

**U.S. INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

In the Matter of

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

Investigation No. 337-TA-_____

**COMPLAINT UNDER SECTION 337
OF THE TARIFF ACT OF 1930, AS AMENDED**

COMPLAINANTS:

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RingConn LLC
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EXHIBITS

Exhibit No.	Description
1	Copy of U.S. Patent No. 11,868,178
2	Copy of U.S. Patent No. 11,868,179
3	Copy of U.S. Patent No. 10,842,429
4	Certified Copy of Assignment Record for U.S. Patent No. 11,868,178
5	Certified Copy of Assignment Record for U.S. Patent No. 11,868,179
6	Certified Copy of Assignment Record for U.S. Patent No. 10,842,429
7	CONFIDENTIAL List of Patent Licenses
8	Infringement chart of U.S. Patent No. 11,868,178 by Ultrahuman
9	Infringement chart of U.S. Patent No. 11,868,179 by Ultrahuman
10	Infringement chart of U.S. Patent No. 10,842,429 by Ultrahuman
11	Infringement chart of U.S. Patent No. 11,868,178 by RingConn
12	Infringement chart of U.S. Patent No. 11,868,179 by RingConn
13	Infringement chart of U.S. Patent No. 11,868,178 by Circular
14	Infringement chart of U.S. Patent No. 11,868,179 by Circular
15	Infringement chart of U.S. Patent No. 10,842,429 by Circular
16	Ultrahuman Website Homepage (https://www.ultrahuman.com/)
17	Invoice of Ultrahuman Accused Product Purchase
18	Ultrahuman DHL Shipment Tracking
19	Photographs of Ultrahuman Accused Product shipped from India to the United States
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21	Ultrahuman Website – Buy US (https://www.ultrahuman.com/ring/buy/us/)
22	Ultrahuman Website – FAQ (https://www.ultrahuman.com/ring/faq/)
23	Ultrahuman Kickstarter Website (https://www.kickstarter.com/projects/ultrahuman/ultrahuman-ring-decode-your-metabolism)
24	Ultrahuman KickStarter Website (https://www.kickstarter.com/projects/ultrahuman/ultrahuman-ring-air)
25	Ultrahuman Website – Ring Recovery Score Guide (https://blog.ultrahuman.com/blog/ultrahuman-ring-recovery-score-guide/)
26	RingConn Website Homepage (https://ringconn.com/)

Exhibit No.	Description
27	Invoice of RingConn Accused Product Purchase
28	RingConn Shipping-Policy Website (https://ringconn.com/shipping-policy/)
29	RingConn YunExpress Shipment Tracking
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31	RingConn Smart-Ring Buy Now – Website (https://ringconn.com/product/smart-ring/)
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33	Invoice of Circular Accused Product Purchase
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38	Circular Website – Features (https://www.circular.xyz/features)
39	Circular – Understanding Circular Energy Score
40	Circular Website – Sleep (https://www.circular.xyz/sleep)
41	Circular Website – User Guide (https://www.circular.xyz/user-guide)
42	Circular Website – Help (https://www.circular.xyz/help)
43	Circular Website – Buy Ring
44	Oura Homepage (https://ouraring.com/)
45	Oura Experience Website (https://ouraring.com/oura-experience)
46	Oura Products Ring Website (https://ouraring.com/product/rings)
47	Oura Website – Readiness Score (https://ouraring.com/blog/readiness-score/)
48	Oura Website – How Oura Measures Readiness Score
49	Oura Website – Readiness Contributor (https://support.ouraring.com/hc/en-us/articles/360057791533-Readiness-Contributors)
50	CONFIDENTIAL Drawings, Photographs, Schematics, or Other Visual Representations of Oura Ring
51	CONFIDENTIAL Declaration of Michael Chapp
52	CONFIDENTIAL Domestic Industry Claim Chart for 11,868,178
53	CONFIDENTIAL Domestic Industry Claim Chart for 11,868,179

Exhibit No.	Description
54	Domestic Industry Claim Chart for 10,842,429
55	Physical Sample of Domestic Industry Product
56	Physical Sample of Ultrahuman Accused Product
57	Physical Sample of RingConn Accused Product
58	Physical Sample of Circular Accused Product
59	Final Claim Construction of the Court from Case No. 6:22-cv-00478 (WDTX), Dkt. 45 (Feb. 2, 2024) (regarding U.S. Patent No. 10,842,429).

APPENDICES

Appx No.	Description
A	Certified File History of U.S. Patent No. 11,868,178
B	Certified File History of U.S. Patent No. 11,868,179
C	Certified File History of U.S. Patent No. 10,842,429
D	Copies of Technical References cited in the file history for U.S. Patent No. 11,868,178
E	Copies of Technical References cited in the file history for U.S. Patent No. 11,868,179
F	Copies of Technical References cited in the file history for U.S. Patent No. 10,842,429

I. INTRODUCTION

1. Complainants Ouraring, Inc. and Ōura Health Oy (“Oura” or “Complainants”) request that the U.S. International Trade Commission institute an investigation into violations of Section 337 of the Tariff Act of 1930, as amended.

2. Complainants’ allegations are based on the unlawful importation into the United States, sale for importation into the United States, and sale within the United States after importation of smart ring wearable devices and components thereof, that infringe U.S. Patent Nos. 11,868,178 (“’178 Patent”), 11,868,179 (“’179 Patent”), and 10,842,429 (“’429 Patent”) (collectively, “Asserted Patents”) by proposed Respondents Ultrahuman Healthcare Pvt. Ltd., Ultrahuman Healthcare Ltd., and Ultrahuman Healthcare SP LLC (together, “Ultrahuman”), Guangdong Jiu Zhi Technology Co. Ltd and RingConn LLC (together, “RingConn”), and Circular SAS (“Circular”) (collectively, “Respondents”).

