator elements being independently operable to convert electricity from the power source into a plurality of different energy types (for percussive therapy and cold therapy) transmittable towards an area of skin of a user:



Percussive Therapy

For Roni, the inside-out process of aging needed an inside-out approach.



Cold Ring

Helps reduce puffiness under eyes. Decreases pain, inflammation, and muscle spasms

Using the TheraFace PRO

Start by washing your face completely and rinse twice to remove residue. Allow skin to dry completely before starting treatment. Be sure to visit therabody.com for treatment protocols and instructional videos.

Note: The TheraFace PRO device will make a beeping sound every 15 seconds. This will help you track the time within each treatment and will also inform you if a treatment has been disconnected or is completed.

- 1 beep = timed feedback every 15 sec so you can time their protocols better
- 2 beeps = the LED, Microcurrent, Hot, or Cold treatment has been accidentally disconnected
- 3 beeps = the LED, Microcurrent, Hot, or Cold treatment is over

A. Percussive Therapy Feature

1. Select and attach the desired percussive therapy attachment
2. Once attached to the TheraFace PRO, turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
3. Turn on the percussive feature by pressing the percussive button once.
4. To toggle between the 3 speed options (1750, 2100 and 2400 rpm), press the percussive button again.
5. To stop the percussive treatment, press the percussive button a third time.

Note: • Can be combined with the Cold Ring* - (*Hot and Cold Rings sold separately)
• Cannot be combined with the Microcurrent Ring, Hot Ring, LED Rings and Cleansing Ring

B. LED Treatment

1. The LED ring has 3 light therapy wavelength options: red, blue and red+infrared.
2. To start using the LED therapy mode, attach the LED ring to the TheraFace PRO device.
3. Turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
4. Then, turn ON the LED ring by pressing the Attachment Ring button.
5. To toggle between light options (blue, red and red+infrared), press the Attachment Ring button again.
6. The TheraFace PRO LED ring has a proximity sensor system, and will only reach full light intensity (brightness) once the device is placed at the right distance from your face (0.5 inches), reducing glare in the interim. Avoid direct skin contact.
7. To turn off the LED ring, toggle to the Red+IR light mode and press the Attachment Ring Button one more time or power off the TheraFace PRO device by pressing the Power Button for 2 seconds.

Warning: Do not place the LED Ring directly on the skin. Keep the LED Ring approximately **0.5 inches** away from the skin.

the plurality of energy generator elements being arranged coaxially about an axis,

In the accused product, the plurality of energy generator elements are arranged coaxially about an axis



wherein the body includes a grip arranged to be grasped by a hand of the user applying a gripping force to maintain the plurality of energy generator elements on or adjacent the area of skin,	In the accused product, the body includes a grip arranged to be grasped by a hand of the user applying a gripping force to maintain the plurality of energy generator elements on or adjacent the area of skin: 
wherein the plurality of energy generator elements includes a first energy generator element and a second energy generator element,	In the accused product, the plurality of energy generator elements includes a first energy generator element (for percussive therapy) and a second energy generator element (cold therapy ring): 

and wherein the first energy generator element is an impact generator element having a tissue contact surface that is linearly actuatable along the axis to contact and cause corresponding physical movement of the area of skin.

In the accused product, the first energy generator element is an impact generator element having a tissue contact surface that is linearly actuatable along the axis to contact and cause corresponding physical movement of the area of skin:



Using the TheraFace PRO

Start by washing your face completely and rinse twice to remove residue. Allow skin to dry completely before starting treatment. Be sure to visit therabody.com for treatment protocols and instructional videos.

Note: The TheraFace PRO device will make a beeping sound every 15 seconds. This will help you track the time within each treatment and will also inform you if a treatment has been disconnected or is completed.

- 1 beep = timed feedback every 15 sec so you can time their protocols better
- 2 beeps = the LED, Microcurrent, Hot, or Cold treatment has been accidentally disconnected
- 3 beeps = the LED, Microcurrent, Hot, or Cold treatment is over

A. Percussive Therapy Feature

1. Select and attach the desired percussive therapy attachment
2. Once attached to the TheraFace PRO, turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
3. Turn on the percussive feature by pressing the percussive button once.
4. To toggle between the 3 speed options (1750, 2100 and 2400 rpm), press the percussive button again.
5. To stop the percussive treatment, press the percussive button a third time.

Note: • Can be combined with the Cold Ring* - (*Hot and Cold Rings sold separately)
• Cannot be combined with the Microcurrent Ring, Hot Ring, LED Rings and Cleansing Ring

2. The treatment device of claim 1, wherein the impact generator element further includes a drive mechanism and a piston,

In the accused product, the impact generator element further includes a drive mechanism and a piston:



wherein the drive mechanism is operably coupled to a controller that directs electricity to the drive mechanism to move the piston and the tissue contact surface along the axis.

In the accused product, the drive mechanism is operably coupled to a controller that directs electricity to the drive mechanism to move the piston and the tissue contact surface along the axis:



3. The treatment device of claim 1, wherein the second energy generator element is substantially ring shaped and arranged coaxially about the first energy generator element.	In the accused product, the second energy generator element is substantially ring shaped and arranged coaxially about the first energy generator element: 
7. The treatment device of claim 1, wherein at least one of the plurality of energy generator elements is contained at least partially within a housing that is removably securable to the body.	In the accused product, at least one of the plurality of energy generator elements is contained at least partially within a housing that is removably securable to the body. The LED ring is removably securable to the body of the device: E LED Ring: Blue/Red/Red+IR ◦Magnetic connection to the device and can be removed by pulling ◦The LED treatment is delivered through the LED Ring 

17. A treatment device,
comprising:

The accused product is a treatment device:



The Complete TheraFace Bundle

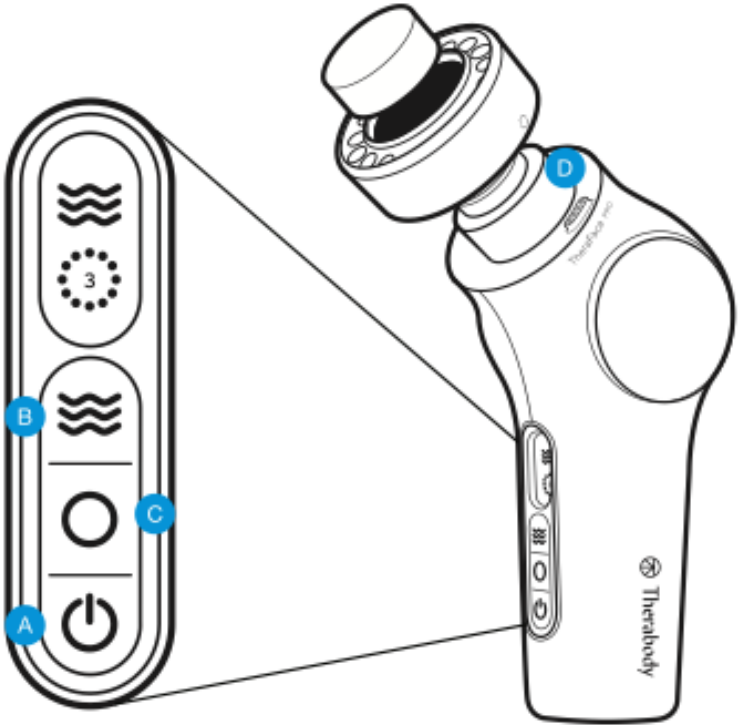
The ultimate TheraFace PRO experience

\$498

As low as 4 interest-free payments or \$42/mo with [affirm](#). [Learn more](#)

Get the most customization possible out of our TheraFace PRO facial health device with this best-selling set. Now you'll get all of the facial treatments included with the device, plus the popular Hot and Cold Rings – unlocking the full power of TheraFace PRO to provide 8 treatments in 1. This is the ultimate facial health routine, providing the rejuvenating, toning benefits of treatments like microcurrent and LED light therapy, along with the added benefits of the Hot and Cold Rings to relieve minor facial pain and decrease inflammation.

Includes TheraFace PRO device with all included treatments, plus a set of Hot and Cold Rings. See specifications. Items in set may ship separately.

