

U.S. Pat. No. 8,092,345

IPR2015-00698

Patent Owner's Response in Opposition to Petitioner's Motion to Exclude

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Under Armour Inc.,  
Petitioner

v.

adidas AG,  
Patent Owner

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Case No. IPR2015-000698

Patent No. 8,092,345

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**PATENT OWNER ADIDAS AG'S RESPONSE IN OPPOSITION TO  
PETITIONER'S MOTION TO EXCLUDE**

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**Patent Owner's Exhibit List**

<b><u>Exhibit Number</u></b>	<b><u>Description</u></b>
2001	Biography of Jonathan D. Olinger
2002	Declaration of William R. Michalson, Ph.D.
2003	Declaration of Mark T. Jones, Ph.D.
2004	Deposition Transcript of Dr. Joseph Paradiso
2005	MapMyFitness, <u>About Us</u> (last visited November 15, 2015) <a href="http://about.mapmyfitness.com/about/company-history/">http://about.mapmyfitness.com/about/company-history/</a>
2006	Running USA, 2014 State of the Sport – Part II: Running Industry Report June 15, 2014 <a href="http://www.runningusa.org/2014-running-industry-report?returnTo=annual-reports">http://www.runningusa.org/2014-running-industry-report?returnTo=annual-reports</a>
2007	Bloomberg, <u>Company Overview of MapMyFitness, Inc.</u> (November 15, 2015) <a href="http://www.bloomberg.com/research/stocks/private/snapshot.asp?privcapId=60835454">http://www.bloomberg.com/research/stocks/private/snapshot.asp?privcapId=60835454</a>
2008	Under Armour, Inc. SEC Form 10-K, for the fiscal year ended December 31, 2013
2009	Sterne Agee company Report, “Under Armour Inc.: 2Q15 Preview,”
2010	MapMyFitness Help and Support, <u>Getting Started</u> , (last visited November 19, 2015) <a href="https://support.mapmyfitness.com/hc/en-us/articles/200118014-Getting-started-with-the-app">https://support.mapmyfitness.com/hc/en-us/articles/200118014-Getting-started-with-the-app</a>
2011	MapMyFitness Help and Support, <u>Change Profile Photo</u> , (last visited November 19, 2015) <a href="https://support.mapmyfitness.com/hc/en-us/articles/200117694-Change-Profile-Photo">https://support.mapmyfitness.com/hc/en-us/articles/200117694-Change-Profile-Photo</a>
2012	MapMyFitness Help and Support, <u>How to Save and View Photos using the In-App Camera</u> (last visited November 19, 2015) <a href="https://support.mapmyfitness.com/hc/en-us/articles/200118494-How-to-save-and-view-photos-using-the-in-app-camera">https://support.mapmyfitness.com/hc/en-us/articles/200118494-How-to-save-and-view-photos-using-the-in-app-camera</a>
2013	MapMyFitness Help and Support, <u>Where are my Workouts and Routes</u> , (last visited November 19, 2015) <a href="https://support.mapmyfitness.com/hc/en-us/articles/200118224-Where-are-my-workouts-and-routes">https://support.mapmyfitness.com/hc/en-us/articles/200118224-Where-are-my-workouts-and-routes</a>

