

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

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|----------------------------------|---|----------------------------|
| RESMED CORP., |) | |
| |) | |
| Plaintiff and |) | |
| Counterclaim Defendant, |) | Case No. 1:23-cv-02221-BMB |
| |) | |
| v. |) | |
| |) | |
| CLEVELAND MEDICAL DEVICES, INC., |) | |
| |) | |
| Defendant and |) | |
| Counter Plaintiff. |) | |
| |) | |

**DEFENDANT’S INITIAL VALIDITY AND
ENFORCEABILITY CONTENTIONS PURSUANT TO L.P.R. 3.7**

Pursuant to L.P.R. 3.7, Defendant and Counter Plaintiff Cleveland Medical Devices Inc. (“CleveMed”) hereby serves its Initial Validity and Enforceability Contentions including the charts at Exhibits A01-G04 (collectively, the “Initial Contentions”). These Initial Contentions address the validity of the asserted claims of the following patents:

- U.S. Patent Nos. 11,375,921 (the “’921 patent”), 11,602,284 (the “’284 patent”), 11,872,029 (the “’029 patent”), U.S. Patent Nos. 11,857,333 (the “’333 patent”), 11,786,680 (the “’680 patent”) (the “PAP Patents”); and
- U.S. Patent No. 11,690,512 (the “’512 Patent”).

The PAP Patents and the ’512 Patent are collectively referred to as the “Asserted Patents.” Plaintiff and Counterclaim Defendant ResMed Corp. (“ResMed”)’s Initial Invalidity and Unenforceability Contentions pursuant to L.P.R. 3.5 and 3.6 (“Initial Contentions”), served on July 15, 2024, are deficient under the Local Patent Rules.

inequitable conduct to begin with, there is no immediate and necessary relationship between alleged inequitable conduct and the issuance of any PAP Patent claims.

Respectfully submitted,

By: /s/ James Hannah

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CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2024, a complete copy of the foregoing

DEFENDANT’S INITIAL VALIDITY AND ENFORCEABILITY CONTENTIONS

PURSUANT TO L.P.R. 3.7 was served via electronic mail upon the following counsel of

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