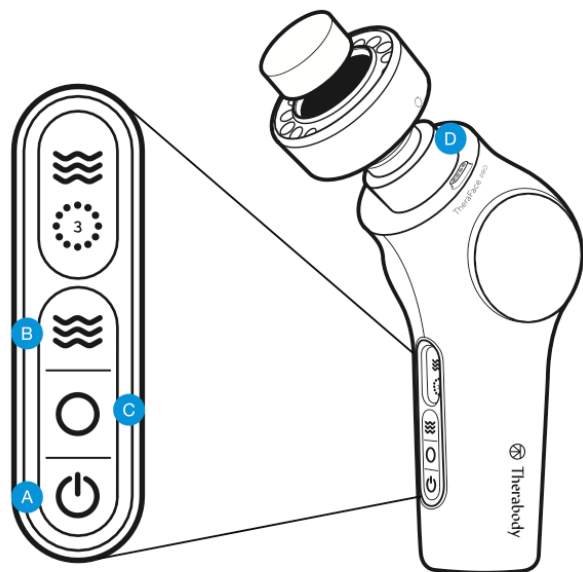
a body provided with a power source and a processing unit	The accused product has a body provided with a power source and a processing unit:  The diagram shows a handheld device with a control panel on the left and a treatment head on the right. The control panel features four buttons: a power button (A), a button with a wavy line symbol (B), a button with a circle containing the number 3 (C), and a button with a wavy line symbol (D). The treatment head has a circular opening. The device is labeled 'TheraFace PRO' and 'Therabody'.
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configured to receive input data and generate a control signal based on the input data,

The accused product is configured to receive input data from the control buttons and generate a control signal to, *e.g.*, turn the accused product on, start percussive therapy, or turn on the cold ring, based on the input data:

Getting To Know Your TheraFace PRO Device

- A Power Button**
 - °Powers the device ON / OFF
- B Percussive Therapy Button**
 - °Controls the Percussive Attachment
- C Ring Button**
 - °Controls the Attachment Ring
- D Attachment Ring**
 - °Magnetic connection to the device and can be removed by pulling
 - °All the Attachment Rings have only one correct position



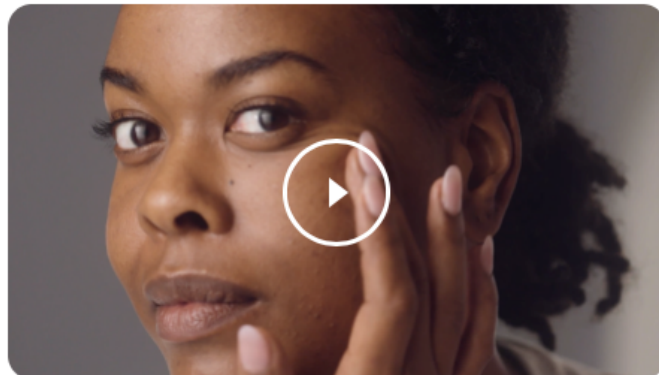
the body including a skin contacting surface maintainable against skin of a user by a force applied by a hand of the user when gripping the body; and

The accused product includes a body including a skin contacting surface maintainable against skin of a user by a force applied by a hand of the user when gripping the body:



a first energy generator element and a second energy generator element coupled to the body,

The accused product has a first energy generator element (percussive therapy):



Percussive Therapy

For Roni, the inside-out process of aging needed an inside-out approach.

and a second energy generator element (cold ring) coupled to the body:



Cold Ring

Helps reduce puffiness under eyes. Decreases pain, inflammation, and muscle spasms

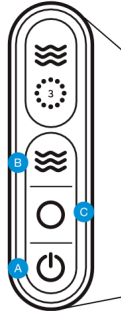
The Cold attachment ring can be used simultaneously with any percussive attachment for a more customized treatment.

the first and second energy generator elements being independently operable to convert electricity from the power source into a first energy type and a second energy type, respectively

The accused product has first and second energy generator elements that are independently operable to convert electricity from the power source into a first energy type and a second energy type, respectively:

Getting To Know Your TheraFace PRO Device

- A Power Button**
 - Powers the device ON / OFF
- B Percussive Therapy Button**
 - Controls the Percussive Attachment
- C Ring Button**
 - Controls the Attachment Ring
- D Attachment Ring**
 - Magnetic connection to the device and can be removed by pulling
 - All the Attachment Rings have only one correct position



Using the TheraFace PRO

Start by washing your face completely and rinse twice to remove residue. Allow skin to dry completely before starting treatment. Be sure to visit therabody.com for treatment protocols and instructional videos.

Note: The TheraFace PRO device will make a beeping sound every 15 seconds. This will help you track the time within each treatment and will also inform you if a treatment has been disconnected or is completed.

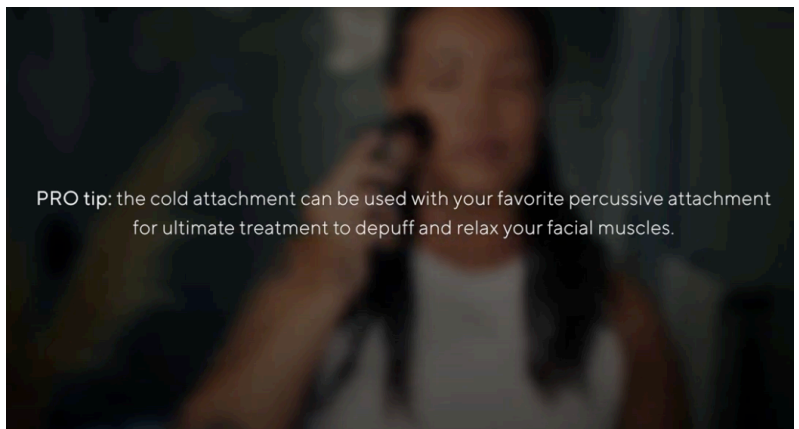
- 1 beep = timed feedback every 15 sec so you can time their protocols better
- 2 beeps = the LED, Microcurrent, Hot, or Cold treatment has been accidentally disconnected
- 3 beeps = the LED, Microcurrent, Hot, or Cold treatment is over

A. Percussive Therapy Feature

1. Select and attach the desired percussive therapy attachment
2. Once attached to the TheraFace PRO, turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
3. Turn on the percussive feature by pressing the percussive button once.
4. To toggle between the 3 speed options (1750, 2100 and 2400 rpm), press the percussive button again.
5. To stop the percussive treatment, press the percussive button a third time.

Note: • Can be combined with the Cold Ring* - (*Hot and Cold Rings sold separately)
• Cannot be combined with the Microcurrent Ring, Hot Ring, LED Rings and Cleansing Ring

The Cold attachment ring can be used simultaneously with any percussive attachment for a more customized treatment.



PRO tip: the cold attachment can be used with your favorite percussive attachment for ultimate treatment to depuff and relax your facial muscles.

and direct the first and second energy types toward an area of skin,

The accused product directs the first and second energy types toward an area of skin:



Using the TheraFace PRO

Start by washing your face completely and rinse twice to remove residue. Allow skin to dry completely before starting treatment. Be sure to visit therabody.com for treatment protocols and instructional videos.

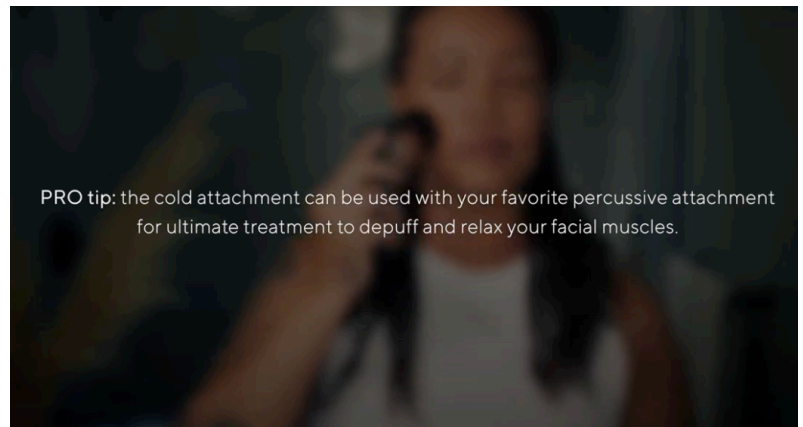
Note: The TheraFace PRO device will make a beeping sound every 15 seconds. This will help you track the time within each treatment and will also inform you if a treatment has been disconnected or is completed.

- 1 beep = timed feedback every 15 sec so you can time their protocols better
- 2 beeps = the LED, Microcurrent, Hot, or Cold treatment has been accidentally disconnected
- 3 beeps = the LED, Microcurrent, Hot, or Cold treatment is over

A. Percussive Therapy Feature

1. Select and attach the desired percussive therapy attachment
2. Once attached to the TheraFace PRO, turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
3. Turn on the percussive feature by pressing the percussive button once.
4. To toggle between the 3 speed options (1750, 2100 and 2400 rpm), press the percussive button again.
5. To stop the percussive treatment, press the percussive button a third time.

Note: • Can be combined with the Cold Ring* - (*Hot and Cold Rings sold separately)
• Cannot be combined with the Microcurrent Ring, Hot Ring, LED Rings and Cleansing Ring



PRO tip: the cold attachment can be used with your favorite percussive attachment for ultimate treatment to depuff and relax your facial muscles.

the first energy generator element including an impact generator element having a tissue contact surface that is linearly actuatable along an axis to contact and cause corresponding physical movement of the area of skin;

The accused product includes a first energy generator element including an impact generator element having a tissue contact surface that is linearly actuatable along an axis to contact and cause corresponding physical movement of the area of skin:



Using the TheraFace PRO

Start by washing your face completely and rinse twice to remove residue. Allow skin to dry completely before starting treatment. Be sure to visit therabody.com for treatment protocols and instructional videos.

