

1 Ramsey M. Al-Salam, Bar No. 109506
2 RAlsalam@perkinscoie.com
3 Dorianne Salmon, *pro hac vice*
4 DSalmon@perkinscoie.com
5 PERKINS COIE LLP
6 1201 Third Avenue, Suite 4900
7 Seattle, Washington 98101-3099
8 Telephone: +1.206.359.8000
9 Facsimile: +1.206.359.9000

6 Moeka Takagi, Bar No. 333226
7 MTakagi@perkinscoie.com
8 PERKINS COIE LLP
9 3150 Porter Drive
10 Palo Alto, California 94304-1212
11 Telephone: +1.650.838.4300
12 Facsimile: +1.650.838.4350

10 *Attorneys for Plaintiff*
11 *University of British Columbia*

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 UNIVERSITY OF BRITISH COLUMBIA,
16 Plaintiff,
17 v.
18 CAPTION HEALTH, INC.; GE
19 HEALTHCARE TECHNOLOGIES, INC.,
20 Defendant.

Case No. 5:24-cv-03200-EKL

**UBC'S FIRST SUPPLEMENTAL
OBJECTIONS AND RESPONSES TO
DEFENDANTS' FIRST SET OF
INTERROGATORIES (NOS. 1-3)**

Judge: Hon. Eumi K. Lee

CAPTION HEALTH Ex1031
Caption Health, Inc. v.
University of British Columbia
Trial IPR2025-01066

1 Ramsey M. Al-Salam, Bar No. 109506
2 RAlsalam@perkinscoie.com
3 Dorianne Salmon, *pro hac vice*
4 DSalmon@perkinscoie.com
5 PERKINS COIE LLP
6 1201 Third Avenue, Suite 4900
7 Seattle, Washington 98101-3099
8 Telephone: +1.206.359.8000
9 Facsimile: +1.206.359.9000

6 Moeka Takagi, Bar No. 333226
7 MTakagi@perkinscoie.com
8 PERKINS COIE LLP
9 3150 Porter Drive
10 Palo Alto, California 94304-1212
11 Telephone: +1.650.838.4300
12 Facsimile: +1.650.838.4350

10 *Attorneys for Plaintiff*
11 *University of British Columbia*

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 UNIVERSITY OF BRITISH COLUMBIA,
16 Plaintiff,
17 v.
18 CAPTION HEALTH, INC.; GE
19 HEALTHCARE TECHNOLOGIES, INC.,
20 Defendant.

Case No. 5:24-cv-03200-EKL

**UBC'S FIRST SUPPLEMENTAL
OBJECTIONS AND RESPONSES TO
DEFENDANTS' FIRST SET OF
INTERROGATORIES (NOS. 1-3)**

Judge: Hon. Eumi K. Lee

1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Local Rules
2 for the Northern District of California, Plaintiff University of British Columbia (“UBC” or
3 “Plaintiff”) provides its objections and responses to Caption Health Inc. and GE Healthcare
4 Technologies, Inc.’s (“Defendants”) First Set of Interrogatories to Plaintiff, served on October 21,
5 2024.

6 **PRELIMINARY STATEMENT (March 7, 2025)**

7 On May 28, 2024, UBC filed its initial Complaint for patent infringement against
8 Defendants Caption Health, Inc. and GE Healthcare Technologies Inc. (“Defendants”) regarding
9 the ’591 Patent. On December 20, 2024, UBC filed its First Amended Complaint, adding a claim
10 for infringement of the ’029 patent. Accordingly, Defendants’ Interrogatories below regarding
11 “Patent in Suit,” where applicable, are now understood by Plaintiff to refer to United States Patent
12 No. 11,129,591 (“the ’591 Patent”) and 10,751,029 (“the ’029 Patent”), collectively (“the Patents-
13 in-Suit”) for purposes of its supplemental responses.