3. Respondents infringe, literally or under the doctrine of equivalents, at least claims 1, 2, 6-10, 12-14, 17, and 18 of the ’178 Patent; claims 1, 3-5, 9-10, and 13-16 of the ’179 Patent; and claims 1, 3-6, and 8-11 of the ’429 Patent as follows:

Asserted Patent	Asserted Independent Claim	Asserted Dependent Claims	Respondents
’178 Patent	1	2, 6-10, 12-14, 17, and 18	Ultrahuman, RingConn, Circular
’179 Patent	1	3, 4, 5, 9, 10, 13, 14, 15, and 16	Ultrahuman, RingConn, Circular
’429 Patent	1 and 8	3-6 and 9-11	Ultrahuman, Circular

4. Respondents have violated and continue to violate Section 337 to the detriment of Complainants’ existing domestic industry.

5. Oura requests that the Commission find Respondents have violated Section 337, issue a limited exclusion order and cease and desist order, and impose a bond during the Presidential review period.

II. THE PARTIES

A. The Complainants

6. Complainant Ouraring, Inc. is a Delaware corporation with its principal place of business at 222 Kearny Street, San Francisco, California 94108.

7. Complainant Õura Health Oy is a Finnish company with its principal place of business at Elektroniikkatie 10, 90590, Oulu, Finland.

8. Ouraring, Inc. is a wholly owned subsidiary of Õura Health Oy, which was founded in Finland in 2013. Õura Health Oy was formerly known as JouZen Oy. JouZen Oy was subsequently changed to Õura Health Oy in 2017.

9. Oura is a pioneer in developing a smart ring that allows users to take control of their health. Oura set out to develop a product that accurately provides personalized insights into user's fitness and health by monitoring heart rate, temperature variations, blood oxygen levels, and movement during both sleep and active periods. Unlike other wearables (e.g., wrist wearables) that are typically bulky and can be intrusive or interfere with a person's daily life (e.g., uncomfortable to wear during sleep or for extended periods), Oura developed its product in an innovative, attractive, and user-friendly form factor—i.e., a ring.

10. The Oura Ring has received numerous awards for its innovation, including 2020 TIME Magazine's Best Invention, 2022 Best Sleep Tracker by Men's Health Magazine, 2023 CNBC's Disruptor 50 List, 2023 Health Fitness Award, Cosmopolitan Best Overall Fitness Ring for 2024, Women's Health Magazine Sleep Tracker 2024, New York Times Best Sleep Tracker, WIRED Best Ring Fitness Tracker 2023, Forbes Best Sleep Tracker, etc. Oura Ring was also

selected by the National Basketball Association (NBA), the Ultimate Fighting Championship (UFC), and several other organizations to equip their athletes with the most accurate and credible health technology.

11. Complainants own the Asserted Patents with all substantial rights, including the exclusive right to sue for infringement. (**Exhibits 4-6**; Assignment Records).

B. The Proposed Respondents

1. Ultrahuman

12. On information and belief, **Ultrahuman Healthcare Pvt. Ltd.** is an Indian Non-Government Company incorporated in India with its principal place of business located at No. 4088/799, Third Floor, V K Paradise Sector-2, HSR Layout, Bengaluru, Karnataka 560102, India.

13. On information and belief, **Ultrahuman Healthcare SP LLC** is a wholly owned subsidiary of Ultrahuman Healthcare Pvt. Ltd. and is incorporated under the laws of the United Arab Emirates. Ultrahuman Healthcare SP LLC maintains its principal place of business at 4th Floor, Etihad Airways Center, Al Raha, Al Muneera, Abu Dhabi, UAE.

14. On information and belief, **Ultrahuman Healthcare Ltd.** is a wholly owned subsidiary of Ultrahuman Healthcare Pvt. Ltd. and is incorporated under the laws of the United Kingdom. Ultrahuman Healthcare Ltd. maintains its principal place of business at 5 New Street Square, London, United Kingdom.

15. On information and belief, Ultrahuman Healthcare Pvt. Ltd. is the parent corporation responsible for manufacturing, selling for importation, importing into the United States, and/or selling after importation into the United States the Ultrahuman Accused Products. Based on information included in the Ultrahuman Accused Product packaging, the three Ultrahuman entities collectively design the Ultrahuman Accused Product.

16. Therefore, Ultrahuman, itself and through its subsidiaries and related entities, designs, develops, manufactures, sells for importation, imports into the United States, and/or sells after importation into the United States smart ring wearable devices and components thereof. Upon information and belief, this is the primary nature of Ultrahuman's business.

2. RingConn

17. On information and belief, **Guangdong Jiu Zhi Technology Co. Ltd**, is incorporated under the laws of the People's Republic of China and maintains its principal place of business at Room 411-18, Floor 4, Building C, Innovation Center Plant, No. 34, XiangShan Avenue, Cuiheng New District, Zhongshan City, China.

18. On information and belief, **RingConn LLC** is a Delaware corporation with its principal place of business at 1226 North King St., Wilmington, DE 19801.

19. On information and belief, Guangdong Jiu Zhi Technology Co. Ltd is the parent corporation of RingConn LLC. RingConn LLC is the U.S. arm of Guangdong Jiu Zhi Technology Co. Ltd. Therefore, on information and belief, RingConn, itself and through its subsidiaries and related entities, designs, develops, manufactures, sells for importation, imports into the United States, and/or sells after importation into the United States smart ring wearable devices and components thereof. Upon information and belief, this is the primary nature of their business.

3. Circular

20. On information and belief, **Circular SAS** ("Circular Respondent") is a French société par actions simplifiée, located at 78 Avenue des Champs-Élysées, Bureau 326, 75008, Paris, France.

21. On information and belief, Circular, itself and through its subsidiaries and related entities, designs, develops, manufactures, sells for importation, imports into the United States,

and/or sells after importation into the United States smart ring wearable devices and components thereof. Upon information and belief, this is the primary nature of its business

III. THE TECHNOLOGIES AND PRODUCTS AT ISSUE

22. Pursuant to Commission Rule 210.12(a)(12) and 210.10(b)(1), the category of products accused are smart ring wearable devices, systems, and components thereof.

