

**U.S. INTERNATIONAL TRADE COMMISSION
WASHINGTON DC**

**Before the Honorable Doris Johnson Hines
Administrative Law Judge**

In the matter of:

**CERTAIN SMART WEARABLE
DEVICES, SYSTEMS, AND
COMPONENTS THEREOF**

Investigation No.: 337-TA-1398

**RESPONSE OF RESPONDENTS RINGCONN LLC AND SHENZHEN NINENOVO
TECHNOLOGY LIMITED TO THE SECOND AMENDED COMPLAINT AND
NOTICE OF INVESTIGATION**

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RESPONSE TO THE SECOND AMENDED COMPLAINT AND NOTICE OF INVESTIGATION

Pursuant to Commission Rule 210.13 (19 C.F.R. § 210.13), Respondents RingConn LLC and Shenzhen Nineno Technology Limited (collectively “RingConn”) hereby respond to the Second Amended Complaint filed on May 7, 2024 by Complainants Ouraring, Inc. and Ōura Health Oy (collectively “Complainants” or “Oura”) under Section 337 of the Tariff Act of 1930, as amended, and to the Commission’s Notice of Investigation.

RingConn denies that it has directly or through their affiliates or third parties engaged in acts of unfair competition in violation of Section 337 by importing, selling for importation, and/or selling within the United States after importation any product that infringes literally and/or under the doctrine of equivalents, contributorily, and/or by inducement, any valid and enforceable asserted claim of U.S. Patent Nos. 11,868,178 (the “178 patent”) or 11,868,179 (the ‘179 patent (collectively, “the Asserted Patents”). RingConn also denies that asserted claims of the Asserted Patents are valid and/or enforceable. Except as expressly admitted herein, RingConn denies each and every allegation of the Second Amended Complaint.

RingConn has not had sufficient time and opportunity to collect and review all of the information that may be relevant and necessary to respond to the allegations raised in the Second Amended Complaint. To the extent that any allegations of the Second Amended Complaint refer to and/or rely upon such information, RingConn lacks sufficient information on which to admit or deny such allegations and, on that basis, deny such allegations. Moreover, RingConn reserves the right to take further positions and raise additional defenses as may become apparent as a result of additional information that may be discovered subsequent to the filing of this response.

ADMISSIONS AND DENIALS OF SPECIFIC ALLEGATIONS

The numbered paragraphs herein correspond with and respond to the numbered paragraphs set forth in the Second Amended Complaint.

I. INTRODUCTION

1. RingConn admits that Complainants filed its complaint under Section 337 of the Tariff Act of 1930, as amended. RingConn denies the remaining allegations of paragraph 1.

2. RingConn denies that there has been any unlawful importation into the United States, unlawful sale for importation into the United States, or unlawful sale within the United States. RingConn also denies that it has infringed U.S. Patent Nos. 11,868,178 (“’178 patent”), 11,868,179 (“’179 patent”), or 10,842,429 (“’429 patent”). RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 2, and, on that basis, deny the remaining allegations of paragraph 2.

3. RingConn denies infringing claims 1-2, 6-10, 12-14, and 17-18 of the ’178 patent and denies infringing claims 1, 3-5, 9-10, and 13-16 of the ’179 patent. RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 3, and, on that basis, deny the remaining allegations of paragraph 3.

4. RingConn denies the allegations of paragraph 4.

5. The allegations of paragraph 5 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn denies the allegations of paragraph 5. RingConn further denies that Complainants are entitled to any relief under 19 U.S.C. § 1337.

II. THE PARTIES

A. The Complainants

6. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 6 and, on that basis, denies the allegations of paragraph 6.

7. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 7 and, on that basis, denies the allegations of paragraph 7.

8. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 8 and, on that basis, denies the allegations of paragraph 8.

9. RingConn denies that Oura is a pioneer in developing smart ring technology. RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 9 and, on that basis, denies the remaining allegations of paragraph 9.

10. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 10 and, on that basis, denies the allegations of paragraph 10.

11. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 11 and, on that basis, denies the allegations of paragraph 11.

B. The Proposed Respondents

1. Ultrahuman

12. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 12 and, on that basis, denies the allegations of paragraph 12.

13. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 13 and, on that basis, denies the allegations of paragraph 13.

14. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 14 and, on that basis, denies the allegations of paragraph 14.

15. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 15 and, on that basis, denies the allegations of paragraph 15.

16. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 16 and, on that basis, denies the allegations of paragraph 16.

2. RingConn

17. RingConn admits that Shenzhen Ninenovo Technology Limited, is incorporated under the laws of the People’s Republic of China and maintains its principal place of business at Room 1301, Building 3, Phase 2, Yangguang Yuehai Garden No. 3818 Baishi Road, Yuehai Street, Nanshan District, Shenzhen, China.

18. RingConn admits that RingConn LLC is a Delaware corporation with its principal place of business at 1226 North King St. Num. 292, Wilmington, DE 19801

19. RingConn admits that Shenzhen Ninenovo Technology Limited is the parent corporation of RingConn LLC. Complainant’s allegation that RingConn LLC is the “U.S. arm” of Shenzhen Ninenovo Technology Limited is vague and ambiguous and, therefore, RingConn denies that allegation. RingConn admits that it designs, develops and sells into the United States smart ring wearable devices and components thereof and that this is the primary nature of RingConn’s business. Complainant’s allegations that RingConn, itself or through its subsidiaries and “related entities,” manufactures, sells for importation, imports into the United States, and/or sells after importation smart ring wearable devices and components thereof is vague and ambiguous and, therefore RingConn denies those allegations.

3. Circular

20. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 20 and, on that basis, denies the allegations of paragraph 20.

21. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 21 and, on that basis, denies the allegations of paragraph 21.

III. THE TECHNOLOGIES AND PRODUCTS AT ISSUE

22. RingConn admits that the Second Amended Complaint accuses smart ring wearable devices, systems, and components thereof.