14 Plaintiff’s responses are based on information currently available to Plaintiff. Plaintiff
15 reserves all rights to supplement, revise, and/or amend these responses should additional
16 information become available through the discovery process or by other means. In responding to
17 Defendants’ First Set of Interrogatories, Plaintiff does not waive any objection on the grounds of
18 privilege, confidentiality, competency, relevance, materiality, authenticity, admissibility of the
19 information contained in these responses, or any other objection.

20 **DEFINITIONS**

- 21 1. “’591 Patent” means U.S. Patent No. 11,129,591, titled “Echocardiographic image
22 analysis” and issued September 28, 2021.
- 23 2. “Patent(s)-in-Suit” means, collectively, U.S. Patent Nos. 11,129,591 and
24 10,751,029.

25 **OBJECTIONS AND RESPONSES TO INTERROGATORIES**

26 **INTERROGATORY NO. 1:**

27 Identify all Practicing Products by commercial name and the claim or claims of the Patent
28

1 in Suit that each product embodies or practices.

2 **RESPONSE:**

3 Plaintiff objects to this Interrogatory to the extent it seeks information that is not relevant
4 to the claim or defense of any party and is not proportional to the needs of the case, including to
5 the extent that this Request seeks discovery not related to an asserted claim of the Patent in Suit.
6 Plaintiff objects to this Interrogatory to the extent it requires that it reach legal conclusions as to the
7 scope of the claims.

8 Without waiving these objections, Plaintiff has never had a Practicing Product and thus has
9 no commercial names to identify. However, Plaintiff responds as follows regarding development
10 related to the Patent in Suit: Plaintiff entered into a 2020 Master Project Agreement for Canada's
11 Digital Technology Supercluster Project, which included a time-limited option for Clarius Mobile
12 Health Corp. and Change Healthcare Canada Company to use the '591 patent technology and seek
13 a license agreement. The potential "Licensed Technology" encompassed any AI software and
14 source code (including a trained neural net model) for cardiology and obstetrics developed in Dr.
15 Purang Abolmaesumi's UBC laboratory and arising directly from the Supercluster Project. The
16 parties aimed to develop a novel ultrasound product capable of AI supported diagnostics in the
17 clinical indication of cardiology using image quality assessment, as well as AI for obstetrics.
18 Neither company exercised this option (which is now expired) following the completion of the
19 Supercluster Project in December 2021.

20 **INTERROGATORY NO. 2:**

21 For each Practicing Product, identify the algorithms, formula, and source code that practice
22 the method and/or device claimed in the Patent in Suit.

23 **RESPONSE:**

24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]

28

1 Dated: March 7, 2025

PERKINS COIE LLP

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By: */s/ Ramsey M. Al-Salam*
Ramsey M. Al-Salam, Bar No. 109506
RAlsalam@perkinscoie.com
Dorianne Salmon, *pro hac vice*
DSalmon@perkinscoie.com
PERKINS COIE LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101-3099
Telephone: +1.206.359.8000
Facsimile: +1.206.359.9000

Moeka Takagi, Bar No. 333226
MTakagi@perkinscoie.com
PERKINS COIE LLP
3150 Porter Drive
Palo Alto, California 94304-1212
Telephone: +1.650.838.4300
Facsimile: +1.650.838.4350

Attorneys for Plaintiff
University of British Columbia

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2025, a true and correct copy of the foregoing document was transmitted via electronic mail addressed to:

<p>Jennifer Seraphine Vyson Hsu Turner Boyd LLP 155 Bovet Road, Suite 750 San Mateo, CA 944021 Email: seraphine@turnerboyd.com hsu@turnerboyd.com</p>	<p><i>Attorneys for Defendants Caption Health, Inc. and GE Healthcare Technologies Inc.</i></p>
<p>Andrew Himebaugh Jeffrey Cooper Metzcar Jesse Leigh Jenike-Godshalk Marla R. Butler Thompson Hine LLP 20 N Clark Street, Suite 3200 Chicago, IL 60602 Email: andy.himebaugh@thompsonhine.com Jeff.Metzcar@thompsonhine.com jesse.jenike-godshalk@thompsonhine.com marla.butler@thompsonhine.com</p>	

/s/ Ramsey M. Al-Salam
Ramsey M. Al-Salam