23. Complainants accuse the following wearable electronic devices and components thereof (“the Accused Products”) of infringement:

- a) Ultrahuman Ring and Ultrahuman Ring AIR, and its corresponding Ultrahuman Application (collectively, “Ultrahuman Accused Products”), which upon information and belief, are manufactured abroad and sold for importation by Ultrahuman.
- b) RingConn Smart Ring, and its corresponding RingConn Application (collectively, “RingConn Accused Products”), which upon information and belief, is manufactured abroad and sold for importation by RingConn.
- c) Circular Ring, including Circular Ring Pro 1 and Circular Ring Slim, and its corresponding Circular Application (collectively, “Circular Accused Products”), which upon information and belief, is manufactured abroad and sold for importation by Circular.

24. Complainants have not yet had the benefit of discovery, and thus this identification of specific models or types of products is not intended to limit the scope of the Investigation. Any remedy should extend to all infringing products.

IV. THE ASSERTED PATENTS AND NON-TECHNICAL DESCRIPTION OF THE INVENTIONS¹

25. The '178 and '179 Patents are members of one patent family with a common 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. The United States Patent and Trademark Office, after full and fair examination, duly and legally issued U.S. Patent No. 11,868,178, titled “Wearable Computing Device,” to inventors Curt C. von Badinski, Michael J. Strasser, and Peter Twiss, on January 9, 2024. *See Exhibit 1*, '178 Patent. The '178 Patent was issued from Application No. 18/323,385, filed on May 24, 2023. *Id.*

27. The '178 Patent has one independent claim (claim 1) and seventeen dependent claims. *Id.* Complainants are currently asserting twelve (12) claims of the '178 Patent in this Investigation. Further investigation and discovery may lead to the assertion of additional claims.

28. The Asserted Claims of the '178 Patent are valid, enforceable, and currently in full force and effect until the expiration of the '178 Patent on November 28, 2034. Complainant Ouraring, Inc. holds all rights, title, and interest in the '178 Patent with full rights to enforce the same. **Exhibit 4**, '178 Patent Assignment.

29. Pursuant to Commission Rule 210.12(c), copies of the certified prosecution history of the '178 Patent have been submitted with this Complaint as **Appendix A**.² Pursuant to

¹ The non-technical descriptions of the Asserted Patents are for purposes of providing general information only and should not be interpreted as a representation regarding the scope or applicability of any Asserted Patent, or the requirements or meanings of any Asserted Claims.

² A request for Certificate of Correction is currently pending before the Patent Office to correct a minor typographical error in a dependent claim of the '178 Patent.

Commission Rule 210.12(c), the cited references for the '178 Patent also have been submitted with this Complaint as **Appendix D**.

2. Non-technical description of the '178 Patent

30. The '178 Patent relates to an innovative finger-worn wearable ring for monitoring a user's health and fitness (e.g., physical activity, biological data, sleep, etc.) that is suitable for prolonged usage and offers constant and consistent contact with the skin, thereby creating a more reliable and extended recording of the user's fitness activity, physical exercise, and health information. To facilitate the monitoring, the technology described in the '178 Patent includes a battery and sensors that are shaped and sized to fit within a cavity of the structure of the ring. In addition, a printed circuit board and one or more sensors are also included within the ring to acquire data from the user.

3. Foreign counterparts to the '178 Patent

31. Pursuant to Commission Rule 210.12(a)(9)(v), the following is a list of each foreign patent, each foreign patent application (not already issued as a patent), and each foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '178 Patent:

U.S. Patent No. 11,868,178					
Application Date	Application Number	Status	Patent Date	Patent No.	Country
11/28/2014	PCT/US2014/067823	Expired	N/A	N/A	WO
11/28/2014	201480074476.8	Issued	11/9/2016	CN 106104408 A	CN
11/28/2014	201480074476.8	Issued	7/27/2021	CN 106104408 B	CN
11/28/2014	CN202110786269A	Issued	2/25/2022	CN114089813A	CN
11/28/2014	2931973	Pending	N/A	N/A	CA
11/29/2013	2016535040A	Abandoned	N/A	N/A	JP
11/28/2014	14866236	Abandoned	N/A	N/A	EP
10/28/2021	21205293	Pending	N/A	N/A	EP
9/3/2017	17102435	Pending	N/A	N/A	HK

4. Licenses

32. Pursuant to Commission Rule 210.12(a)(9)(iii), a list of licensees to the '178 Patent is attached as **Confidential Exhibit 7**.

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

1. Identification and ownership of the '179 Patent

33. The United States Patent and Trademark Office, after full and fair examination, duly and legally issued U.S. Patent No. 11,868,179, titled "Wearable Computing Device," to inventors Curt C. von Badinski, Michael J. Strasser, and Peter Twiss, on January 9, 2024. *See Exhibit 2*, '179 Patent. The '179 Patent was issued from Application No. 18/323,386, filed on May 24, 2023. *Id.*

34. The '179 Patent has one independent claim (claim 1) and fifteen dependent claims. (*Id.*) Complainants are currently asserting ten (10) claims of the '179 Patent in this Investigation. Further investigation and discovery may lead to the assertion of additional claims.

35. The Asserted Claims of the '179 Patent are valid, enforceable, and currently in full force and effect until the expiration of the '179 Patent on November 28, 2034. Complainant Ouraring, Inc. holds all rights, title, and interest in the '179 Patent with full rights to enforce the same. **Exhibit 5**, '179 Patent Assignment.

36. Pursuant to Commission Rule 210.12(c), copies of the certified prosecution history of the '179 Patent have been submitted with this Complaint as **Appendix B**. Pursuant to Commission Rule 210.12(c), the cited references for the '179 Patent also have been submitted with this Complaint as **Appendix E**.

2. Non-technical description of the '179 Patent

37. The '179 Patent relates to an innovative wearable electronic device for monitoring a user's health and fitness (e.g., physical activity, biological data, sleep, etc.) that is suitable for prolonged usage and offers constant and consistent contact with the skin area, thereby creating a more reliable and extended recording of the user's fitness activity, physical exercise, and health information. The wearable electronic device can be in a form of a ring that can be worn on the finger of a user. Other form factors such as wrist bands, bracelets, and watch-type monitors are also within the scope of the '179 Patent.

38. The technology described in the '179 Patent includes a plurality of sensors that are included within the wearable electronic device, including one or more light-emitting components configured to emit light associated with infrared light and visible light to acquire biosignal data from the user based on reflectance, absorbance, or both, of the received light. The acquired data is transmitted and analyzed to provide the user with usable information about their health and fitness.