23. RingConn denies that the RingConn Smart Ring and the corresponding RingConn Application (collectively “RingConn Accused Products”) infringe any of Complainants’ patents. RingConn admits that the RingConn Smart Ring is manufactured abroad and sold by RingConn. RingConn denies that the corresponding RingConn Application is manufactured abroad and sold for importation by RingConn. RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 21 and, on that basis, denies the allegations of paragraph 21.

24. Paragraph 24 calls for a legal conclusion to which no response is required. To the extent that a response is required, RingConn denies the allegations in paragraph 24.

IV. THE ASSERTED PATENTS AND NON-TECHNICAL DESCRIPTION OF THE INVENTIONS

25. RingConn admits that the ’178 and ’179 patents are members of one patent family and appear to share a specification, and the ’429 patent is part of a separate patent family.

A. U.S. Patent No. 11,868,178

1. Identification and ownership of the ’178 Patent

26. RingConn admits that a document that purports to be a copy of the ’178 patent is attached to the complaint as Exhibit 1. RingConn admits that the face of the ’178 patent bears the title “Wearable Computing Device”; and lists Curt C. von Badinski, Michael J Strasser, and Peter Twiss as inventors, application number 18/323,385, a filing date of May 24, 2023, and an issue date of January 9, 2024. The remaining allegations of paragraph 26 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 26 and, on that basis, denies the remaining allegations of paragraph 26.

27. RingConn admits that the '178 patent appears to have one independent claim (claim 1) and seventeen (17) dependent claims. RingConn admits that Complainants are asserting twelve (12) claims of the '178 patent. The remaining allegations of paragraph 27 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 27 and, on that basis, denies the remaining allegations of paragraph 27.

28. RingConn admits that Exhibit 4 to the complaint purports to be a list of assignments related to the '178 patent. The allegations of paragraph 28 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 28 and, on that basis, denies the remaining allegations of paragraph 28.

29. RingConn admits that a document that purports to be the certified prosecution history for the '178 patent is attached to the complaint as Appendix A and that a document that appears to be the cited references for the '178 patent is attached to the complaint as Appendix D.

2. Non-technical description of the '178 Patent

30. RingConn denies that the '178 patent relates to an innovative finger-worn wearable ring. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 30 and, on that basis, denies the allegations of paragraph 30.

3. Foreign counterparts to the '178 Patent

31. RingConn admits that paragraph 31 purports to be an identification of each foreign patent, each foreign patent application, and each foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '178 patent. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 31 and, on that basis, denies the allegations of paragraph 31.

4. Licenses

32. RingConn admits that Confidential Exhibit 7 purports to be a document describing the licensees of U.S. Patent Nos. 11,868,178, 11,868,179, and 10,842,429. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 32 and, on that basis, denies the allegations of paragraph 32.

B. U.S. Patent No. 11,868,179

1. Identification and ownership of the '179 Patent

33. RingConn admits that a document that purports to be a copy of the '179 patent is attached to the complaint as Exhibit 2. RingConn admits that the face of the '179 patent bears the title “Wearable Computing Device”; and lists Curt C. von Badinski, Michael J Strasser, and Peter Twiss as inventors, application number 18/323,386, a filing date of May 24, 2023, and an issue date of January 9, 2024. The remaining allegations of paragraph 33 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 33 and, on that basis, denies the remaining allegations of paragraph 33.

34. RingConn admits that the '179 patent appears to have one independent claim (claim 1) and fifteen (15) dependent claims. RingConn admits that Complainants are asserting ten (10) claims of the '179 patent. The remaining allegations of paragraph 34 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 34 and, on that basis, denies the remaining allegations of paragraph 34.

35. RingConn admits that Exhibit 5 to the complaint purports to be a list of assignments related to the '179 patent. The allegations of paragraph 35 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks

sufficient information upon which to admit or deny the remaining allegations of paragraph 35 and, on that basis, denies the remaining allegations of paragraph 35.

36. RingConn admits that a document that purports to be the certified prosecution history for the '179 patent is attached to the complaint as Appendix B and that a document that appears to be the cited references for the '179 patent is attached to the complaint as Appendix E.

2. Non-technical description of the '179 Patent

37. RingConn denies that the '179 patent relates to an innovative wearable electronic device. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 37 and, on that basis, denies the allegations of paragraph 37.

38. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 38 and, on that basis, denies the allegations of paragraph 38.

3. Foreign counterparts to the '179 Patent

39. RingConn admits that paragraph 39 purports to be an identification of foreign patents, foreign patent application, and foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '179 patent. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 39 and, on that basis, denies the allegations of paragraph 39.

4. Licenses

40. RingConn admits that Confidential Exhibit 7 purports to be a document describing the licensees of U.S. Patent Nos. 11,868,178, 11,868,179, and 10,842,429. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 40 and, on that basis, denies the allegations of paragraph 40.

C. U.S. Patent No. 10,842,429

1. Identification and ownership of the '429 Patent

41. RingConn admits that a document that purports to be a copy of the '429 patent is attached to the complaint as Exhibit 3. RingConn admits that the face of the '429 patent bears the title “Method and System for Assessing a Readiness Score of a User”; and lists Hannu Kinnunen, Harri Laakkonen, Kari Kivela, Ashley Colley, Petteri Lahtela, Markku Koskela, and Heidi Jurvelin as inventors, application number 15/551,632, a PCT filing date of February 23, 2016, and an issue date of November 24, 2020. The remaining allegations of paragraph 41 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 41 and, on that basis, denies the remaining allegations of paragraph 41.

42. RingConn admits that the '429 patent appears to have two independent claims (claims 1 and 8) and eleven (11) dependent claims. RingConn admits that Complainants are asserting nine (10) claims of the '429 patent against Respondents Ultrahuman Healthcare Pvt. Ltd., Ultrahuman Healthcare SP LLC, Ultrahuman Healthcare Ltd. (collectively “Ultrahuman”) and Circular SAS (“Circular”). The remaining allegations of paragraph 42 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 42 and, on that basis, denies the remaining allegations of paragraph 42.