Note: The TheraFace PRO device will make a beeping sound every 15 seconds. This will help you track the time within each treatment and will also inform you if a treatment has been disconnected or is completed.

- 1 beep = timed feedback every 15 sec so you can time their protocols better
- 2 beeps = the LED, Microcurrent, Hot, or Cold treatment has been accidentally disconnected
- 3 beeps = the LED, Microcurrent, Hot, or Cold treatment is over

A. Percussive Therapy Feature

1. Select and attach the desired percussive therapy attachment
2. Once attached to the TheraFace PRO, turn ON the TheraFace PRO device by pressing the Power Button for 2 seconds.
3. Turn on the percussive feature by pressing the percussive button once.
4. To toggle between the 3 speed options (1750, 2100 and 2400 rpm), press the percussive button again.
5. To stop the percussive treatment, press the percussive button a third time.

Note: • Can be combined with the Cold Ring* - (*Hot and Cold Rings sold separately)
• Cannot be combined with the Microcurrent Ring, Hot Ring, LED Rings and Cleansing Ring

PRO tip: the cold attachment can be used with your favorite percussive attachment for ultimate treatment to depuff and relax your facial muscles.

wherein the processing unit is operable to output an optical signal on a display that is observable by eyes of the user, the output corresponding to the control signal.

The accused product has a processing unit that is operable to output an optical signal on a display that is observable by eyes of the user, the output corresponding to the control signal:



EXHIBIT 4

Claim Chart – U.S. Patent No. 12,036,174 – Theragun Prime Plus

U.S. Patent No. 12,036,174	Theragun Prime Plus
17. A treatment device, comprising:	The accused product is a treatment device:  Theragun Prime Plus Powerful massage combined with heat for enhanced warm-up and recovery \$399 PREORDER: Orders ship in 1-2 weeks. Please note that your credit card will be charged upon placing your preorder. ⓘ Benefits Description • Enhance recovery, optimize warm-ups, reduce soreness and relieve pain • Includes Heated Percussive Plus Attachment and 3 additional attachments • Drop and scratch-resistant design • Compatible with Plus Attachments, including Vibration and Cold (sold separately)

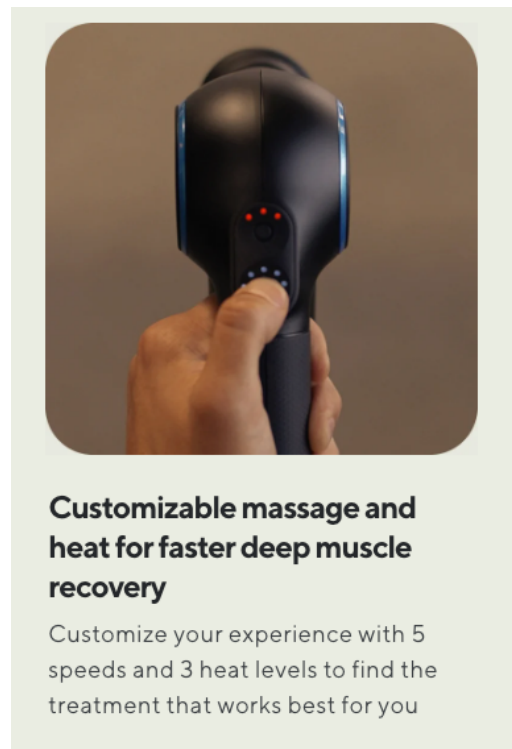
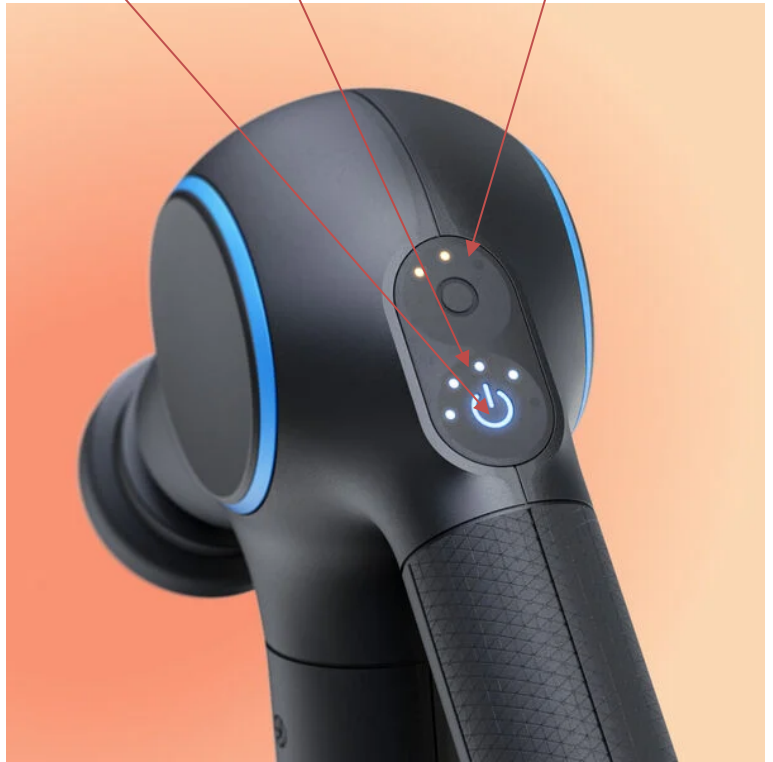
a body provided with a power source and a processing unit

The accused product has a body provided with a power source and a processing unit:



configured to receive input data and generate a control signal based on the input data,

The accused product is configured to receive input data from the control buttons and generate a control signal to, e.g., turn the accused product on, start percussive therapy, or start heat therapy, based on the input data:



the body including a skin contacting surface maintainable against skin of a user by a force applied by a hand of the user when gripping the body; and

The accused product includes a body including a skin contacting surface maintainable against skin of a user by a force applied by a hand of the user when gripping the body:



a first energy generator element and a second energy generator element coupled to the body,	The accused product has a first energy generator element (<i>e.g.</i>, for percussive therapy):  Key Features × Heated percussive massage Delivers consistent, science-backed levels of heat to help loosen stiff muscles and accelerate recovery. Scientifically designed attachments Includes Heated Percussive Plus Attachment plus 3 additional attachments: Dampener, Standard Ball and Wedge. Convenient on-device controls Easily navigate your treatment with on-device controls and LED indicators that display massage speed and heat levels. Choose from 5 speeds and 3 heat levels to adjust pressure and heat for targeted relief.
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and a second energy generator element (e.g., for heat therapy) coupled to the body:



What's Included

×



- Theragun Prime Plus device
- 4 massage attachments: Heated Percussive Plus, Dampener, Standard Ball and Wedge
- USB-C charging cable
- QuietForce Technology oil
- Travel pouch

the first and second energy generator elements being independently operable to convert electricity from the power source into a first energy type and a second energy type, respectively	The accused product has first and second energy generator elements that are independently operable to convert electricity from the power source into a first energy type and a second energy type, respectively: Key Features × Heated percussive massage Delivers consistent, science-backed levels of heat to help loosen stiff muscles and accelerate recovery. Scientifically designed attachments Includes Heated Percussive Plus Attachment plus 3 additional attachments: Dampener, Standard Ball and Wedge. Convenient on-device controls Easily navigate your treatment with on-device controls and LED indicators that display massage speed and heat levels. Choose from 5 speeds and 3 heat levels to adjust pressure and heat for targeted relief.
---	---

and direct the first and second energy types toward an area of skin,

The accused product directs the first and second energy types toward an area of skin,



Benefits

Description

Introducing Theragun Prime Plus—powerful massage now combined with science-backed heat therapy. This handheld massage gun features a Heated Percussive Plus Attachment that combines science-backed heat levels with percussive therapy, a combination proven to accelerate recovery, optimize warm-ups, reduce soreness and relieve pain faster than standard percussive massage alone.¹ Theragun Prime Plus includes 3 additional attachments designed to target everything from large muscle groups to IT bands and shoulder blades. Now compatible with Plus Attachments, including the Cold Plus Attachment and Vibration Plus Attachment (sold separately), making it your go-to device after rugged hikes, golf swings, long bike rides or runs.

the first energy generator element including an impact generator element having a tissue contact surface that is linearly actuatable along an axis to contact and cause corresponding physical movement of the area of skin;

The accused product includes a first energy generator element including an impact generator element having a tissue contact surface that is linearly actuatable along an axis to contact and cause corresponding physical movement of the area of skin:



Benefits

Description

Introducing Theragun Prime Plus—powerful massage now combined with science-backed heat therapy. This handheld massage gun features a Heated Percussive Plus Attachment that combines science-backed heat levels with percussive therapy, a combination proven to accelerate recovery, optimize warm-ups, reduce soreness and relieve pain faster than standard percussive massage alone.¹ Theragun Prime Plus includes 3 additional attachments designed to target everything from large muscle groups to IT bands and shoulder blades. Now compatible with Plus Attachments, including the Cold Plus Attachment and Vibration Plus Attachment (sold separately), making it your go-to device after rugged hikes, golf swings, long bike rides or runs.

wherein the processing unit is operable to output an optical signal on a display that is observable by eyes of the user, the output corresponding to the control signal.