3. Foreign counterparts to the '179 Patent

39. Pursuant to Commission Rule 210.12(a)(9)(v), the following is a list of each foreign patent, each foreign patent application (not already issued as a patent), and each foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '179 Patent:

U.S. Patent No. 11,868,179					
Application Date	Application Number	Status	Patent Date	Patent No.	Country
11/28/2014	PCT/US2014/067823	Expired	N/A	N/A	WO
11/28/2014	201480074476.8	Issued	11/9/2016	CN 106104408 A	CN
11/28/2014	201480074476.8	Issued	7/27/2021	CN 106104408 B	CN
11/28/2014	CN202110786269A	Issued	2/25/2022	CN114089813A	CN
11/28/2014	2931973	Pending	N/A	N/A	CA
11/29/2013	2016535040A	Abandoned	N/A	N/A	JP
11/28/2014	14866236	Abandoned	N/A	N/A	EP

10/28/2021	21205293	Pending	N/A	N/A	EP
9/3/2017	17102435	Pending	N/A	N/A	HK

4. Licenses

40. Pursuant to Commission Rule 210.12(a)(9)(iii), a list of licensees to the '179 Patent is attached as **Confidential Exhibit 7**.

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

1. Identification and ownership of the '429 Patent

41. The United States Patent and Trademark Office, after full and fair examination, duly and legally issued U.S. Patent No. 10,842,429, titled "Method and System for Assessing a Readiness Score of a User," to inventors Hannu Kinnunen, Harri Laakkonen, Kari Kivela, Ashley Colley, Petteri Lahtela, Markku Koskela, and Heidi Jurvelin, on November 24, 2020. *See Exhibit 3*, '429 Patent.) The '429 Patent was issued from Application No. 15/551,632, filed on February 23, 2016. *Id.*

42. The '429 Patent has two independent claims (claims 1 and 8) and eleven dependent claims. (*Id.*) Complainants are currently asserting nine (9) total claims of the '429 Patent in this Investigation. Further investigation and discovery may lead to the assertion of additional claims.

43. The Asserted Claims of the '429 Patent are valid, enforceable, and currently in full force and effect until the expiration of the '429 Patent on November 21, 2036. Complainant Ōura Health Oy holds all rights, title, and interest in the '429 Patent with full rights to enforce the same. **Exhibit 6**, '429 Patent Assignment.

44. Pursuant to Commission Rule 210.12(c), copies of the certified prosecution history of the '429 Patent have been submitted with this Complaint as **Appendix C**. Pursuant to Commission Rule 210.12(c), the cited references for the '429 Patent also have been submitted with this Complaint as **Appendix F**.

2. Non-technical description of the '429 Patent

45. The '429 Patent relates to analyzing and processing data related to physical activities and biological signals of an individual, and more specifically, for assessing a readiness score of a user. Conventional systems were designed based on a misunderstanding that a user's physical activity (e.g., counting steps) alone was indicative of that user's overall health. The inventors of the '429 Patent, however, recognized that calculating a user's activity as an artificial gauge of that user's health is a flawed process.

46. Indeed, an individual is subjected to various kinds of mental and physical loads in their day-to-day life. For example, an individual may be subjected to both positive and negative physical loads (such as physical exercise, walking, driving, playing, and the like) and mental loads (such as poor sleep, poor rest, stress, and the like). Such mental and physical loads can induce worse mental and physical stresses. For example, unaddressed physical stress may cause health issues such as backache, spine problems, and the like, and unaddressed mental stress may cause reduction in sleep, significantly impacting the individual's lifestyle.

47. Thus, the '429 Patent recognized that it is important to understand how an individual manages or handles such mental and physical loads for maintaining a good physical and mental health and how the individual is to face further challenges. To overcome the drawbacks of the conventional systems that failed to provide any information which relates to recovery of the individual from mental or physical loads that the individual is subjected to, the '429 Patent discloses a method and system for measuring readiness of the user that accounts for the effects of earlier physical activity, previous nights' sleep, and body responses measured over a period of time. The measurements are obtained by a wearable electronic device.

3. Foreign counterparts to the '429 Patent

48. Pursuant to Commission Rule 210.12(a)(9)(v), the following is a list of each foreign patent, each foreign patent application (not already issued as a patent), and each foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '429 Patent:

U.S. Patent No. 10,842,429					
Application Date	Application Number	Status	Patent Date	Patent No.	Country
02/23/2016	EP16710255	Pending	N/A	N/A	EP

4. Licenses

49. Pursuant to Commission Rule 210.12(a)(9)(iii), a list of licensees to the '429 Patent is attached as **Confidential Exhibit 7**.

V. RESPONDENTS' UNLAWFUL AND UNFAIR ACTS

A. Ultrahuman

50. Ultrahuman imports, sells for importation, and/or sells after importation into the United States, Ultrahuman Accused Products that directly infringe and/or induce the infringement, literally or under the doctrine of equivalents, of at least the following asserted claims of the '178, '179, and '429 Patents:

Asserted Patent	Asserted Claims
U.S. Patent No. 11,868,178	1, 2, 6-10, 12-14, 17, and 18
U.S. Patent No. 11,868,179	1, 3-5, 9, 10, 13, 14, 15, and 16
U.S. Patent No. 10,842,429	1, 3-6, and 8-11

51. On information and belief, Ultrahuman knowingly and intentionally induces users of one or more of the Ultrahuman Accused Products to directly infringe one or more claims of the '178, '179, and '429 Patents by encouraging, instructing, and aiding one or more persons in the United States to make, use, sell, or offer to sell one or more of the Accused Products, during or after the Ultrahuman Accused Products' importation into the United States, in a manner that infringes the '178, '179, and '429 Patents. On information and belief, Ultrahuman was aware of

the '178, '179, and '429 Patents or acted with willful blindness as to its existence at least as a result of the parties' communications, parallel district court litigation related to the '429 Patent, and/or the filing of this Complaint.