43. RingConn admits that Exhibit 6 to the complaint purports to be a list of assignments related to the '429 patent. The allegations of paragraph 43 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the remaining allegations of paragraph 43 and, on that basis, denies the remaining allegations of paragraph 43.

44. RingConn admits that a document that purports to be the certified prosecution history for the '429 patent is attached to the complaint as Appendix C and that a document that appears to be the cited references for the '429 patent is attached to the complaint as Appendix F.

2. Non-technical description of the '429 Patent

45. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 45 and, on that basis, denies the allegations of paragraph 45.

46. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 46 and, on that basis, denies the allegations of paragraph 46.

47. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 47 and, on that basis, denies the allegations of paragraph 47.

3. Foreign counterparts to the '429 Patent

48. RingConn admits that paragraph 48 purports to be an identification of each foreign patent, each foreign patent application, and each foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '179 patent. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 48 and, on that basis, denies the allegations of paragraph 48.

4. Licenses

49. RingConn admits that Confidential Exhibit 7 purports to be a document describing the licensees of U.S. Patent Nos. 11,868,178, 11,868,179, and 10,842,429. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 49 and, on that basis, denies the allegations of paragraph 49.

V. RESPONDENTS' UNLAWFUL AND UNFAIR ACTS

A. Ultrahuman

50. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 50 and, on that basis, denies the allegations of paragraph 50.

51. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 51 and, on that basis, denies the allegations of paragraph 51.

52. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 52 and, on that basis, denies the allegations of paragraph 52.

53. Paragraph 53 contains a legal conclusion to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 53 and, on that basis, denies the allegations of paragraph 53.

54. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 54 and, on that basis, denies the allegations of paragraph 54.

55. RingConn admits that Exhibits 8-10 purport to chart each asserted independent claim of the '178, '179, and '429 patents to an Ultrahuman product.

B. RingConn

56. RingConn denies the allegations in paragraph 56.

57. RingConn denies the allegations in paragraph 57.

58. RingConn denies the allegations in paragraph 58.

59. Paragraph 59 contains a legal conclusion to which no response is required. To the extent a response is required, RingConn denies the allegations of paragraph 59.

60. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 60 and, on that basis, denies the allegations of paragraph 60.

61. RingConn admits that Exhibits 11-12 purport to chart each asserted independent claim of the '178 and '179 patents to a RingConn product and denies that any RingConn product infringes either the '178 or '179 patents.

C. Circular

62. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 68 and, on that basis, denies the allegations of paragraph 68.

63. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 63 and, on that basis, denies the allegations of paragraph 63.

64. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 64 and, on that basis, denies the allegations of paragraph 64.

65. Paragraph 65 contains a legal conclusion to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 65 and, on that basis, denies the allegations of paragraph 65.

66. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 66 and, on that basis, denies the allegations of paragraph 66.

67. RingConn admits that Exhibits 13-15 purport to chart each asserted independent claim of the '178, '179, and '429 patents to a Circular product.

VI. SPECIFIC INSTANCE OF UNFAIR IMPORTATION AND SALE

68. RingConn admits to selling the RingConn Smart Ring within the United States after the RingConn Smart Rings are imported. RingConn denies that any importation, sale for importation, and/or sales within the United States after importation are unlawful. RingConn denies the remaining allegations in paragraph 68.

A. Ultrahuman

69. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 69 and, on that basis, denies the allegations of paragraph 69.

70. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 70 and, on that basis, denies the allegations of paragraph 70.

71. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 71 and, on that basis, denies the allegations of paragraph 71.

72. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 72 and, on that basis, denies the allegations of paragraph 72.

73. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 73 and, on that basis, denies the allegations of paragraph 73.

B. RingConn

74. RingConn denies that the RingConn Smart Ring is manufactured in Hong Kong and then imported into the United States. RingConn admits that RingConn sells and offers for sale the RingConn Smart Ring directly to customers in the United States through its website. RingConn denies that the corresponding RingConn Application is manufactured in Hong Kong. RingConn denies selling and offering for sale the corresponding RingConn Application through its website. RingConn admits that Exhibit 31 appears to be an excerpt from a previous version of RingConn's website that states that RingConn ships the Smart Ring to the United States.

75. RingConn admits that its website states that it ships the RingConn Smart Ring to the United States. RingConn denies that it advertises that it ships the corresponding RingConn Application to the United States. RingConn admits that exhibit 28 appears to be an excerpt from a previous version of RingConn's website.

76. RingConn admits that its website states that some RingConn Smart Rings are shipped to the United States from Hong Kong. RingConn denies that it notifies its customers that the corresponding RingConn Application is shipped to the United States from Hong Kong. RingConn admits that Exhibit 28 appears to be an excerpt from a previous version of RingConn's website.

77. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 77 and, on that basis, denies the allegations of paragraph 77.

78. RingConn admits that the RingConn Smart Ring is manufactured in China and, in some instances, imported to warehouses in the United States prior to being shipped to the consumers. RingConn denies the remaining allegations of paragraph 78.

79. RingConn admits that a package of the RingConn Smart Ring included a label stating that the RingConn Smart Ring was manufactured by Guangdong Jiu Zhi Technology Co. Ltd. and “Made in China.” RingConn admits that Exhibit 30 appears to be images of the RingConn Smart Ring packaging.

C. Circular

80. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 80 and, on that basis, denies the allegations of paragraph 80.

81. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 81 and, on that basis, denies the allegations of paragraph 81.

82. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 82 and, on that basis, denies the allegations of paragraph 82.

83. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 83 and, on that basis, denies the allegations of paragraph 83.

VII. HARMONIZED TARIFF SCHEDULE NUMBERS

84. To the extent that paragraph 84 contains a legal conclusion, no response is required. RingConn lacks sufficient knowledge upon which to admit or deny the allegations of paragraph 84 and, on that basis, denies the remaining allegations of paragraph 84.

VIII. THE DOMESTIC INDUSTRY

85. The allegations of paragraph 84 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 85 and, on that basis, denies the allegations of paragraph 85.

A. The Economic Prong of the Domestic Industry Requirement Is Satisfied

86. RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 86 and, on that basis, denies the allegations of paragraph 86.