The accused product has a processing unit that is operable to output an optical signal on a display that is observable by eyes of the user, the output corresponding to the control signal:



Customizable massage and heat for faster deep muscle recovery

Customize your experience with 5 speeds and 3 heat levels to find the treatment that works best for you

EXHIBIT 5

Claim Chart – U.S. Patent No. 12,097,161 – Therabody SmartGoggles

U.S. Patent No. 12,097,161	Therabody SmartGoggles
1. A wearable device, comprising:	The accused product is a wearable device:  

a body including a flexible material layer such that the body is conformable about a head of a user,

a body including a flexible material layer such that the body is conformable about a head of a user, the body having a power source:

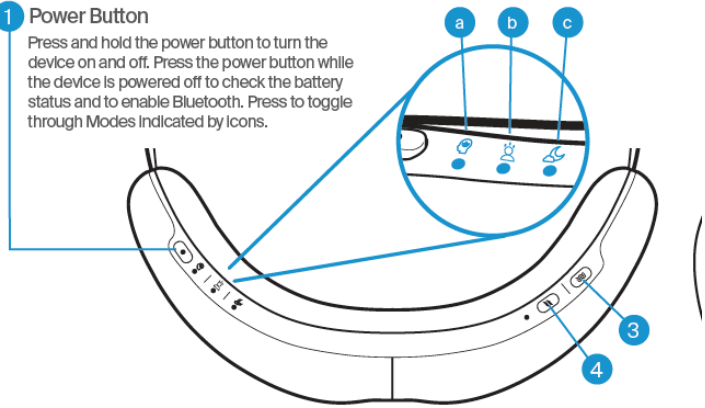


the body having a power source;

The body of the accused product has a power source (a rechargeable battery):

4. Getting To Know Your Device

- | | |
|------------------------------|------------------------|
| 1. Power Button | 3. Vibration Button |
| 2. Mode LED Light Indicators | 4. Heat Button |
| a. SmartRelax | 5. USB-C Charging Port |
| b. Headaches & Eye Strain | 6. Biometric Sensor |
| c. Sleep Prep | |



an attachment element including a band to maintain the body about the head of the user and a skin facing surface of the body against skin of the user; and

The accused product has a headband to maintain a skin facing surface of the body against skin of the user:



a plurality of energy generators being independently operable to convert electricity from the power source into a plurality of different energy types transmittable towards the skin of the user,

The accused product has several energy generators that are independently operable to convert electricity from the power source into a plurality of different energy types (*e.g.*, vibration, compression/massage, heat). These energy types are transmittable to the skin of the user:



Relax and unwind.

Heat, gentle vibration patterns and eye and temple massage promote relaxation.

2. Download the Therabody App

If you currently have the Therabody app, proceed to step 4.

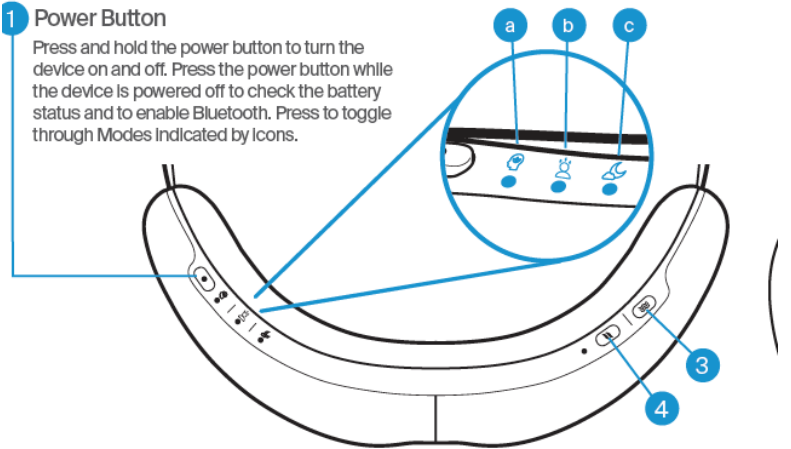
1. Download the Therabody app from the App Store or Play Store.
2. Follow the in-app instructions to create a new app account and verify your email.
3. Once logged in, follow the onboarding steps to connect your device to the app. Be sure that the Bluetooth settings are enabled for your phone.
4. Select "SmartGoggles (2nd Generation)" as your Therabody device when prompted.
5. Press and hold the power button on your device to turn it on. The device must be powered on to locate and pair to the app.
6. Select "SmartGoggles" to confirm the device and app connection.
7. Once connected, you can customize the heat, vibration, and length of treatments to help you relax, ease eye strain and headaches, and prepare for sleep.
8. You can also select from an expansive catalog of TheraMind sound therapy, science-backed audio to listen to during your SmartGoggles treatment for a fully immersed experience.

4. Getting To Know Your Device

- | | |
|------------------------------|------------------------|
| 1. Power Button | 3. Vibration Button |
| 2. Mode LED Light Indicators | 4. Heat Button |
| a. SmartRelax | 5. USB-C Charging Port |
| b. Headaches & Eye Strain | 6. Biometric Sensor |
| c. Sleep Prep | |

1 Power Button

Press and hold the power button to turn the device on and off. Press the power button while the device is powered off to check the battery status and to enable Bluetooth. Press to toggle through Modes indicated by icons.



5. Use the Device

1. **Put on your device.** Place the device on clean, dry skin. Remove makeup, eyeglasses, and contact lenses prior to use.
2. **Adjust your device.** Place the device on your head and adjust the strap. The device should perfectly align with your temples and sit comfortably on your nose bridge for 100% blackout. The strap should sit just above your ears. For a full light block experience, tighten the strap by adjusting the buckle. Moving it to the right makes it tighter and to the left makes it looser. The heart rate sensor should maintain contact with your cheekbone.
3. **Turn on the device.** Press and hold the power button to turn on the device.
4. **Choose a treatment.** Press the power button again to toggle through the three modes: SmartRelax, Headaches & Eye Strain, and Sleep Prep.
5. **Adjust the vibration setting.** Press the vibration button to toggle through the vibration settings available in your selected treatment. Press and hold the vibration button to turn off the vibration.
6. **Adjust the heat temperature.** Press the heat button to add heat to your treatment and to toggle through the three heat temperature options. Press and hold the heat button to turn off the heat.
7. **Customize and enhance your treatment using the Therabody app.** You can also select and customize your treatment preferences in the Therabody app. Save your favorite routines and settings in the Therabody app for easy access to the treatments you use most. You can also see how your heart rate is impacted by your treatment by viewing your biometrics at the end of each session in the Therabody app. Listen to specially composed TheraMind sound therapy, designed using science-backed techniques to melt away stress and help with sleep, through the Therabody app.
8. **Sit back and relax.** Keep your eyes closed during the treatment. Avoid frequent movement during treatment as it may impact heart rate tracking.
9. **Turn off the device.** Press and hold the power button to turn off the device. Make sure the Battery status LED is OFF. The device will automatically shut off following your treatment.

wherein at least one of the plurality of energy generators is disposed at least partially within the flexible material layer.

In the accused product, the plurality of first energy generator elements (for vibration) is disposed within the flexible material layer. These are shown in Figure 18 of Therabody's U.S. Patent No. 11,819,625 as vibration members 140, 142, 144, 146, 148, 150, 152, and 154:

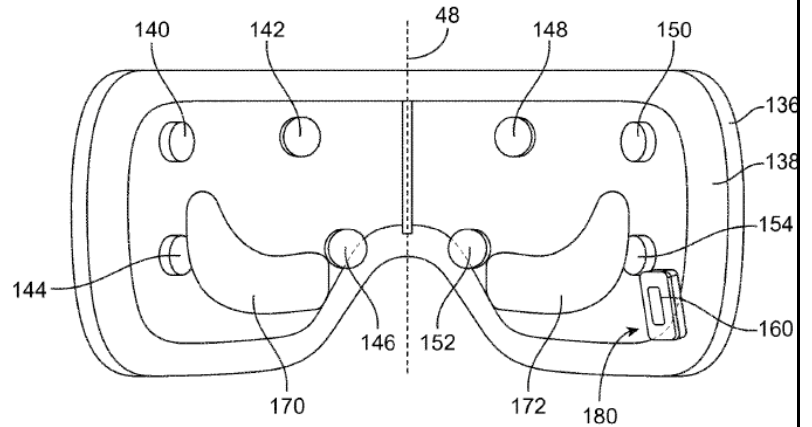


FIG. 18



2. The wearable device of claim 1, wherein the plurality of energy generators includes a plurality of first energy generator elements, each of the plurality of first energy generator elements including a mechanical actuator configured to convert the electricity from the power source into a mechanical movement recognizable by the skin of the user.