52. On information and belief, Ultrahuman contributes to the infringement of one or more of the Asserted Claims of the '178, '179, and '429 Patents by offering to sell or sell within the United States or import into the United States a component of a patented machine, manufacture, combination or composition, or a material or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in an infringement of the '178, '179, and '429 Patents, and not a staple article or commodity of commerce suitable for substantial non-infringing use, shall be liable as a contributory infringer.

53. Complainants have not yet had the benefit of discovery, and thus this identification of specific models or types of products is not intended to limit the scope of the Investigation. Any remedy should extend to all infringing products.

54. A physical sample of the Ultrahuman Accused Product is marked as **Exhibit 56** and is being made available in accordance with Commission procedures and rules.

55. A chart that applies each asserted independent claim of the '178, '179, and '429 Patents to a representative Ultrahuman Accused Product is attached as **Exhibits 8-10**.

B. RingConn

56. On information and belief, RingConn imports, sells for importation, and/or sells after importation into the United States, RingConn Accused Products that directly infringe and/or induce the infringement, literally or under the doctrine of equivalents, of at least the following asserted claims of the '178 and '179 Patents:

Asserted Patent	Asserted Claims
U.S. Patent No. 11,868,178	1, 2, 6-10, 12-14, 17, and 18
U.S. Patent No. 11,868,179	1, 3-5, 9, 10, 13, 14, 15, and 16

57. On information and belief, RingConn knowingly and intentionally induces users of one or more of the RingConn Accused Products to directly infringe one or more claims of the '178 and '179 Patents by encouraging, instructing, and aiding one or more persons in the United States to make, use, sell, or offer to sell one or more of the Accused Products, during or after the RingConn Accused Products' importation into the United States, in a manner that infringes the '178 and '179 Patents. On information and belief, RingConn was aware of the '178 and '179 Patents or acted with willful blindness as to its existence at least as a result of the filing of this Complaint.

58. On information and belief, RingConn contributes to the infringement of one or more of the Asserted Claims of the '178 and '179 Patents by offering to sell or sell within the United States or import into the United States a component of a patented machine, manufacture, combination or composition, or a material or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in an infringement of the '178 and '179 Patents, and not a staple article or commodity of commerce suitable for substantial non-infringing use, shall be liable as a contributory infringer.

59. Complainants have not yet had the benefit of discovery, and thus this identification of specific models or types of products is not intended to limit the scope of the Investigation. Any remedy should extend to all infringing products.

60. A physical sample of the RingConn Accused Product is marked as **Exhibit 57** and is being made available in accordance with Commission procedures and rules.

61. A chart that applies each asserted independent claim of the '178 and '179 Patents to a representative RingConn Accused Product is attached as **Exhibits 11-12**.

C. Circular

62. Circular imports, sells for importation, and/or sells after importation into the United States, Circular Accused Products that directly infringe and/or induce the infringement, literally or under the doctrine of equivalents, of at least the following asserted claims of the '178, '179, and '429 Patents:

Asserted Patent	Asserted Claims
U.S. Patent No. 11,868,178	1, 2, 6-10, 12-14, 17, and 18
U.S. Patent No. 11,868,179	1, 3-5, 9, 10, 13, 14, 15, and 16
U.S. Patent No. 10,842,429	1, 3-6, and 8-11

63. On information and belief, Circular knowingly and intentionally induces users of one or more of the Circular Accused Products to directly infringe one or more claims of the '178, '179, and '429 Patents by encouraging, instructing, and aiding one or more persons in the United States to make, use, sell, or offer to sell one or more of the Accused Products, during or after the Circular Accused Products' importation into the United States, in a manner that infringes the '178, '179, and '429 Patents. On information and belief, Circular was aware of the '178, '179, and '429 Patents or acted with willful blindness as to its existence at least as a result of the parties' communications, parallel district court litigation related to the '429 Patent, and/or the filing of this Complaint.

64. On information and belief, Circular contributes to the infringement of one or more of the Asserted Claims of the '178, '179, and '429 Patents by offering to sell or sell within the United States or import into the United States a component of a patented machine, manufacture, combination or composition, or a material or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially

adapted for use in an infringement of the '178, '179, and '429 Patents, and not a staple article or commodity of commerce suitable for substantial non-infringing use, shall be liable as a contributory infringer.

65. Complainants have not yet had the benefit of discovery, and thus this identification of specific models or types of products is not intended to limit the scope of the Investigation. Any remedy should extend to all infringing products.

66. A physical sample of the Circular Accused Product is marked as **Exhibit 58** and is being made available in accordance with Commission procedures and rules.

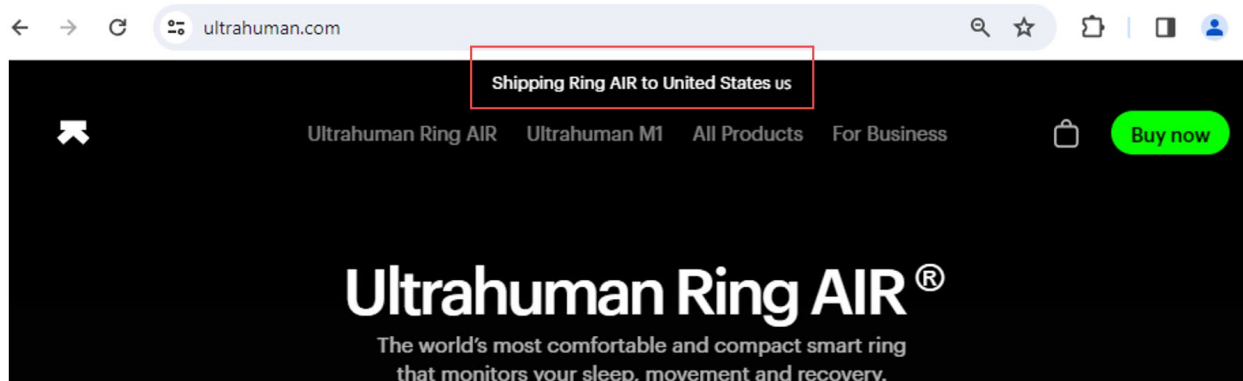
67. A chart that applies each asserted independent claim of the '178, '179, and '429 Patents to a representative Circular Accused Product is attached as **Exhibits 13-15**.

