

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

**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**

**COMPLAINANTS OURARING, INC. AND OURA HEALTH OY'S UNOPPOSED  
MOTION FOR PARTIAL TERMINATION OF THE INVESTIGATION**

Pursuant to Commission Rule 210.21(a)(1) and Ground Rule 10, Complainants Ouraring, Inc. and Oura Health Oy (collectively, "Complainants"), in the interest of narrowing issues for the hearing, respectfully request a partial termination of the Investigation for dependent claims 17 and 18 of asserted U.S. Patent No. 11,868,178 ("178 Patent").

Complainants have conferred with Respondents Ultrahuman Healthcare Pvt. Ltd., Ultrahuman Healthcare Ltd., and Ultrahuman Healthcare SP LLC (collectively, "Ultrahuman") and Respondents Shenzhen Ninenovo Technology Limited and RingConn LLC (collectively, "RingConn") (together, "Respondents") and Staff. Respondents do not oppose. Staff has indicated it does not oppose, but will take a position after reviewing the papers as filed to assess compliance with procedural formalities.

**I. BACKGROUND**

On March 13, 2024, Complainants filed a complaint alleging a violation of Section 337 by Circular SAS ("Circular"), Ultrahuman, and RingConn for importation into the United States, sale for importation, and sale within the United States after importation of smart ring wearable devices, systems, components thereof based on infringement of claims 1, 2, 6–10, 12–14, and 17–18 of the '178 Patent; claims 1, 3–5, 9–10, and 13–16 of the U.S. Patent No. 11,868,179 ("179 Patent");

and claims 1, 3–6, and 8–11 of the U.S. Patent No. 10,842,429 (“’429 Patent”). *See* 89 Fed. Reg. 27452–53 (Apr. 17, 2024) (“Notice of Institution of Investigation”). The complaint was amended on March 21 and 22, 2024. *Id.* The Commission instituted an investigation pursuant to Commission Rule 210.10(b) by publication in the Federal Register on April 17, 2024. *Id.*

On July 19, 2024, Complainants withdrew claims 8–10 of the ’178 Patent as to Ultrahuman and claims 1, 3–5, 9–10, and 13–16 of the ’179 Patent as to both Ultrahuman and RingConn. The Investigation as to those withdrawn claims was partially terminated on July 30, 2024. *See* Order No. 13 (July 30, 2024); Notice (Aug. 22, 2024).

On September 6, 2024, Oura filed a motion for partial termination of the Investigation after withdrawing all the pending claims of the ’429 Patent and claims 6–10 of the ’178 Patent. *See* Mot. Docket No. 1398-011. The motion was granted on September 16, 2024, and the Commission terminated the investigation as to the ’429 Patent and as to claims 6–10 of the ’178 Patent on October 7, 2024. *See* Order No. 16 (Sept. 16, 2024); Notice (Oct. 7, 2024).

Currently, seven claims (claims 1, 2, 12–4, and 17–18 of the ’178 Patent) remain at issue in this Investigation. In the interest of further narrowing the issues for this Investigation and the hearing, Complainants now seek to withdraw dependent claims 17 and 18 of the ’178 Patent. Accordingly, the following five claims will remain at issue for the hearing:

<b>Asserted Patent</b>	<b>Revised List of Asserted Claims</b>
’178 Patent	1, 2, and 12–14

### **DISCUSSION**

“Any party may move at any time prior to the issuance of an initial determination on violation of Section 337 of the Tariff Act of 1930 to terminate an investigation in whole or in part as to any or all respondents, on the basis of withdrawal of the complaint or certain allegations contained therein . . . .” 19 C.F.R. § 210.21(a)(1). These motions are liberally granted. *See, e.g.,*

*Certain Microfluidic Sys. & Components Thereof & Prods. Containing Same*, Inv. No. 337-TA-1100, Order No. 27 at 1 (Dec. 10, 2018) (“In the absence of extraordinary circumstances, termination of an investigation will be readily granted to a complainant during the prehearing stage of an investigation.” (citing *Certain Television Sets, Television Receivers, Television Tuners, & Components Thereof*, Inv. No. 337-TA-910, Order No. 50 (Nov. 12, 2014)); *Certain Subsea Telecomms. Sys. & Components Thereof*, Inv. No. 337-TA-1098, Order No. 52 at 2 (Dec. 6, 2018); *Certain Memory Modules & Components Thereof*, Inv. No. 337-TA-1089, Order No. 27 at 2 (Dec. 6, 2018); *Certain Toner Cartridges & Components Thereof*, Inv. No. 337-TA-1106, Order No. 28 at 1 (Nov. 26, 2018).

Public policy supports termination of the withdrawn claims to conserve public and private resources. See *Certain Modular LED Display Panels & Components Thereof*, Inv. No. 337-TA-1114, Order No. 23 at 2–3 (Oct. 24, 2018); *Certain Road Constr. Machs. & Components Thereof*, Inv. No. 337-TA-1088, Order No. 38 at 1 (Oct. 16, 2018); *Certain Filament Light-Emitting Diodes & Prods. Containing Same*, Inv. No. 337-TA-1172, Order. No. 7 at 2-3 (Dec. 2, 2019).

Pursuant to Commission Rule 210.21(a)(1), there are no agreements, written or oral, express or implied, between the parties concerning the subject matter of this Investigation. Complainants have reached a settlement with former Respondent Circular, and the ALJ granted a Motion to Terminate the Investigation as to Circular. Order No. 12.

Finally, there are no extraordinary circumstances that would justify denying termination in part as to the withdrawn claims. Thus, Complainants respectfully request that this Investigation be terminated as to dependent claims 17 and 18 of the '178 Patent.

Dated: November 25, 2024

Respectfully submitted,

/s/ Janine A. Carlan

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **COMPLAINANTS OURARING, INC. AND OURA HEALTH OY'S UNOPPOSED MOTION FOR PARTIAL TERMINATION OF THE INVESTIGATION** was served upon the following as indicated below on November 25, 2024:

The Honorable Lisa R. Barton Secretary to the Commission U.S. INTERNATIONAL TRADE COMMISSION 500 E Street, S.W. Washington, DC 20436	Via EDIS
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