In the accused product, the plurality of energy generators includes a plurality of first energy generator elements, each of the plurality of first energy generator elements including a mechanical actuator configured to convert the electricity from the power source into a mechanical movement (vibration) recognizable by the skin of the user:

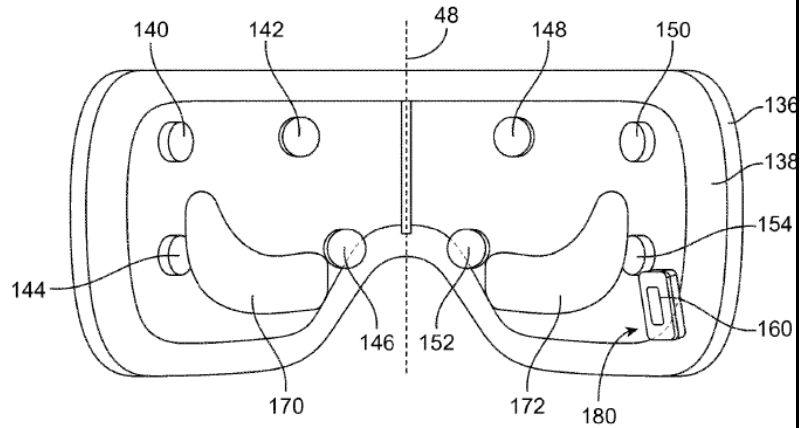


FIG. 18



3. The wearable device of claim 2, wherein the plurality of first energy generator elements is disposed at least partially within the flexible material layer.

In the accused product, the plurality of first energy generator elements is disposed at least partially within the flexible material layer:

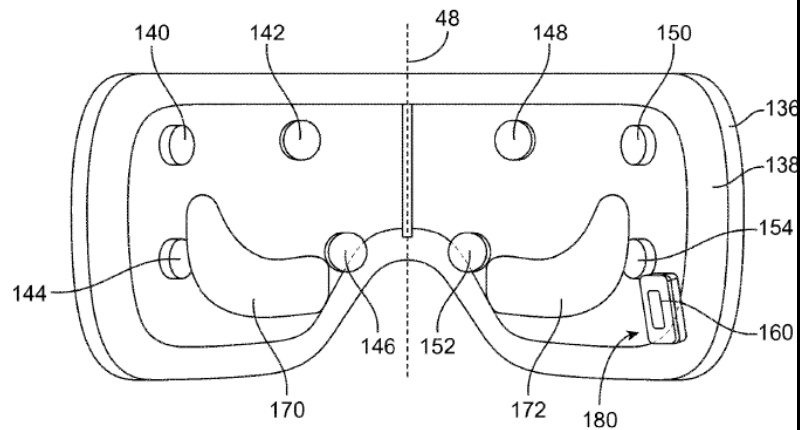


FIG. 18



4. The wearable device of claim 2, wherein the plurality of energy generators includes a plurality of second energy generator elements, each of the plurality of second energy generator elements including a pressure generator configured to convert the electricity from the power source into a pressure energy recognizable by the skin of the user.

In the accused product, the plurality of energy generators includes a plurality of second energy generator elements (for compression/massage), and each of the plurality of second energy generator elements including a pressure generator configured to convert the electricity from the power source into a pressure energy recognizable by the skin of the user. These are shown in Figure 20 of Therabody's U.S. Patent No. 11,819,625 as bladders 104, 108, 112, 114, 116, 118, 128, and 130.

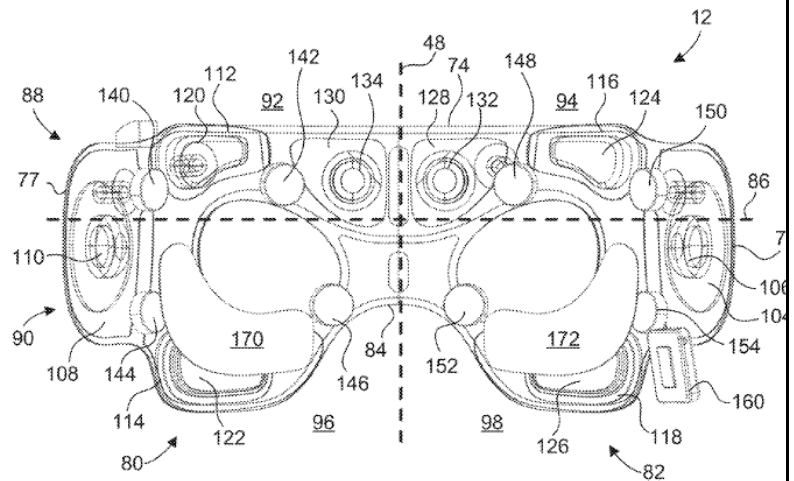


FIG. 20



5. The wearable device of claim 4, wherein the body defines a length having a longitudinal axis and a width having a lateral axis, wherein the longitudinal axis and the lateral axis divide the body into a first section located above the longitudinal axis and on a first side of the lateral axis, a second section located above the longitudinal axis and on a second side of the lateral axis opposite the first side of the lateral axis, a third section located below the longitudinal axis and on the first side of the lateral axis, and a fourth section located below the longitudinal axis and on the second side of the lateral axis, and wherein the first section and the second section include at least a pair of first energy generator elements of the plurality of first energy generator elements and at least a pair of second energy generator elements of the plurality of second energy generator elements.

In the accused product, the body defines a length having a longitudinal axis and a width having a lateral axis, wherein the longitudinal axis and the lateral axis divide the body into a first section located above the longitudinal axis and on a first side of the lateral axis, a second section located above the longitudinal axis and on a second side of the lateral axis opposite the first side of the lateral axis, a third section located below the longitudinal axis and on the first side of the lateral axis, and a fourth section located below the longitudinal axis and on the second side of the lateral axis, and wherein the first section and the second section include at least a pair of first energy generator elements of the plurality of first energy generator elements and at least a pair of second energy generator elements of the plurality of second energy generator elements.

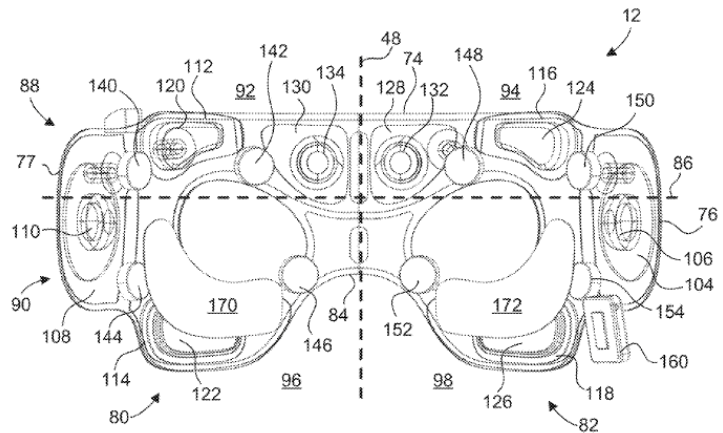


FIG. 20



6. The wearable device of claim 5, wherein the third section and the fourth section include at least another first energy generator element of the plurality of first energy generator elements and at least another second energy generator element of the plurality of second energy generator elements.

In the accused product, the third section and the fourth section include at least another first energy generator element of the plurality of first energy generator elements and at least another second energy generator element of the plurality of second energy generator elements.

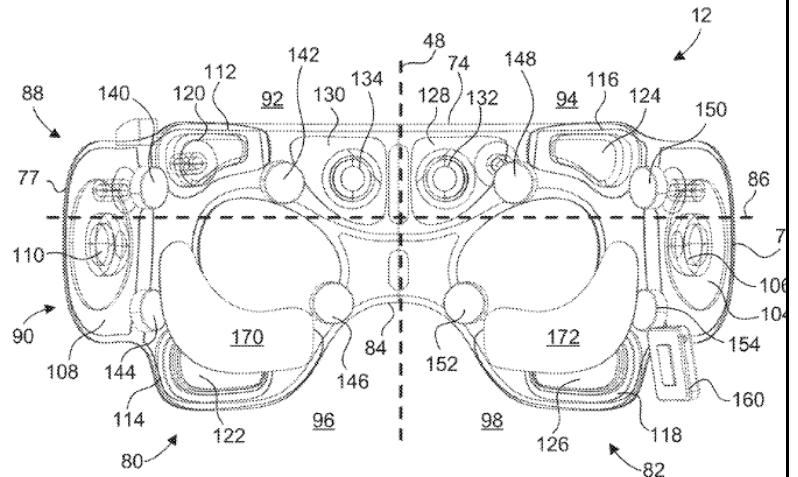


FIG. 20



7. The wearable device of claim 1, wherein the plurality of energy generators includes a plurality of third energy generator elements, the plurality of third energy generator elements including a heat generator configured to convert the electricity from the power source into a heat flux recognizable by the skin of the user.