87. The allegations of paragraph 87 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 87 and, on that basis, denies the allegations of paragraph 87.

88. The allegations of paragraph 87 contain legal conclusions as to which no response is required. RingConn admits that Confidential Exhibit 51 purports to be a declaration from Michael Chapp. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 87 and, on that basis, denies the allegations of paragraph 87.

89. The allegations of paragraph 89 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 89 and, on that basis, denies the allegations of paragraph 89.

90. The allegations of paragraph 90 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon

which to admit or deny the allegations of paragraph 90 and, on that basis, denies the allegations of paragraph 90.

91. The allegations of paragraph 91 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 91 and, on that basis, denies the allegations of paragraph 91.

92. The allegations of paragraph 92 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 92 and, on that basis, denies the allegations of paragraph 92.

B. The Technical Prong of the Domestic Industry Requirement Is Satisfied

93. The allegations of paragraph 93 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 93 and, on that basis, denies the allegations of paragraph 93.

94. RingConn admits that documents that accompany the complaint purport to chart claims of the asserted patents to Oura Ring's products.

95. RingConn admits that Confidential Exhibit 52 purports to be a claim chart of the Oura Ring and corresponding Application to the '178 patent.

96. RingConn admits that Confidential Exhibit 53 purports to be a claim chart of the Oura Ring and corresponding Application to the '179 patent.

97. RingConn admits that Exhibit 54 purports to be a claim chart of the Oura Ring and corresponding Application to the '429 patent.

98. RingConn admits that Confidential Exhibit 50 appears to be drawings, photographs, schematics, or other visual representations of the Oura Ring product.

IX. RELATED LITIGATION

99. RingConn admits that Ōura Health Oy filed suit against Circular SAS on May 11, 2022, in the United States District Court for the Western District of Texas, Case No. 6:22-cv-00478 asserting infringement of U.S. Patent Nos. 10,893,833 (the “’833 patent”) and 10,842,429. RingConn admits that the Western District of Texas issued a Final Claim Construction Order for certain terms, including terms for the ’429 patent that is asserted against Ultrahuman and Circular in this investigation. RingConn admits that Exhibit 59 purports to be the Final Claim Construction order from the Western District of Texas litigation. RingConn lacks sufficient information for the remaining allegations in paragraph 99 and, on that basis, denies the remaining allegations of paragraph 99.

100. RingConn admits that Complainants filed suit against Ultrahuman on September 1, 2023, in the United States District Court for the Eastern District of Texas, Case No. 6:22-cv-00478 asserting infringement of the ’833 patent and ’429 patents. RingConn admits that Complainants filed a First Amended Complaint asserting infringement of the ’178 and ’179 patents in the Eastern District of Texas litigation. RingConn lacks sufficient information for the remaining allegations in paragraph 100 and, on that basis, denies the remaining allegations of paragraph 100.

X. RELIEF REQUESTED

101. The allegations of paragraph 101 contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 101 and, on that basis, denies the allegations of paragraph 101.

- A. The allegations of paragraph 101A contain legal conclusions as to which no response is required. To the extent a response is required, RingConn lacks sufficient information upon which to admit or deny the allegations of paragraph 101A and, on that basis, denies the allegations of paragraph 101A.
- B. The allegations of paragraph 101B contain legal conclusions as to which no response is required. To the extent a response is required, RingConn denies that the Commission should find a violation of Section 337 and denies that RingConn acting unlawfully.
- C. The allegations of paragraph 101C contain legal conclusions as to which no response is required. To the extent a response is required, RingConn denies that the Commission should issue a limited exclusion order against RingConn and denies that any RingConn product infringes U.S. Patent Nos. 11,868,178, 11,868,179, or 10,842,429.
- D. The allegations of paragraph 101D contain legal conclusions as to which no response is required. To the extent a response is required, RingConn denies that the Commission should issue a cease and desist order against RingConn or any affiliate, subsidiary, or successor from importing, selling for importation, marketing, demonstrating, distributing, repairing, refurbishing, offering for sale, selling after importation, or transferring, including moving or shipping inventory in the United States. RingConn denies that any of its products infringe U.S. Patent Nos. 11,868,178, 11,868,179, or 10,842,429.
- E. The allegations of paragraph 101E contain legal conclusions as to which no response is required. To the extent a response is required, RingConn denies that

any bond should issue against RingConn during the 60-day Presidential review period.

- F. The allegations of paragraph 101F contain legal conclusions as to which no response is required. To the extent a response is required, RingConn denies that the Commission should issue any further relief against RingConn.

RESPONSE TO THE NOTICE OF INVESTIGATION

RingConn denies any violation of 19 U.S.C. § 1337 by reason of alleged infringement of the asserted claims of the asserted patents. RingConn lacks sufficient knowledge or information to form a belief as to the truth of Complainants' allegations that a domestic industry as required by Section 337(a)(2) and defined by Section 337(a)(3) exists or is the process of being established and, on that basis, denies those allegations. RingConn denies that Complainants are entitled to any relief in this proceeding.

RESPONDENT RINGCONN'S STATEMENT UNDER 19 C.F.R. § 210.13(b)

Confidential Exhibit A to this response contains data on the quantity and value of RingConn's products that Complainants have specifically accused of infringement. RingConn's capacity to manufacture the products that Complainants have specifically accused of infringement is provided in Confidential Exhibit A to this Response.

AFFIRMATIVE DEFENSES

Without altering the burdens of proof, RingConn asserts the following affirmative and other defenses. RingConn expressly reserve the right to modify and/or expand on these defenses and raise additional defenses as this investigation proceeds.

FIRST AFFIRMATIVE DEFENSE: NON-INFRINGEMENT

1. RingConn has not infringed and does not infringe, either directly and/or indirectly, literally and/or under the doctrine of equivalents, contributed to the infringement of, or induced the infringement of any valid and enforceable claim of the '178 or '179 patents. RingConn has not otherwise committed any acts in violation of 35 U.S.C. § 271 or 19 § U.S.C. 1337.