VI. SPECIFIC INSTANCE OF UNFAIR IMPORTATION AND SALE

68. On information and belief, Respondents are importing, selling for importation, and/or selling within the United States after importation the Accused Products. The specific instances set forth below are representative examples of Respondents' unlawful importation, sale for importation, and/or sales within the United States after importation of infringing products.

A. Ultrahuman

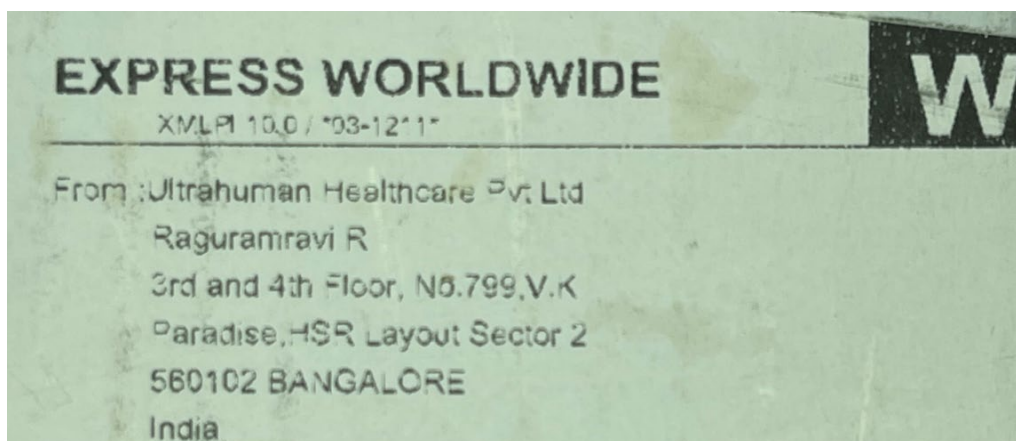
69. On information and belief, Ultrahuman Accused Products are manufactured in India and then imported into the United States. Ultrahuman sells and offers for sale the Ultrahuman Accused Products directly to customers in the United States, including through its website (<https://www.ultrahuman.com/>), which advertises that Ultrahuman will ship the Ultrahuman Accused Products to the United States (**Exhibit 16**):



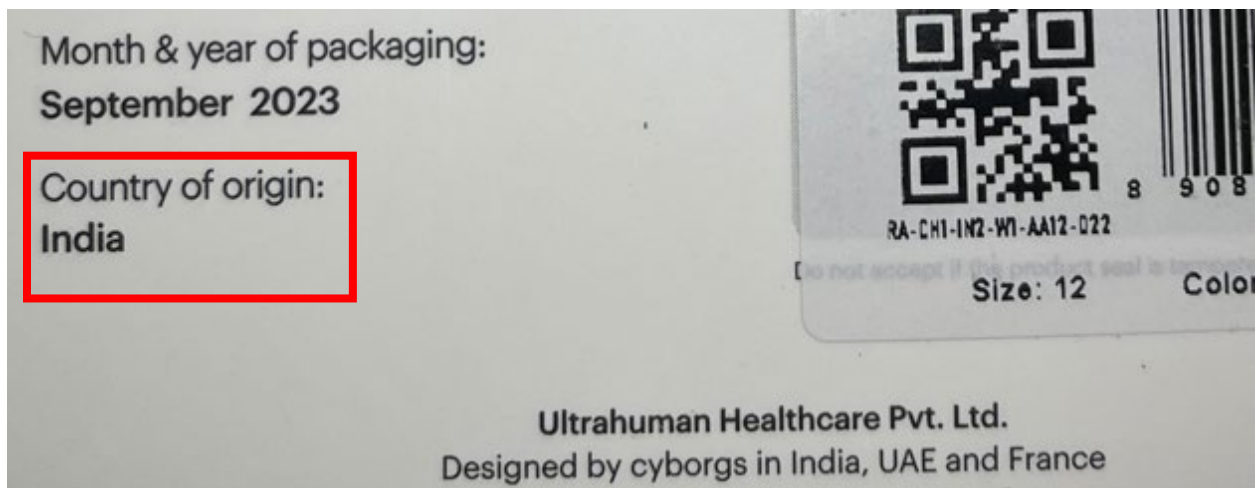
70. Prior to filing this Complaint, a representative Ultrahuman Accused Product was purchased on August 15, 2023, in the United States directly from Ultrahuman’s website. A copy of the invoice of this purchase is attached hereto as **Exhibit 17**.

71. The Ultrahuman Accused Product was shipped by Ultrahuman on September 6, 2023, originating from Bangalore, India. A copy of the DHL Tracking for the shipment of Ultrahuman Accused Product from India to the United States is attached hereto as **Exhibit 18**.

72. The shipping label on the package confirms that it was shipped from Ultrahuman’s location in Bangalore, India. (**Exhibit 19**):



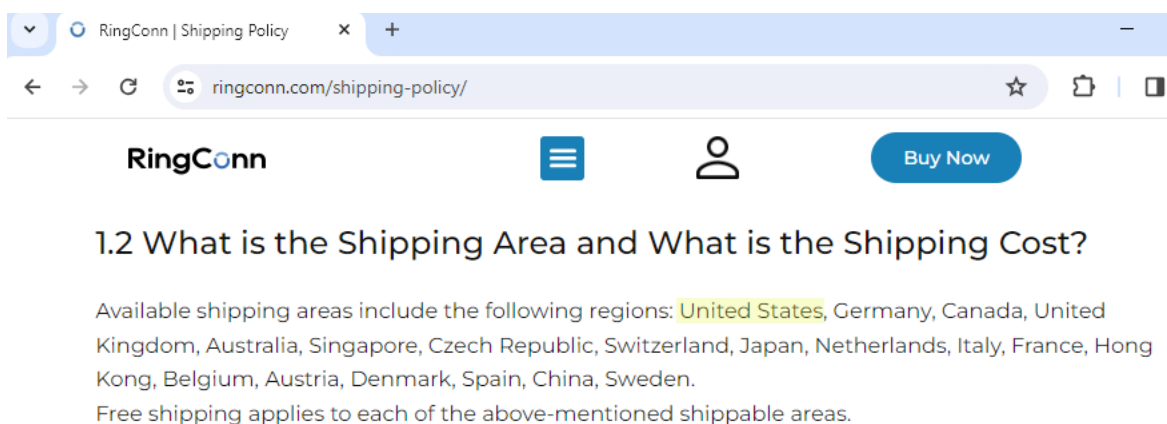
73. The Ultrahuman Accused Product package also includes a label that the “Country of Origin” is India (**Exhibit 19**):