In the accused product, the plurality of energy generators includes a plurality of third energy generator elements (for heat) configured to convert the electricity from the power source into a heat flux recognizable by the skin of the user. These are shown in Figure 18 of Therabody's U.S. Patent No. 11,819,625 as heating pads 170 and 172:

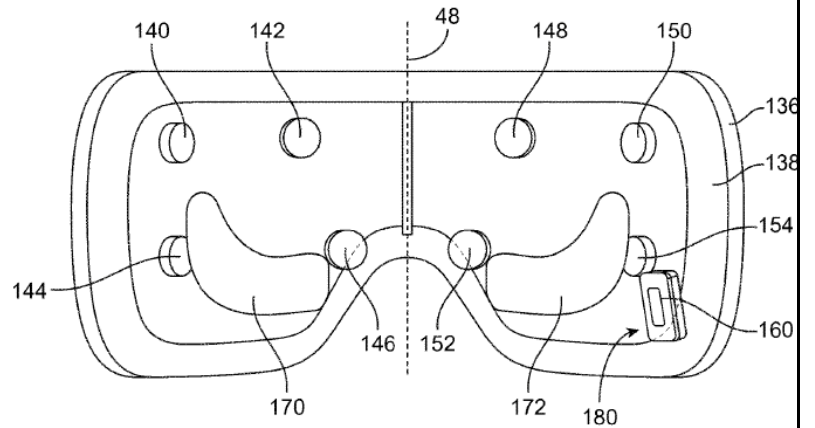


FIG. 18



8. The wearable device of claim 7, wherein the body defines a length having a longitudinal axis and a width having a lateral axis, wherein the longitudinal axis and the lateral axis divide the body into a first section located above the longitudinal axis and on a first side of the lateral axis, a second section located above the longitudinal axis and on a second side of the lateral axis opposite the first side of the lateral axis, a third section located below the longitudinal axis and on the first side of the lateral axis, and a fourth section located below the longitudinal axis and on the second side of the lateral axis, and wherein each the third section and the fourth section include another third energy generator element of the plurality of third energy generator elements.

In the accused product, the body defines a length having a longitudinal axis and a width having a lateral axis, wherein the longitudinal axis and the lateral axis divide the body into a first section located above the longitudinal axis and on a first side of the lateral axis, a second section located above the longitudinal axis and on a second side of the lateral axis opposite the first side of the lateral axis, a third section located below the longitudinal axis and on the first side of the lateral axis, and a fourth section located below the longitudinal axis and on the second side of the lateral axis, and wherein each the third section and the fourth section include another third energy generator element of the plurality of third energy generator elements. The plurality of third energy generator elements (for heat) are configured to convert the electricity from the power source into a heat flux recognizable by the skin of the user. These are shown in Figure 18 of Therabody's U.S. Patent No. 11,819,625 as heating pads 170 and 172:

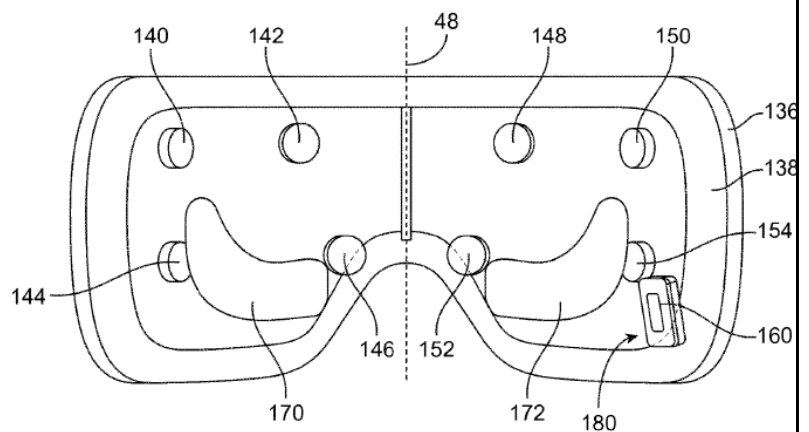


FIG. 18



9. The wearable device of claim 1,
wherein the band is a headband.

The accused product has a headband:



10. The wearable device of claim 1, wherein each of the plurality of energy generators is spaced apart from one another when viewed from the skin facing surface of the body.

In the accused product, each of the plurality of energy generators is spaced apart from one another when viewed from the skin facing surface of the body:



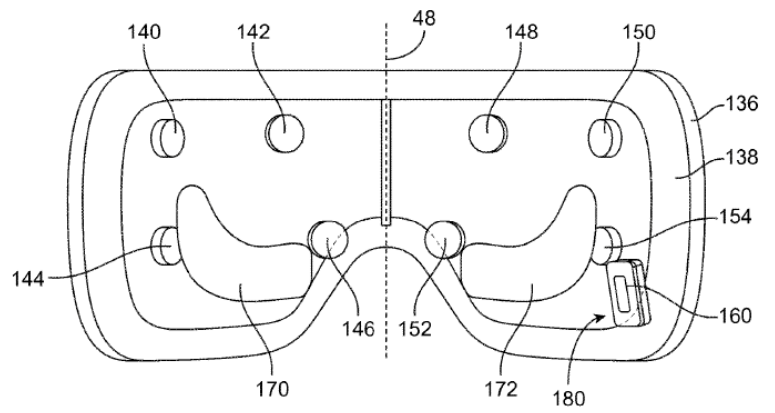


FIG. 18

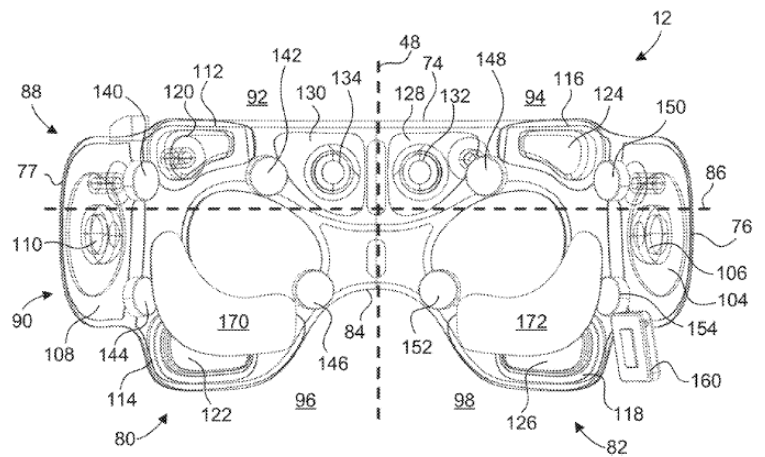


FIG. 20

14. A wearable device, comprising:

The accused product is a wearable device:



a body including a flexible material layer conformable about a head of a user,

The accused product has a a body with a flexible material layer that contacts the user's face, conforming about the user's head:

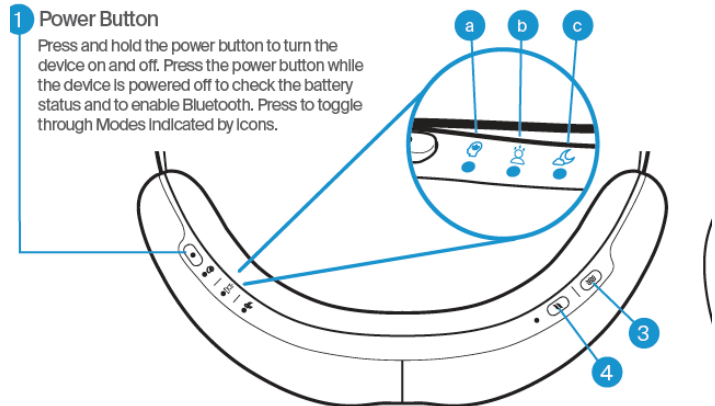


the body having a power source;

The body of the accused product has a power source (a rechargeable battery):

4. Getting To Know Your Device

- | | |
|------------------------------|------------------------|
| 1. Power Button | 3. Vibration Button |
| 2. Mode LED Light Indicators | 4. Heat Button |
| a. SmartRelax | 5. USB-C Charging Port |
| b. Headaches & Eye Strain | 6. Biometric Sensor |
| c. Sleep Prep | |



18 using the device.