SECOND AFFIRMATIVE DEFENSE: INVALIDITY OF THE '178 PATENT

2. One of more claims of the '178 patent are invalid and/or unenforceable for failure to meet the requirements of 35 U.S.C. §§ 101, 102, 103, and/or 112, and/or double patenting.

3. One or more claims of the '178 patent are invalid for failure to satisfy the requirements of 35 U.S.C. § 102 including, but not limited to, the claimed invention was patented, described in a printed publication, or in public use, on sale, or otherwise available to the public before the effective filing date of the claimed invention; or the claimed invention was described in a patent issued under section 151, or in an application for patent published or deemed published under section 122(b), in which the patent or application, as the case may be, names another inventor and was effectively filed before the effective filing date of the claimed invention. By way of example, one or more claims of the '178 patent are invalid for failure to satisfy the requirements of 35 U.S.C. § 102 in view of EP 2,413,263 to Antequera Diaz, U.S. 5,964,701 to Asada, U.S. 6,236,037 to Asada, U.S. 6,402,690 to Rhree, U.S. 7,641,614 to Asada, U.S. 7,674,231 to McCombie, U.S. 2003/0139654 to Kim, U.S. 2008/0285812 to Rensen, U.S. 2009/0054751 to Babashan, U.S. 2012/0075173 to Ashbrook, U.S. 2014/019035 to Bailey, U.S. 2014/0279528 to Slaby; U.S. 2014/0285416 to Priyantha, U.S. 2015/0116125 to Armstrong, 2015/0277559 to Verscovi, and/or WO 2007/064654 to Asada. Other examples of prior art that

render one or more claims of the '178 patent invalid for failing to meet the requirements of Section 102 include: Boo-Ho Yang, A twenty-four hour tele-nursing system using a ring sensor, 1998 IEE International Conference on Robotics and Automation, 1998, Vol. 1, p.387-392., vol. 1; Sokwoo Rhee, The ring sensor: a new ambulatory wearable sensor for twenty-four hour patient monitoring, Biology Society. Vol.20 Biomedical Engineering Towards the Year 2000 and Beyond, 1998, Vol.4, p.1906-1909 vol.4.; H. Harry Asada, Mobile monitoring with wearable photoplethysmographic biosensors, IEEE Engineering in Medicine and Biology Magazine, 2004-05, Vol.22 (3), p.28-40; H. Harry Asada Wearable sensors for human health monitoring, Proceedings of SPIE, 2006, Vol.6174 (1), p.617401-617013; Yu-Chi Wu, A Mobile Health Monitoring System Using RFID Ring-Type Pulse Sensor, 2009 Eighth IEEE International Conference on Dependable, Autonomic and Secure Computing, 2009, p.317-322; Kevin Hung, Development of a wearable system integrated with novel biomedical sensors for ubiquitous healthcare, 2012 Annual International Conference of the IEEE Engineering in Medicine and Biology Society, 2012, p.5802-5805; Jyh-How Huang, Experiences from deploying a heart rate monitoring system in a senior center, IEEE 2013 International Conference on ICT convergence (ICTC), 2013, p.383-388, among others.

4. One or more claims of the '178 patent are invalid and/or unenforceable for failure to meet the requirements of 35 U.S.C. § 103 including, but not limited to, that the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Any alleged differences and any of the prior art are trivial and, when combined with the knowledge of one of ordinary skill in the art at the relevant time, each such claim is invalid under 35 U.S.C. § 103. By way of

example, one or more claims of the '178 patent are invalid for failure to satisfy the requirements of 35 U.S.C. § 103 in view of EP 2,413,263 to Antequera Diaz, U.S. 5,964,701 to Asada, U.S. 6,236,037 to Asada, U.S. 6,402,690 to Rhree, U.S. 7,641,614 to Asada, U.S. 7,674,231 to McCombie, U.S. 2003/0139654 to Kim, U.S. 2008/0285812 to Rensen, U.S. 2009/0054751 to Babashan, U.S. 2012/0075173 to Ashbrook, U.S. 2014/019035 to Bailey, U.S. 2014/0279528 to Slaby; U.S. 2014/0285416 to Priyantha, U.S. 2015/0116125 to Armstrong, 2015/0277559 to Verscovi, WO 2007/064654 to Asada, and/or the knowledge of the person of ordinary skill in the art. Other examples of prior art that render one or more claims of the '178 patent invalid for failing to meet the requirements of Section 103 include: Boo-Ho Yang, A twenty-four hour tele-nursing system using a ring sensor, 1998 IEE International Conference on Robotics and Automation, 1998, Vol. 1, p.387-392., vol. 1; Sokwoo Rhee, The ring sensor: a new ambulatory wearable sensor for twenty-four hour patient monitoring, Biology Society. Vol.20 Biomedical Engineering Towards the Year 2000 and Beyond, 1998, Vol.4, p.1906-1909 vol.4.; H. Harry Asada, Mobile monitoring with wearable photoplethysmographic biosensors, IEEE Engineering in Medicine and Biology Magazine, 2004-05, Vol.22 (3), p.28-40; H. Harry Asada Wearable sensors for human health monitoring, Proceedings of SPIE, 2006, Vol.6174 (1), p.617401-617013; Yu-Chi Wu, A Mobile Health Monitoring System Using RFID Ring-Type Pulse Sensor, 2009 Eighth IEEE International Conference on Dependable, Autonomic and Secure Computing, 2009, p.317-322; Kevin Hung, Development of a wearable system integrated with novel biomedical sensors for ubiquitous healthcare, 2012 Annual International Conference of the IEEE Engineering in Medicine and Biology Society, 2012, p.5802-5805; Jyh-How Huang, Experiences from deploying a heart rate monitoring system in a senior center, IEEE 2013 International Conference on ICT convergence (ICTC), 2013, p.383-388, among others.

5. One or more claims of the '178 patent are invalid for failure to comply with the requirements of 35 U.S.C. § 112 including, but not limited to, lack of written description, failure to particularly point out and distinctly claim the alleged invention, failure to enable any person skilled in the art to make and use the alleged invention, and/or failure to inform, with reasonable certainty, those skilled in the art about the scope of the invention.