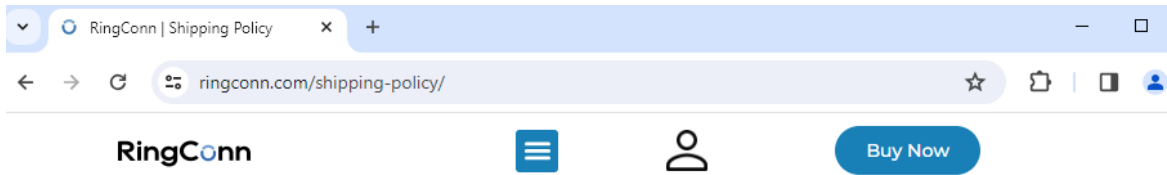
B. RingConn

74. On information and belief, RingConn Accused Products are manufactured in Hong Kong and then imported into the United States. RingConn sells and offers for sale the RingConn Accused Products directly to customers in the United States, including through its website: <https://ringconn.com/product/smart-ring/> (Exhibit 31).

75. On its website—<https://ringconn.com/shipping-policy/> (Exhibit 28)—RingConn advertises that it ships the RingConn Accused Products to the United States:



76. RingConn also notifies its customers that the Accused Products are shipped to the United States from Hong Kong (Exhibit 28):



1.3 Where Does RingConn Ship From?

Orders to the US are shipped from either the US or Hong Kong

All other orders are shipped from Hong Kong.

We reserve the right to decide where to ship the from, and we may change the place(s) from time to time.

More questions? [Click here to submit a request.](#)

77. Indeed, prior to filing this Complaint, a representative RingConn Accused Product was purchased on August 15, 2023, in the United States directly from RingConn’s website. A copy of the invoice of this purchase is attached hereto as **Exhibit 27**.

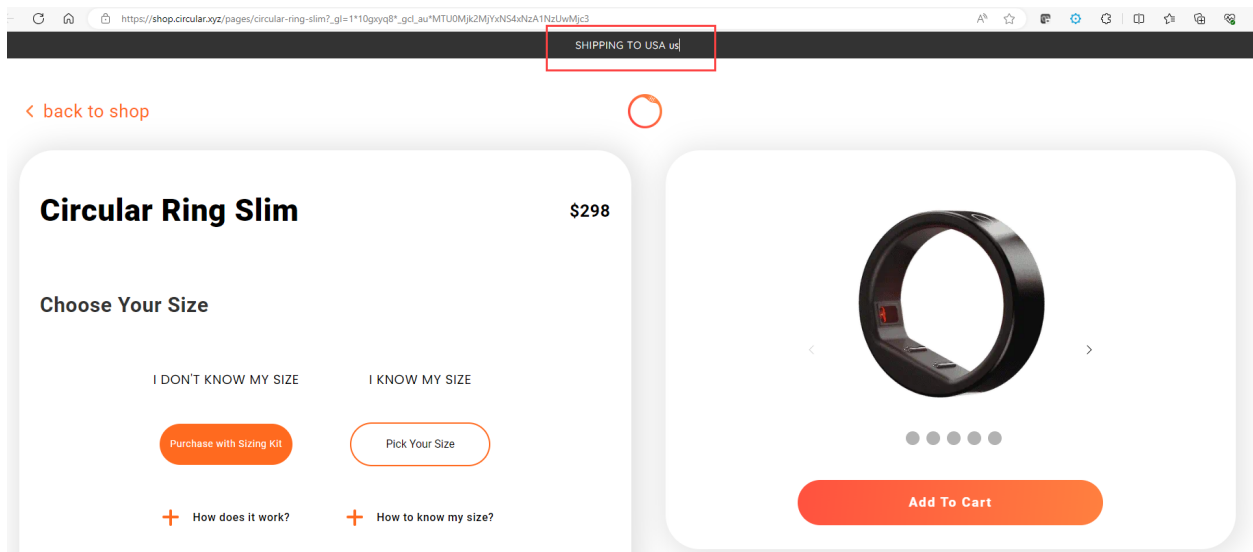
78. The RingConn Accused Product was shipped on August 16, 2023, originating from Hong Kong. A copy of the YunExpress Tracking for the shipment of the RingConn Accused Product from Hong Kong to the United States is attached hereto as **Exhibit 29**.

79. The RingConn Accused Product package also includes a label that the product is “Made in China” (**Exhibit 30**):



C. Circular

80. On information and belief, the Circular Accused Product is manufactured in France, and then imported into the United States. Circular sells and offers for sale the Circular Accused Products directly to customers in the United States, including through its website: <https://www.circular.xyz/> (**Exhibit 37**), which advertises that Circular will ship the Circular Accused Products to the United States (**Exhibit 43**):



81. Prior to filing this Complaint, a representative Circular Accused Product was purchased on August 10, 2023 in the United States directly from Circular’s website. A copy of the invoice of this purchase is attached hereto as **Exhibit 33**.

82. The Circular Accused Product was shipped on November 23, 2023, originating from Paris, France. A copy of the shipment tracking of Circular Accused Product from France to the United States is attached hereto as **Exhibits 34 and 35**.

83. The Circular Accused Product also includes a label that the product is “Assembled in France” (**Exhibit 36**):



VII. HARMONIZED TARIFF SCHEDULE NUMBERS

84. On information and belief, the Accused Products may be classified under at least the following heading of the Harmonized Tariff Schedule of the United States: 9031.80.8085. These classifications are intended for illustration only and are not intended to limit the Accused Products or products subject to the requested relief.