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2014	Under Armour Connected Fitness, <u>DOCS</u> , (last visited November 19, 2015) <a href="https://developer.underarmour.com/docs">https://developer.underarmour.com/docs</a>
2015	Under Armour Connected Fitness, <u>Activity Type</u> , (last visited November 19, 2015) <a href="https://developer.underarmour.com/docs/read/v71_Activity_Type">https://developer.underarmour.com/docs/read/v71_Activity_Type</a>
2016	MapMyFitness, <u>Incorrect Calorie Calculations</u> (last visited November 16, 2015) <a href="https://support.mapmyfitness.com/hc/en-us/articles/200118084-Incorrect-Calorie-Calculations">https://support.mapmyfitness.com/hc/en-us/articles/200118084-Incorrect-Calorie-Calculations</a>
2017	MobiHealthNews, "MapMyFitness Activity Feed Enables Social Sharing Across Devices" (Jan. 20, 2014)
2018	Google, "Mobile App Marketing Insights: How Consumers Really Find and Use Your Apps" (May 2015)
2019	Adobe Digital Index, "Social Intelligence Report" (Q1 2014)
2020	Running Shoes Guru, <u>The 10 Best Running Apps for Android for 2015</u> (December 26, 2014) <a href="http://www.runningshoesguru.com/2014/12/the-10-best-running-apps-for-android-for-2015">www.runningshoesguru.com/2014/12/the-10-best-running-apps-for-android-for-2015</a>
2021	<i>adidas AG v. Under Armour, Inc. and MapMyFitness, Inc.</i> , Case No. 14-cv-130 (D. Del.) D.I. 170 ¶ 227
2022	MapMyFitness Help and Support, <u>Mobile App Questions</u> , (last visited November 19, 2015) <a href="https://support.mapmyfitness.com/hc/en-us/categories/200003344-Mobile-App-Questions">https://support.mapmyfitness.com/hc/en-us/categories/200003344-Mobile-App-Questions</a>
2023	Intentionally Left Blank
2024	Intentionally Left Blank
2025	Deposition Transcript of Julie Davis, dated March 21, 2016 (Protective Order Material)
2026	Davis Deposition Exhibit 1 – Excerpts from the Deposition Transcript of Chris Glode, dated July 17, 2015 (Protective Order Material)
2027	Davis Deposition Exhibit 2 – Excerpts from the Deposition Transcript of Scott Laing, dated July 20, 2015 (Protective Order Material)
2028	Davis Deposition Exhibit 3 – Excerpts from the Deposition Transcript of Andrew Page, dated June 12, 2015 (Protective Order Material)
2029	Davis Deposition Exhibit 4 – Excerpts from Deposition Transcript of Robin Thurston, June 30, 2015 (Protective Order Material)

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2030	Davis Deposition Exhibit 5 – Under Armour, Inc. Q4 2013 Earnings Call, dated January 30, 2014
2031	Davis Deposition Exhibit 6 – Under Armour, Inc. Q1 2014 Earnings Call, dated April 24, 2014
2032	Davis Deposition Exhibit 7 – Under Armour's (UA) CEO Kevin Plank on Q2 2014 Results Earnings Call Transcript
2033	Davis Deposition Exhibit 8 – Under Armour's (UA) CEO Kevin Plank on Q3 2014 Results Earning Call Transcript
2034	Davis Deposition Exhibit 9 – Under Armour's (UA) CEO Kevin Plank on Q4 2014 Results Earnings Call Transcript
2035	Davis Deposition Exhibit 10 – Under Armour's (UA) CEO Kevin Plank on Q1 2015 Results Earnings Call Transcript
2036	Davis Deposition Exhibit 11 – Under Armour's (UA) CEO Kevin Plank on Q2 2015 Results Earnings Call Transcript
2037	Davis Deposition Exhibit 12 – Under Armour, Inc. Q3 2015 Earnings Call dated October 22, 2015
2038	Intentionally Left Blank
2039	Deposition Transcript of Joseph Paradiso, dated April 1, 2016 (Protective Order Material)
2040	Paradiso Deposition Exhibit 1 – Excerpts from the Deposition Transcript of William Quast, dated July 1, 2015 (Protective Order Material)
2041	September 25, 2015 Email from Maria Vignone to Mitch Stockwell
2042	April 6, 2016 Email from Brian Ferguson to Trials
2043	Patent Owner's Notice of Supplemental Evidence dated December 9, 2015
2044	Declaration of Lynne J. Weber, Ph.D.
2045	Declaration of Jonathan D. Olinger

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