6. RingConn's investigation is ongoing. RingConn reserves the right to modify and/or expand these defenses and raise additional defenses as this investigation proceeds.

THIRD AFFIRMATIVE DEFENSE: INVALIDITY OF THE '179 PATENT

7. One or more claims of the '179 patent are invalid and/or unenforceable for failure to meet the requirements of 35 U.S.C. §§ 101, 102, 103, and/or 112, and/or double patenting.

8. One or more claims of the '179 patent are invalid for failure to satisfy the requirements of 35 U.S.C. § 102 including, but not limited to, the claimed invention was patented, described in a printed publication, or in public use, on sale, or otherwise available to the public before the effective filing date of the claimed invention; or the claimed invention was described in a patent issued under section 151, or in an application for patent published or deemed published under section 122(b), in which the patent or application, as the case may be, names another inventor and was effectively filed before the effective filing date of the claimed invention. By way of example, one or more claims of the '179 patent are invalid for failure to satisfy the requirements of 35 U.S.C. § 102 in view of EP 2,413,263 to Antequera Diaz, U.S. 5,964,701 to Asada, U.S. 6,236,037 to Asada, U.S. 6,402,690 to Rhree, U.S. 7,641,614 to Asada, U.S. 7,674,231 to McCombie, U.S. 2003/0139654 to Kim, U.S. 2008/0285812 to Rensen, U.S. 2009/0054751 to Babashan, U.S. 2012/0075173 to Ashbrook, U.S. 2014/019035 to Bailey, U.S. 2014/0279528 to Slaby; U.S. 2014/0285416 to Priyantha, U.S. 2015/0116125 to Armstrong,

2015/0277559 to Verscovi, and/or WO 2007/064654 to Asada. Other examples of prior art that render one or more claims of the '179 patent invalid for failing to meet the requirements of Section 102 include: Boo-Ho Yang, A twenty-four hour tele-nursing system using a ring sensor, 1998 IEE International Conference on Robotics and Automation, 1998, Vol. 1, p.387-392., vol. 1; Sokwoo Rhee, The ring sensor: a new ambulatory wearable sensor for twenty-four hour patient monitoring, Biology Society. Vol.20 Biomedical Engineering Towards the Year 2000 and Beyond, 1998, Vol.4, p.1906-1909 vol.4.; H. Harry Asada, Mobile monitoring with wearable photoplethysmographic biosensors, IEEE Engineering in Medicine and Biology Magazine, 2004-05, Vol.22 (3), p.28-40; H. Harry Asada Wearable sensors for human health monitoring, Proceedings of SPIE, 2006, Vol.6174 (1), p.617401-617013; Yu-Chi Wu, A Mobile Health Monitoring System Using RFID Ring-Type Pulse Sensor, 2009 Eighth IEEE International Conference on Dependable, Autonomic and Secure Computing, 2009, p.317-322; Kevin Hung, Development of a wearable system integrated with novel biomedical sensors for ubiquitous healthcare, 2012 Annual International Conference of the IEEE Engineering in Medicine and Biology Society, 2012, p.5802-5805; Jyh-How Huang, Experiences from deploying a heart rate monitoring system in a senior center, IEEE 2013 International Conference on ICT convergence (ICTC), 2013, p.383-388, among others.

9. One or more claims of the '179 patent are invalid and/or unenforceable for failure to meet the requirements of 35 U.S.C. § 103 including, but not limited to, that the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Any alleged differences and any of the prior art are trivial and, when combined with the knowledge of one of ordinary

skill in the art at the relevant time, each such claim is invalid under 35 U.S.C. § 103. By way of example, one or more claims of the '179 patent are invalid for failure to satisfy the requirements of 35 U.S.C. § 103 in view of EP 2,413,263 to Antequera Diaz, U.S. 5,964,701 to Asada, U.S. 6,236,037 to Asada, U.S. 6,402,690 to Rhree, U.S. 7,641,614 to Asada, U.S. 7,674,231 to McCombie, U.S. 2003/0139654 to Kim, U.S. 2008/0285812 to Rensen, U.S. 2009/0054751 to Babashan, U.S. 2012/0075173 to Ashbrook, U.S. 2014/019035 to Bailey, U.S. 2014/0279528 to Slaby; U.S. 2014/0285416 to Priyantha, U.S. 2015/0116125 to Armstrong, 2015/0277559 to Verscovi, WO 2007/064654 to Asada, and/or the knowledge of the person of ordinary skill in the art. Other examples of prior art that render one or more claims of the '179 patent invalid for failing to meet the requirements of Section 103 include: Boo-Ho Yang, A twenty-four hour tele-nursing system using a ring sensor, 1998 IEE International Conference on Robotics and Automation, 1998, Vol. 1, p.387-392., vol. 1; Sokwoo Rhee, The ring sensor: a new ambulatory wearable sensor for twenty-four hour patient monitoring, Biology Society. Vol.20 Biomedical Engineering Towards the Year 2000 and Beyond, 1998, Vol.4, p.1906-1909 vol.4.; H. Harry Asada, Mobile monitoring with wearable photoplethysmographic biosensors, IEEE Engineering in Medicine and Biology Magazine, 2004-05, Vol.22 (3), p.28-40; H. Harry Asada Wearable sensors for human health monitoring, Proceedings of SPIE, 2006, Vol.6174 (1), p.617401-617013; Yu-Chi Wu, A Mobile Health Monitoring System Using RFID Ring-Type Pulse Sensor, 2009 Eighth IEEE International Conference on Dependable, Autonomic and Secure Computing, 2009, p.317-322; Kevin Hung, Development of a wearable system integrated with novel biomedical sensors for ubiquitous healthcare, 2012 Annual International Conference of the IEEE Engineering in Medicine and Biology Society, 2012, p.5802-5805; Jyh-How Huang, Experiences

from deploying a heat rate monitoring system in a senior center, IEEE 2013 International Conference on ICT convergence (ICTC), 2013, p.383-388, among others.