VIII. THE DOMESTIC INDUSTRY

85. The Asserted Patents are practiced by Oura Ring and the Oura Application (collectively, “Domestic Industry Product”). A physical sample of the Oura Domestic Industry Product is marked as **Exhibit 55** and is being made available in accordance with Commission procedures and rules.

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

86. The Domestic Industry Product is Oura’s primary product that it manufactures and sells to consumers worldwide. The United States is Oura’s largest market. Indeed, as of the filing of this Complaint, Oura has sold over one million Oura Rings in the United States. Oura’s success is a result of extensive resource expenditure in the United States.

87. Oura has made and continues to make (a) significant investment in plant and equipment and (b) significant investment in labor or capital in its Domestic Industry Product.

88. The quantitative significance of Oura's investments is set forth in greater detail in the declaration of Michael Chapp, Chief Operating Officer at Oura, in **Confidential Exhibit 51**. The investments in the United States are also quantitatively significant compared to investments made outside of the United States relating to the Domestic Industry Products.

89. Oura has a significant U.S. presence. For example, Oura has made significant investment in plant and equipment by investing in U.S. facilities in San Francisco and San Diego, California as detailed in **Confidential Exhibit 51** at ¶¶7-10.

90. Oura also continues to invest significantly in labor and capital costs to support the engineering, research and development, testing, quality control, repair and support, and other activities relating to the Domestic Industry Products as detailed in **Confidential Exhibit 51** at ¶¶11-23. The investments in labor and capital are significant, both quantitatively and qualitatively.

91. These investments in labor and employment are qualitatively significant because the engineering, research, and development of the Domestic Industry Products, including scientific research, software and hardware research and development, and software product design are directed by both Oura's employees and consultants in the United States, and relate to the core design, engineering, and functionality of the Domestic Industry Products. Further, the service and support expenses are directed primarily to customers in the United States.

92. As noted above, Oura Ring is Oura's primary product that Oura manufactures and sells to consumers, and all efforts by Oura's employees are directed towards the continuous research, development, manufacturing, support, and service of the Domestic Industry Product.

Thus, Oura's labor and capital expenditures in the United States are both qualitatively and quantitatively substantial and significant.

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

93. In accordance with Section 337(a)(2) and (a)(3), a domestic industry exists in the United States in connection with the Asserted Patents.

94. Claim charts and explanatory information for products and processes that practice at least one valid claim of the Asserted Patents accompany this Complaint.

95. **Confidential Exhibit 52** includes a claim chart that discloses how the Oura Domestic Industry Product practices at least one claim of the '178 Patent.

96. **Confidential Exhibit 53** includes a claim chart that discloses how the Oura Domestic Industry Product practices at least one claim of the '179 Patent.

97. **Exhibit 54** includes a claim chart that discloses how the Oura Domestic Industry Product practices at least one claim of the '429 Patent.

98. Drawings, photographs, schematics, or other visual representations of representative Oura Domestic Industry Product are attached hereto as **Confidential Exhibit 50**.

IX. RELATED LITIGATION

99. On May 11, 2022, Ōura Health Oy, a parent of Ouraring, Inc., filed suit against Circular SAS in the United States District Court for the Western District of Texas, Case No. 6:22-cv-00478 asserting infringement on U.S. Patent Nos. 10,893,833 ("833 Patent") and 10,842,429 ("429 Patent"). On February 2, 2024, the Court issued a Final Claim Construction Order for certain terms, including terms from the '429 Patent that is asserted in this Investigation. Dkt. 45 (**Exhibit 59**). The case is currently pending.

100. On September 1, 2023, Ōura Health Oy and Ouraring, Inc. filed suit against Ultrahuman in the United States District Court for the Eastern District of Texas, Case No. 2:23-

cv-00396 asserting infringement on the '833 and '429 Patents. A response or answer to the Complaint is currently due on April 15, 2024.

X. RELIEF REQUESTED

101. WHEREFORE, by reason of the foregoing, Complainants request that the United States International Trade Commission:

A. Institute an immediate investigation under Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to Respondents' violations of § 1337(a)(1)(B)(i) based on the unlawful importation into the United States, the sale for importation into the United States, and the sale within the United States after importation of smart ring wearable devices and components thereof that infringe one or more claims of U.S. Patent Nos. 11,868,178, 11,868,179, and 10,842,429;

B. Find a violation of Section 337 based on said unlawful acts;

C. Issue a permanent limited exclusion order under 19 U.S.C. § 1337(d)(1) specifically directed to each Respondent barring and excluding from entry into the United States smart ring wearable devices and components thereof that infringe one or more claims of U.S. Patent Nos. 11,868,178, 11,868,179, and 10,842,429;

D. Issue permanent cease and desist orders under 19 U.S.C. § 1337(f) prohibiting any and all Respondents and their affiliates, subsidiaries, or successors 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, all smart ring wearable devices and components thereof that infringe one or more claims of the Asserted Patents;

E. Impose a bond upon Respondents who continue to import infringing smart ring wearable devices and components thereof, during the 60-day Presidential review period per 19 U.S.C. § 1337(j); and

F. Issue such other and further relief as the Commission deems just and proper under the law based upon the facts determined by the Investigation and the authority of the Commission.

March 13, 2024

Respectfully submitted,

/s/ Janine A. Carlan

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Attorneys for Complainants

VERIFICATION OF COMPLAINT

I, Avonte Campinha-Bacote, declare in accordance with 19 C.F.R. §§ 210.4 and 210.12(a), under penalty of perjury, that the following statements are true:

1. I am the Chief Legal Officer for Complainants and I am duly authorized to verify this Complaint on behalf of Complainants.
2. I have read the Complaint and am aware of its contents.
3. To the best of my knowledge, information, and belief, and based upon a reasonable inquiry under the circumstances, the claims and other legal contentions set forth in the Complaint are warranted by existing law or by good faith, non-frivolous argument for the extension, modification, or reversal of existing law, or the establishment of new law; and
4. The Complaint is not being filed for any improper purpose, such as to harass or to cause unnecessary delay or needlessly increase the cost of litigation.

Executed on March 12, 2024


Avonte Campinha-Bacote