

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PHILIPS NORTH AMERICA LLC,

Plaintiff,

v.

FITBIT, INC.,

Defendant.

Civil Action No. 1:19-cv-11586-FDS

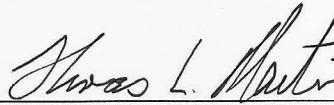
**DECLARATION OF DR. THOMAS MARTIN IN SUPPORT OF
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

I, Thomas Martin, declare as follows:

1. I make this declaration in support of Philips North America LLC's Motion for Partial Summary Judgment of Direct Infringement and No Invalidity of iFit Prior Art.
2. I have personal knowledge of the facts set forth herein and, if called to testify in this matter, could and would testify to the following.
3. Attached as **Exhibit A** is a true and correct copy of the report I submitted in this case titled "Amended Expert Report of Tom Martin Concerning Infringement", dated December 12, 2021, previously filed in this matter as Docket No. 342-1.

I declare under penalty of perjury that the foregoing is true and correct.

Date: April 13, 2022

/s/ 
Dr. Thomas L. Martin, Ph.D

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was filed with the Court through the ECF system and that a copy will be electronically served on registered participants as identified on the Notice of Electronic Filing.

By: /s/ John W. Custer