

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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**PETITION FOR INTER PARTES REVIEW**

**OF**

**U.S. PATENT NO. 8,725,276**

**CHALLENGING CLAIMS 1, 3, 6-10, 15-19, and 21-23**

**Mail Stop Patent Board**  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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## PETITIONER'S EXHIBIT LIST

September 10, 2015

UA-1001	U.S. Patent No. 8,725,276 to Ellis et al.
UA-1002	Second Amended Complaint in Co-Pending Litigation, Dkt. No. 44, served Sept. 11, 2014
UA-1003	Expert Declaration of Dr. Ted Selker
UA-1004	Richard Satava et al., The Physiologic Cipher at Altitude: Telemedicine and Real-Time Monitoring of Climbers on Mount Everest, 6 <i>TELEMEDICINE J. AND E-HEALTH</i> 303 (dated Sept. 2000)
UA-1005	Garmin eTrex Summit (owner's manual dated May 2000)
UA-1006	U.S. Pat. No. 6,736,759 to Stubbs (filed November 9, 1999)
UA-1007	U.S. Pat. No. 7,454,002 to Gardner (filed January 8, 2001)
UA-1008	Screenshot of publisher's website relating to Satava prior art reference
UA-1009	Screenshot relating to eTrex Summit prior art reference and Internet Archives affidavit supporting date that webpage was available
UA-1010	District Court's <i>Markman</i> Order in Co-Pending Litigation, Dkt. No. 161
UA-1011	Plaintiffs' Responsive Claim Construction Brief in Co-Pending Litigation, Dkt. No. 93
UA-1012	Screenshot from <a href="http://www.Thesaurus.com">www.Thesaurus.com</a> for term "route"
UA-1013	Garmin declaration in support of eTrex Summit publication date
UA-1014	Excerpt of Patent Owner's Infringement Contentions Regarding U.S. 8,725,276 served in Co-Pending Litigation
UA-1015	Excerpt of Lawrence Letham, <i>GPS MADE EASY, USING GLOBAL POSITIONING SYSTEMS IN THE OUTDOORS</i> (2nd ed. 1998)
UA-1016	Expert Report of Dr. Scott Bennett in Co-Pending Litigation regarding publication dates of prior art

## **I. MANDATORY NOTICES**

### **A. Real Party-in-Interest**

The Petitioner and real parties-in-interest are Under Armour, Inc. (“Petitioner” or “Under Armour”) and MapMyFitness, Inc. (“MapMyFitness”). MapMyFitness is a wholly-owned subsidiary of Under Armour.

### **B. Related Matters**

U.S. Patent No. 8,725,276 (the “276 Patent,” UA-1001) is involved in one pending litigation naming Under Armour and MapMyFitness as defendants. *adidas AG v. Under Armour, Inc. and MapMyFitness, Inc.*, Case No. 14-130-GMS (D. Del.) (“Co-Pending Litigation”), wherein adidas AG is the Plaintiff (“Plaintiff”). Petitioner has filed petitions to institute *inter partes* reviews of five patents that are related to the 276 Patent (IPR2015-00698 (U.S. 8,092,345), IPR2015-00697 (U.S. 7,905,815), IPR2015-01532 (U.S. 8,652,009), IPR2015-01528 (U.S. 8,721,502), and IPR2015-00700 (U.S. 8,579,767)), and three other patents asserted in the Co-Pending Litigation (IPR2015-00694 (U.S. 7,292,867), IPR2015-00695 (U.S. 7,805,149), and IPR2015-00696 (U.S. 8,068,858)).

To the best of Petitioner’s knowledge, no applications or patents claim priority to the 276 Patent. In addition, to the best of Petitioner’s knowledge, the 276 Patent claims priority to (or could claim priority to) the following applications and patents: 13/789,266, filed 03-07-2013, now U.S. 8,652,009; 12/617,871, filed

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