10. One or more claims of the '179 patent are invalid for failure to comply with the requirements of 35 U.S.C. § 112 including, but not limited to, lack of written description, failure to particularly point out and distinctly claim the alleged invention, failure to enable any person skilled in the art to make and use the alleged invention, and/or failure to inform, with reasonable certainty, those skilled in the art about the scope of the invention.

11. RingConn's investigation is ongoing. RingConn reserves the right to modify and/or expand these defenses and raise additional defenses as this investigation proceeds.

**FOURTH AFFIRMATIVE DEFENSE: INEQUITABLE CONDUCT OF
THE '178 PATENT**

12. Complainants and/or the inventors of the '178 patent knew of several references that were cited to them during prosecution of patents that were related to the '178 patent, they knew that such references were material, and they made a deliberate decision to withhold those references. For example, during the prosecution of a related patent, U.S. 10,496,131, which shares a specification and inventors as the '178 patent, the examiner provided a list of references cited on July 2, 2019 that included U.S. 2014/0198035 to Bailey, U.S. 2014/02709528 to Slaby, and U.S. 2014/0285416 to Priyantha, among others. *See* Prosecution History of U.S. App. No. 15/967,559 at 07/02/2019 List of References Cited By Examiner. As another example, during prosecution of another related patent, U.S. 10,768,666, which shares a specification and inventors as the '178 patent, the examiner provided a list of references on October 2, 2019 that included U.S. 2012/0075173 to Ashbrook, among others. *See* Prosecution History of U.S. App. No. 16/224,686 at 10/02/2019 List of References Cited By Examiner. These references and others were known and known to be material by the Complainants and/or inventors of the '178

patent and upon information and belief were intentionally withheld from the U.S. Patent and Trademark Office. The '178 patent is unenforceable due to inequitable conduct.

13. RingConn's investigation into inequitable conduct is ongoing and RingConn reserves the right to modify and/or expand these defenses and raise additional defenses as this investigation proceeds.

FIFTH AFFIRMATIVE DEFENSE: INEQUITABLE CONDUCT OF THE '179 PATENT

14. Complainants and/or the inventors of the '179 patent knew of several references that were cited to them during prosecution of patents that were related to the '179 patent, they knew that such references were material, and they made a deliberate decision to withhold those references. For example, during the prosecution of a related patent U.S. 10,496,131, which shares a specification and inventors as the '179 patent, the examiner provided prior art in a list of references cited on July 2, 2019 that included U.S. 2014/0198035 to Bailey, U.S. 2014/02709528 to Slaby, and U.S. 2014/0285416 to Priyantha, among others. *See* Prosecution History of U.S. App. No. 15/967,559 at 07/02/2019 List of References Cited By Examiner. As another example, during prosecution of another related patent, U.S. 10,768,666, which shares a specification and inventors as the '178 patent, the examiner provided a list of references on October 2, 2019 that included U.S. 2012/0075173 to Ashbrook, among others. These references and others were known and known to be material by the Complainants and/or inventors of the '179 patent and upon information and belief were intentionally withheld from the U.S. Patent and Trademark Office. The '179 patent is unenforceable due to inequitable conduct.

15. RingConn's investigation into inequitable conduct is ongoing and RingConn reserves the right to modify and/or expand these defenses and raise additional defenses as this investigation proceeds.

SIXTH AFFIRMATIVE DEFENSE: THE REQUESTED REMEDY IS NOT IN THE PUBLIC INTEREST

16. Complainants' demands for relief are barred under 19 U.S.C. § 1337(d)(1) because of the detrimental effect such relief would have upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers. RingConn incorporates by reference Respondent Ultrahuman's Statement of Public Interest as applicable to RingConn's Smart Ring, which may monitor heart rate, blood oxygen levels, respiratory rate, skin temperature, and/or others.

SEVENTH AFFIRMATIVE DEFENSE: LACK OF JURISDICTION

17. Oura has accused the "RingConn Smart Ring and its corresponding RingConn Application," as accused products. Section 337 covers "articles" that are imported into the United States and the International Trade Commission lacks jurisdiction over electronically transmitted digital data. Thus the International Trade Commission does not have jurisdiction over the corresponding RingConn Application or other "electrically transmitted digital data."

EIGHTH AFFIRMATIVE DEFENSE: PROSECUTION LACHES

18. Upon information and belief, the Complainants' delay in prosecuting the Asserted Patents was unreasonable and inexcusable under the totality of the circumstances, and RingConn has suffered prejudice attributable to the delay.

NINETH AFFIRMATIVE DEFENSE: LACK OF DOMESTIC INDUSTRY

19. Upon information and belief, the Complainants' delay in prosecuting the Asserted Patents was unreasonable and inexcusable under the totality of the circumstances, and RingConn has suffered prejudice attributable to the delay.

TENTH AFFIRMATIVE DEFENSE: OTHER DEFENSES

20. RingConn provides notice that they intend to rely upon any additional defenses that become available or apparent during discovery, and reserves its right to amend this Response and to assert such additional defenses or, if appropriate, delete any of the above-stated defenses as discovery proceeds.