3.CHARGING. If your device doesn't turn on or the battery indicator displays a low battery level, please charge before first use. Charge the battery using the USB-C cable (Included). When you use the charging cable (Included), make sure its USB-C connector is fully inserted into a compatible power adapter before you plug the adapter into a power outlet. You can also charge the battery with third party cables that are compliant with USB-C and with applicable country regulations and international and regional safety standards. Other adapters may not meet applicable safety standards, and charging with such adapters could pose a risk of death or injury. Do not force the cable into place. Fully charge the device at least once every six months to prevent device and battery damage. Unplug the power adapter and charging cable when not in use.

4.DO NOT OVERCHARGE. Do not leave the device connected to the power adapter for more than one hour after the battery has been fully charged. The battery includes a protection system to avoid the risk of overcharging. However, overcharging may reduce its life over time.

5.CHARGING LOCATIONS. Ensure that the battery status LED is OFF before charging. Insert the USB-C cable into the port (behind the power button) to charge the device. Do not use the device while charging. Avoid skin contact when the USB-C is plugged into a power source as it may cause discomfort or injury. Do not sleep or sit on the USB-C connector. The device should be charged indoors in a well-ventilated, dry location. Do not charge the device outdoors, in a bathroom, or within 10 feet (3.1 meters) of a bathtub or pool. Do not use the device or charger on wet surfaces, and do not expose the charger to moisture, rain, or snow. Do not use the device or its compatible charger in the presence of explosive atmospheres (gaseous fumes, dust, grain, metal powders, or flammable materials). Sparks may be generated, possibly causing a fire.

6.UNPLUGGING THE CHARGER AND CARE. Pull the plug, not the cord, to reduce the risk of damage to the electrical plug and cord. Never carry the charger by its cord. Keep the cord away from heat, oil, and sharp edges. Do not stretch the charger cord or place the cord under strain. Do not handle the charger, terminals, or the device with wet hands. Always unplug this device from the electrical

an attachment element including a headband to maintain a skin facing surface of the body against skin of the user; and

The accused product has a headband to maintain a skin facing surface of the body against skin of the user:



a plurality of energy generators being independently operable to convert electricity from the power source into a plurality of different energy types transmittable towards the skin of the user,

The accused product has several energy generators that are independently operable to convert electricity from the power source into a plurality of different energy types (*e.g.*, vibration, compression/massage, heat). These energy types are transmittable to the skin of the user:



Relax and unwind.

Heat, gentle vibration patterns and eye and temple massage promote relaxation.

2. Download the Therabody App

If you currently have the Therabody app, proceed to step 4.

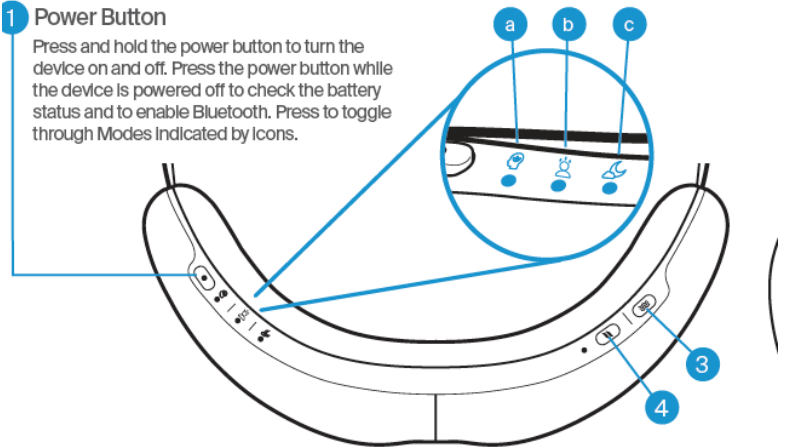
1. Download the Therabody app from the App Store or Play Store.
2. Follow the in-app instructions to create a new app account and verify your email.
3. Once logged in, follow the onboarding steps to connect your device to the app. Be sure that the Bluetooth settings are enabled for your phone.
4. Select "SmartGoggles (2nd Generation)" as your Therabody device when prompted.
5. Press and hold the power button on your device to turn it on. The device must be powered on to locate and pair to the app.
6. Select "SmartGoggles" to confirm the device and app connection.
7. Once connected, you can customize the heat, vibration, and length of treatments to help you relax, ease eye strain and headaches, and prepare for sleep.
8. You can also select from an expansive catalog of TheraMind sound therapy, science-backed audio to listen to during your SmartGoggles treatment for a fully immersed experience.

4. Getting To Know Your Device

- | | |
|------------------------------|------------------------|
| 1. Power Button | 3. Vibration Button |
| 2. Mode LED Light Indicators | 4. Heat Button |
| a. SmartRelax | 5. USB-C Charging Port |
| b. Headaches & Eye Strain | 6. Biometric Sensor |
| c. Sleep Prep | |

1 Power Button

Press and hold the power button to turn the device on and off. Press the power button while the device is powered off to check the battery status and to enable Bluetooth. Press to toggle through Modes Indicated by Icons.



5. Use the Device

1. **Put on your device.** Place the device on clean, dry skin. Remove makeup, eyeglasses, and contact lenses prior to use.
2. **Adjust your device.** Place the device on your head and adjust the strap. The device should perfectly align with your temples and sit comfortably on your nose bridge for 100% blackout. The strap should sit just above your ears. For a full light block experience, tighten the strap by adjusting the buckle. Moving it to the right makes it tighter and to the left makes it looser. The heart rate sensor should maintain contact with your cheekbone.
3. **Turn on the device.** Press and hold the power button to turn on the device.
4. **Choose a treatment.** Press the power button again to toggle through the three modes: SmartRelax, Headaches & Eye Strain, and Sleep Prep.
5. **Adjust the vibration setting.** Press the vibration button to toggle through the vibration settings available in your selected treatment. Press and hold the vibration button to turn off the vibration.
6. **Adjust the heat temperature.** Press the heat button to add heat to your treatment and to toggle through the three heat temperature options. Press and hold the heat button to turn off the heat.
7. **Customize and enhance your treatment using the Therabody app.** You can also select and customize your treatment preferences in the Therabody app. Save your favorite routines and settings in the Therabody app for easy access to the treatments you use most. You can also see how your heart rate is impacted by your treatment by viewing your biometrics at the end of each session in the Therabody app. Listen to specially composed TheraMind sound therapy, designed using science-backed techniques to melt away stress and help with sleep, through the Therabody app.
8. **Sit back and relax.** Keep your eyes closed during the treatment. Avoid frequent movement during treatment as it may impact heart rate tracking.
9. **Turn off the device.** Press and hold the power button to turn off the device. Make sure the Battery status LED is OFF. The device will automatically shut off following your treatment.

6. Modes Overview

The device has three strategically designed presets, SmartRelax, Headaches & Eye Strain, and Sleep Prep.

	Mode	Vibration Settings	Heat Settings
	SmartRelax 15 minutes Melt away stress with a calming combination of heat, massage and personalized vibration patterns designed to lower your heart rate and help you relax.	Default: Pulse Press the vibration button to turn vibration off	Default: Low Press the heat button to toggle through additional heat settings: medium, high, off
	Headaches & Eye Strain 15 minutes Relieve tension headaches and eye strain with a soothing combination of vibration and heat.	Default: Wave Press the vibration button to toggle through additional vibration settings: low, high, off	Default: Medium Press the heat button to toggle through additional heat settings: high, off, low
	Sleep Prep 15 minutes Prepare your body for restful sleep with slow wave vibration and a relaxing temple massage.	Default: Low Press the vibration button to toggle through additional vibration settings: high, wave, off	Default: Off Press the heat button to toggle through additional heat settings: low, medium, high

In the accused product, the plurality of energy generators includes a plurality of first energy generator elements (for vibration). These are shown in Figure 18 of Therabody's U.S. Patent No. 11,819,625 as vibration members 140, 142, 144, 146, 148, 150, 152, and 154:

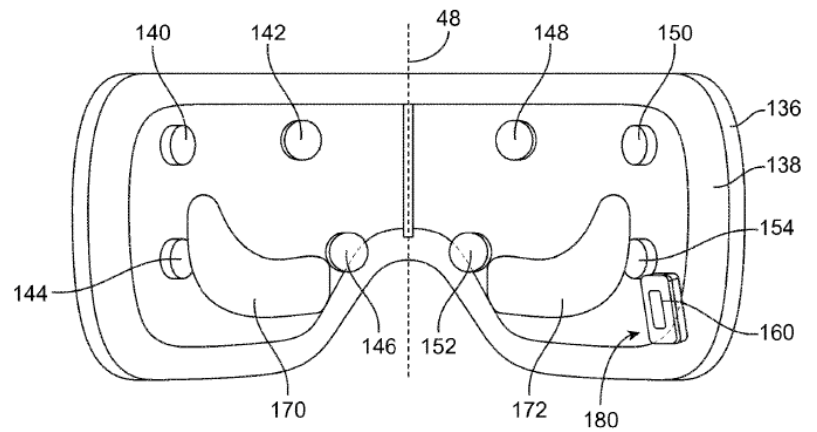


FIG. 18

wherein the plurality of energy generators includes a plurality of first energy generator elements,



