

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EVENFLO COMPANY, INC.,

Petitioner,

v.

BABY JOGGER, LLC

Patent Owner.

U.S. Patent No. 11,577,771

Case No.: IPR2025-01140

PETITIONER'S STIPULATION

Patent Owner, Baby Jogger, LLC, is asserting U.S. Patent No. 11,577,771 (“the 771 Patent”) against Petitioner, Evenflo Company, Inc., in the following district court litigation (the “Litigation”):

(1) *Baby Jogger, LLC v. Evenflo Company, Inc.*,
No. 1:24-cv-00723-GBW (D. Del.).

Pursuant to the Interim Processes for PTAB Workload Management, issued March 26, 2025,¹ the FAQs for Interim Processes for PTAB Workload Management,² and the Board’s guidance in the “Learn about the new interim processes relating to institution in AIA proceedings” presentation,³ Petitioner, stipulates as follows. *See Sotera Wireless, Inc. v Masimo Corp.*, IPR2020-01019,

¹ https://www.uspto.gov/sites/default/files/documents/InterimProcesses-PTABWorkloadMgmt-20250326.pdf?utm_campaign=subscriptioncenter&utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=.

² Available at <https://www.uspto.gov/patents/ptab/faqs/interim-processes-workload-management> (FAQ 14).

³ Presentation, video, and FAQs available at <https://www.uspto.gov/about-us/events/learn-about-new-interim-processes-relating-institution-aia-proceedings>.

Paper 12 at 18-19 (PTAB Dec. 1, 2020 (“*Sotera*”)).

Petitioner hereby stipulates, consistent with the stipulation by the petitioner in *Sotera*, that if the PTAB institutes IPR2025-01140, Petitioner will not pursue against the '771 Patent in the above-identified Litigation (i) the specific invalidity grounds raised in IPR2025-01140, or (ii) any other invalidity ground that was raised or could have been reasonably raised in IPR2025-01140 (i.e., any ground that could be raised under §§ 102 or 103 on the basis of prior art patents or printed publications).

If the PTAB denies institution in IPR2025-01140, or if institution is denied through rehearing or director review, Petitioner reserves the right to pursue any non-instituted ground in the Litigation.

Respectfully submitted,

Dated: August 1, 2025

/ John P. Rondini /

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), I hereby certify that on August 1, 2025, I caused a copy of the foregoing **PETITIONER'S STIPULATION** to be served via electronic mail to:

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Respectfully submitted,

/ John P. Rondini /

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