

**From:** [Karim Oussayef](#)  
**To:** [RRodrigues@foley.com](mailto:RRodrigues@foley.com); [Okano, David](#)  
**Cc:** [BOSTFPhilipsFitbit@foley.com](mailto:BOSTFPhilipsFitbit@foley.com); [Philips - Fitbit](#); [Fitbit Philips DC Service](#)  
**Subject:** [EXT] RE: Philips v. Fitbit (D. Mass) - Claim 14 of the '233 Patent  
**Date:** Monday, April 12, 2021 4:34:46 AM

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Ruben,

To be clear, your April 5 email was the first time Fitbit received notice that Philips is no longer asserting Claim 14 of the '233 Patent.

Best,  
Karim

**Karim Z. Oussayef**

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**Sent:** Monday, April 5, 2021 8:24 PM  
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**Subject:** [Ext] Philips v. Fitbit (D. Mass) - Claim 14 of the '233 Patent

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Hi Karim & David,

I was under the impression that we had formally withdrawn Claim 14 of the '233 Patent in the District of Massachusetts action as we did in the Central District of California action against Garmin. To clarify the record and for avoidance of doubt, I wanted to clarify that Philips no longer asserts Claim 14 of the '233 Patent against the Fitbit accused products in this action.

Regards,

-Ruben

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