In the accused product, the plurality of energy generators includes a plurality of second energy generator elements (for compression/massage): These are shown in Figure 20 of Therabody's U.S. Patent No. 11,819,625 as bladders 104, 108, 112, 114, 116, 118, 128, and 130.

a plurality of second energy generator elements,

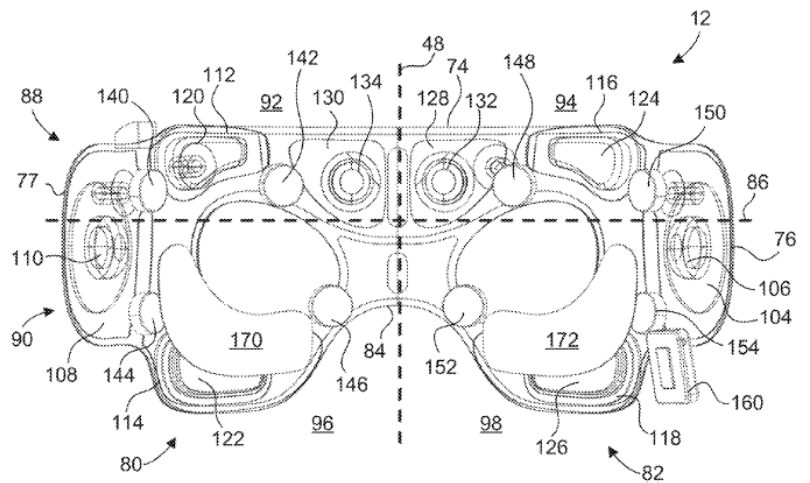


FIG. 20



In the accused product, the plurality of energy generators includes a plurality of third energy generator elements (for heat). These are shown in Figure 18 of Therabody's U.S. Patent No. 11,819,625 as heating pads 170 and 172:

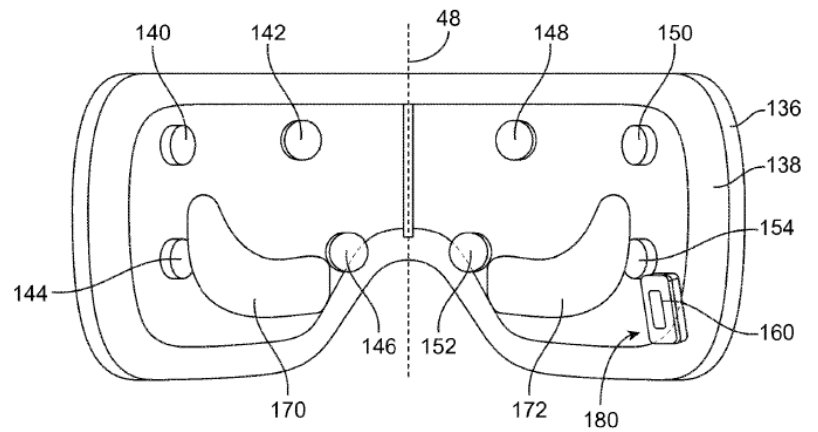


FIG. 18



and a plurality of third energy generator elements,

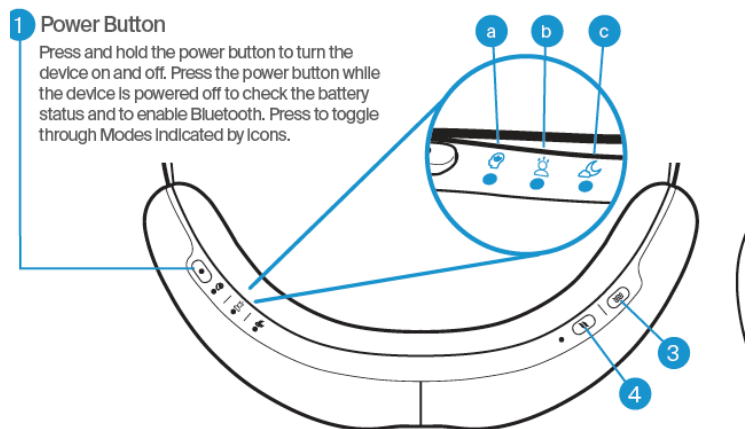
wherein each of the plurality of first energy generator elements includes a mechanical actuator configured to convert the electricity from the power source into a mechanical movement recognizable by the skin of the user,

In the accused product, each of the plurality of first energy generator elements includes a mechanical actuator – a vibrating motor – configured to convert the electricity from the power source into a mechanical movement (vibration) recognizable by the skin of the user.



4. Getting To Know Your Device

- | | |
|------------------------------|------------------------|
| 1. Power Button | 3. Vibration Button |
| 2. Mode LED Light Indicators | 4. Heat Button |
| a. SmartRelax | 5. USB-C Charging Port |
| b. Headaches & Eye Strain | 6. Biometric Sensor |
| c. Sleep Prep | |



wherein each of the plurality of second energy generator elements includes a pressure generator configured to convert the electricity from the power source into a pressure energy recognizable by the skin of the user,

In the accused product, each of the plurality of second energy generator elements includes a pressure generator – an air pump – configured to convert the electricity from the power source into a pressure energy (compression/massage) recognizable by the skin of the user.



Relax and unwind.

Heat, gentle vibration patterns and eye and temple massage promote relaxation.

wherein each of the plurality of third energy generator elements includes a heat generator configured to convert the electricity from the power source into a heat flux recognizable by the skin of the user, and

In the accused product, each of the plurality of third energy generator elements includes a heat generator – a heating wire and heating pad – configured to convert the electricity from the power source into a heat flux recognizable by the skin of the user.



6. Modes Overview

The device has three strategically designed presets, SmartRelax, Headaches & Eye Strain, and Sleep Prep.

	Mode	Vibration Settings	Heat Settings
	SmartRelax 15 minutes Melt away stress with a calming combination of heat, massage and personalized vibration patterns designed to lower your heart rate and help you relax.	Default: Pulse Press the vibration button to turn vibration off	Default: Low Press the heat button to toggle through additional heat settings: medium, high, off
	Headaches & Eye Strain 15 minutes Relieve tension headaches and eye strain with a soothing combination of vibration and heat.	Default: Wave Press the vibration button to toggle through additional vibration settings: low, high, off	Default: Medium Press the heat button to toggle through additional heat settings: high, off, low
	Sleep Prep 15 minutes Prepare your body for restful sleep with slow wave vibration and a relaxing temple massage.	Default: Low Press the vibration button to toggle through additional vibration settings: high, wave, off	Default: Off Press the heat button to toggle through additional heat settings: low, medium, high

In the accused product, the plurality of first energy generator elements (for vibration) is disposed within the flexible material layer:

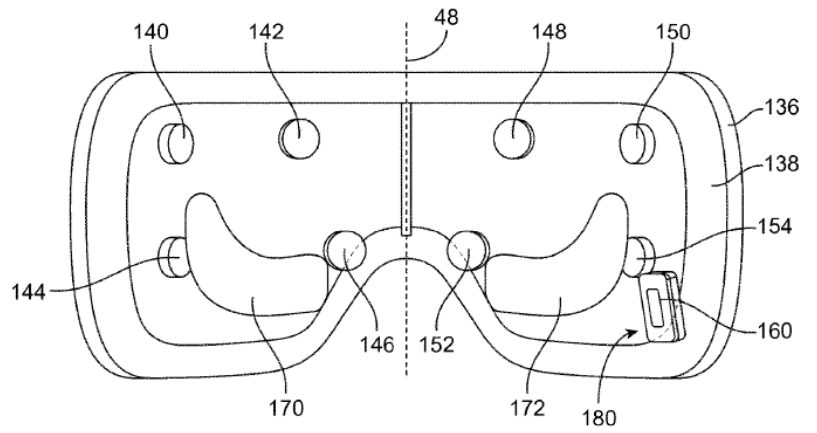


FIG. 18

wherein the plurality of first energy generator elements is disposed within the flexible material layer.



CERTIFICATE OF SERVICE**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 2121 Avenue of the Stars, Suite 2600, Los Angeles, CA 90067.

On February 27, 2025, I served true copies of the following document(s) described as:

PLAINTIFF'S FIRST AMENDED DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address eperkins@millerbarondess.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on February 27, 2025, at Los Angeles, California.

/s/ Erica Perkins
Erica Perkins

SERVICE LIST
Hyper Ice, Inc. v. Therabody, Inc.
Case No. 8:24-cv-02034-JWH-DFM

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