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May 24, 2022

VIA FEDEX

Mr. Steve Cashman
President & Chief Executive Officer
Caption Health, Inc.
2000 Sierra Point Parkway, Suite 800
Brisbane, CA 94005

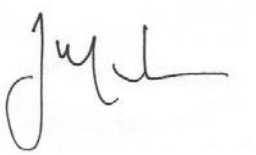
Re: Infringement of U.S. Patent No. 11,129,591, owned by The University of British Columbia

Dear Mr. Cashman:

Further to the letter sent to you on May 5, 2022 (attached hereto as Exhibit A), I would like to inform you that I have moved my law practice to Procopio, Cory, Hargreaves & Savitch LLP, effective May 13, 2022. I have contacted my former law firm, Snell & Wilmer LLP, and they confirm that they have not received a response to the May 5, 2022 letter.

On behalf of The University of British Columbia, we ask for a substantive response to the letter of May 5, 2022 by 5:00 pm PDT on May 31, 2022. I can be reached by email (jeff.morton@procopio.com) or on my direct work line (858.720.6330). If a substantive response is not received by the requested deadline, The University of British Columbia will be provided with a full range of legal and equitable options and future action may be taken without further notice being provided.

Very truly yours,



Jeffrey D. Morton

Encl. Exhibit A; letter to Mr. S. Cashman, dated May 5, 2022

Snell & Wilmer
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May 5, 2022

Mr. Steve Cashman,
President & Chief Executive Officer
Caption Health, Inc.
2000 Sierra Point Parkway, Suite 800
Brisbane, CA 94005

Re: Infringement of U.S. Patent No. 11,129,591, owned by The University of British Columbia

Dear Mr. Cashman:

We represent the University of British Columbia ("UBC"), a major research university located in Vancouver, Canada. UBC is the owner of U.S. Patent No. 11,129,591, a copy of which is enclosed for your reference.

Recently, UBC became aware of your company and its activities as summarized in the following online activities and publications:

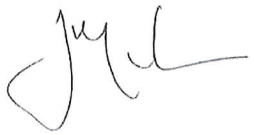
1. https://emmainternational.com/caption-guidance-fdas-first-authorized-ai-based-cardiac-ultrasound-software/;
2. https://jamanetwork.com/journals/jamacardiology/fullarticle/2776714;
3. https://www.jacc.org/doi/pdf/10.1016/j.jaccas.2020.12.013; and
4. https://www.youtube.com/watch?v=URmb72IA4b4.

Based on a preliminary review of the above-mentioned activities and publications, UBC believes – and we agree – that such activities constitute infringement of at least one of its claims of U.S. Patent No. 11, 129,591. Not surprisingly, UBC takes intellectual property misappropriation seriously and actively monitors unauthorized use of its patented inventions.

Notwithstanding the foregoing, UBC is – at present – willing to discuss options to resolve this matter without resorting to litigation. Accordingly, we ask that you or your counsel contact me by May 19, 2022 to discuss approaches to resolve this dispute.

Yours very truly,

SNELL & WILMER L.L.P.



Per: Jeffrey D. Morton

JDM:la

Encl. U.S. Patent No. 11,129,591 (cover page)

4870-8133-9934

US011129591B2

(12) **United States Patent**
Abolmaesumi et al.

(10) **Patent No.: US 11,129,591 B2**
(45) **Date of Patent: Sep. 28, 2021**

(54) **ECHOCARDIOGRAPHIC IMAGE ANALYSIS**

(71) Applicant: **THE UNIVERSITY OF BRITISH COLUMBIA**, Vancouver (CA)

(72) Inventors: **Purang Abolmaesumi**, Vancouver (CA); **Robert Rohling**, Vancouver (CA); **Amir H. Abdi**, Vancouver (CA); **Teresa S. M. Tsang**, Vancouver (CA)

(73) Assignee: **The University of British Columbia**, Vancouver (CA)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 500 days.

(21) Appl. No.: **16/095,601**

(22) PCT Filed: **Apr. 21, 2017**

(86) PCT No.: **PCT/CA2017/050496**
§ 371 (c)(1),
(2) Date: **Oct. 22, 2018**

(87) PCT Pub. No.: **WO2017/181288**
PCT Pub. Date: **Oct. 26, 2017**

(65) **Prior Publication Data**

US 2019/0125298 A1 May 2, 2019

Related U.S. Application Data

(60) Provisional application No. 62/325,779, filed on Apr. 21, 2016.

(51) **Int. Cl.**
G06K 9/00 (2006.01)
A61B 8/08 (2006.01)
(Continued)

(52) **U.S. Cl.**
CPC ***A61B 8/0883*** (2013.01); ***A61B 8/4405*** (2013.01); ***A61B 8/463*** (2013.01);
(Continued)

(58) **Field of Classification Search**
CPC A61B 8/0883; A61B 8/463; A61B 8/4405; A61B 8/5215; G06N 3/04; G06N 3/08;
(Continued)

(56) **References Cited**

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(Continued)

Primary Examiner — Nan D Huynh
(74) *Attorney, Agent, or Firm* — Kolitch Romano LLP

(57) **ABSTRACT**

A computer-implemented system for facilitating echocardiographic image analysis is disclosed. The system includes at least one processor configured to receive signals representing a first at least one echocardiographic image, associate the image with a first view category of a plurality of predetermined view categories, determine, based on the first at least one echocardiographic image and the first view category, a first quality assessment value representing a view category specific quality assessment of the first at least one echocardiographic image, and produce signals representing the first quality assessment value for causing the first quality assessment value to be associated with the first at least one echocardiographic image. The at least one processor may
(Continued)