REQUEST FOR RELIEF

WHEREFORE, RingConn respectfully requests that the Commission:

21. Find that no violation of Section 337 of the Tariff Act of 1930, as amended, exists by reason of importation, sale for importation, or sale after importation by RingConn of smart wearable devices, systems, and components thereof as described in the Complaint and Notice of Investigation;

22. Deny Oura's request for a permanent limited exclusion order and permanent cease-and-desist order;

23. Determine that the asserted claims of the Asserted Patents are invalid;

24. Determine that RingConn has not infringed the Asserted Patents;

25. Determine that no domestic industry exists in the United States for the Asserted Patents;

26. Issue an order terminating this investigation as to RingConn with prejudice; and

27. Grant RingConn such further relief that the Commission determines is appropriate.

Respectfully submitted,

Dated: May 16, 2024

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*Counsel for Respondents RingConn LLC and
Shenzhen Ninenovo Technology Limited*

**VERIFICATION OF RESPONDENTS RINGCONN LLC AND SHENZHEN NINENOVO
TECHNOLOGY LIMITED TO THE COMPLAINT AND
NOTICE OF INVESTIGATION**

I, Hao Wu, on behalf of Respondents RingConn LLC and Shenzhen Ninenovo Technology Limited declare:

1. I am the CEO of RingConn LLC and Shenzhen Ninenovo Technology Limited and I am duly authorized to make this verification on behalf of Respondents RingConn LLC and Shenzhen Ninenovo Technology Limited.
2. I have read the Response to the Second Amended Complaint and Notice of Investigation (“Response”), and I am familiar with its contents.
3. To the best of my knowledge, information, and belief, founded after reasonable inquiry, the Response and statements made therein:
 - A. are not being made for any improper purpose;
 - B. are well-grounded in fact and are warranted by existing law or by a non-frivolous argument for the extension, modification, or reversal of existing law or establishment of new law;
 - C. have evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and
 - D. to the extent that they deny factual contentions, are warranted on the evidence or are reasonably based on a lack of information or belief.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed at Shenzhen, China on May 15, 2024.



Hao Wu

CEO

RingConn LLC and Shenzhen
Ninenovo Technology Limited

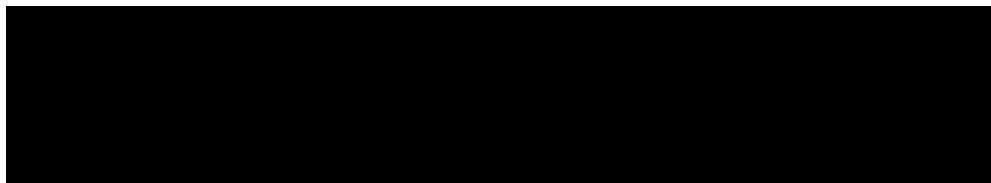


Exhibit A

**TO RESPONSE OF RESPONDENTS RINGCONN LLC AND
SHENZHEN NINENOVO TECHNOLOGY LIMITED TO THE
SECOND AMENDED COMPLAINT AND NOTICE OF
INVESTIGATION**

EXHIBIT A – INFORMATION REQUIRED BY 19 C.F.R. § 210.13(b)

Pursuant to Commission Rule 210.13(b), Respondents RingConn LLC and Shenzhen Ninenovo Technology Limited (collectively, “RingConn” or “Respondents”), provide the following information with the sole intention of supplying statistical and other data required by 19 C.F.R. § 210.13(b). RingConn specifically denies that any of the supplied data refers or relates to any unlawful act under Section 337 or otherwise, and Respondents specifically deny that its products infringe any of the Asserted Claims of the Asserted Patents. Discovery is ongoing and RingConn reserves the right to amend and/or supplement the information provided below.

1. For calendar year 2023 (i.e., from January 1, 2023 through December 31, 2023), RingConn has identified approximately [REDACTED] sold of the Accused Products, valued at approximately [REDACTED].

2. Based on investigation and currently known information, RingConn lacks information relating to the Harmonized Tariff Schedule number for the importation of the Accused Products.

3. Based on RingConn’s investigation to date, the Accused Products are supplied by: RingConn LLC.

4. RingConn has substantial capacity to manufacture the Accused Products and that manufacture is carried out in China.

5. The general market in the United States for smart ring products is [REDACTED], and the United States is a [REDACTED] market for RingConn. Specifically, the United States market accounts for [REDACTED] of RingConn’s worldwide sales of smart ring products, and, more broadly, [REDACTED] of RingConn’s overall revenue comes from the United States market.

6. This information is preliminary in nature and will be supplemented or amended as appropriate.

CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2024 unless otherwise indicated, one copy of the foregoing was filed/served on the following:

The Honorable Lisa R. Barton Secretary to the Commission U.S. International Trade Commission 500 E Street S.W., Room 112 Washington, DC 20436	By EDIS
The Honorable Doris Johnson Hines U.S. International Trade Commission 500 E Street S.W. Washington, DC 20436	By Email; JohnsonHines1398@usitc.gov
Whitney Winston, Esq. Office of Unfair Import Investigations U.S. International Trade Commission 500 E Street S.W., Room 401 Washington, D.C. 20436	By Email: whitney.winston@usitc.gov
Janine A. Carlan Jasjit S. Vidwan Richard J. Berman Bradford C. Frese Taniel E. Anderson Michael J. Baldwin ARENTFOX SCHIFF LLP 1717 K Street, NW Washington, DC 20006 Christopher S. Schultz ARENTFOX SCHIFF LLP 800 Boylston Street 32nd Floor Boston, MA 02199	<i>Counsel for Complainants Ouraring, Inc. and Ōura Health Oy</i> By Email: janine.carlan@afslaw.com Oura-ITC@afslaw.com
Timothy J. Murphy David L. Atallah Michael J. Schwartz Alex Szypa Brian S. Tobin CARLSON, GASKEY & OLDS, P.C. 400 West Maple Rd., Suite 350 Birmingham, Michigan 48009	<i>Counsel for Respondents Ultrahuman Healthcare Pvt. Ltd., Ultrahuman Healthcare Ltd., and Ultrahuman Healthcare SP, LLC</i> By Email: tmurphy@cgolaw.com UltrahumanITC@cgolaw.com

Certificate of Service
Investigation No. 337-TA-1398

<p>Lesley McCall Grossberg ICE MILLER LLP 1735 Market St., Suite 3900 Philadelphia, PA 19103</p> <p>T. Earl LeVere ICE MILLER LLP 250 West Street, Suite 700 Columbus, OH 43215</p> <p>Tom Rammer ICE MILLER LLP 200 W. Madison Street, Suite 3500 Chicago, IL 60606</p>	<p><i>Counsel for Respondent Circular SAS</i></p> <p>By Email</p> <p>lesley.grossberg@icemiller.com CircularITC@icemiller.com</p>
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/s/ Andrea R. Solomon

Andrea R. Solomon