UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SUUNTO OY, *Plaintiff,* v. GARMIN LTD., *Defendant.*	Case No. 2:25-cv-00967 JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Suunto Oy ("Suunto Oy," "Suunto" or "Plaintiff") brings this action against Defendant Garmin Ltd. ("Garmin" or "Defendant") and alleges as follows:

NATURE OF THE CASE

1. This is a civil action for infringement of U.S. Patent Nos. 7,489,241; 8,021,306; 11,018,432; 7,271,774; and 10,734,731 (collectively the "Asserted Patents") arising under the Patent Laws of the United States, 35 U.S.C. §§ 271 *et seq.*

2. This case involves patented innovations that revolutionized technologies related to wearables devices, such as smartwatches.

3. U.S. Patent No. 7,489,241 (the "'241 Patent") describes and claims a wristop computer (*e.g.,* a smartwatch) that detects a strike event, determines a GPS position where the ball was struck, and records that GPS position. The patent provides a seamless and intuitive way for golfers to track their shots without interrupting their game.

4. U.S. Patent No. 8,021,306 (the "'306 Patent") describes and claims an energy-efficient method and device for determining a device wearer's respiratory rate using heart rate

sensor data. Unlike traditional approaches, which relied on computationally intensive processes that consumed significant battery power, the '306 Patent requires little energy consumption while maintaining accuracy, making it ideal for battery-powered devices such as smartwatches.

5. U.S. Patent Nos. 11,018,432 (the "'432 Patent"), 7,271,774 (the "'774 Patent"), and 10,734,731 (the "'731 Patent") relate generally to slot mode antennas and antenna assemblies that provide strong performance while allowing incorporation of metal watch components, which could otherwise cause issues with signal reception of a smartwatch. These patents cover structural components of the smartwatch itself.

6. Garmin commercializes a wide range of smartwatches and related products. In the smartwatch and wearable device market, Garmin offers smartwatches with advanced sensor technology utilizing the Asserted Patents.

7. Suunto Oy brings this action to seek damages for Garmin's continued infringement of the Asserted Patents.

THE PARTIES

8. Plaintiff Suunto Oy, a Finnish company founded in 1936, has long established itself as a pioneer in precision instruments and sports technology. Today, Suunto is recognized globally for its innovation in high-performance wearables, including advanced sports smartwatches. Suunto's products are known for combining rugged design with cutting-edge features tailored for athletes, explorers, and professionals.

9. Suunto Oy is the owner of the Asserted Patents. Suunto Oy is headquartered in Vantaa, Finland, where it conducts central research and development, product design, manufacturing, marketing, and sales operations. Suunto's facility integrates advanced manufacturing and rigorous testing capabilities, embodying its heritage of Finnish precision

engineering and craftsmanship.

10. On information and belief, Garmin Ltd. is a corporation organized under the laws of Switzerland, with its principal place of business at Mühlentalstrasse 2, 8200 Schaffhausen, Switzerland. In its Registration Statement filed with the United States Securities and Exchange Commission, Garmin Ltd. stated "We have appointed Andrew R. Etkind, c/o Garmin International, Inc., as our agent for service of process in the United States." https://www.sec.gov/Archives/edgar/data/1121788/000101381600000038/0001013816-00-000038-0001.txt. Accordingly, on information and belief, Mr. Etkind's successor, Joshua Maxfield, may be served with process at Garmin International, Inc., 1200 East 151st Street, Olathe, Kansas 66062. See, e.g., https://www.garmin.com/en-US/company/leadership/executive/joshua-maxfield/. Garmin Ltd. may also be served pursuant to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents at its principal place of business in Switzerland. Plaintiff expressly reserves the right to effect service of process under either or both methods consistent with the Federal Rules of Civil Procedure.

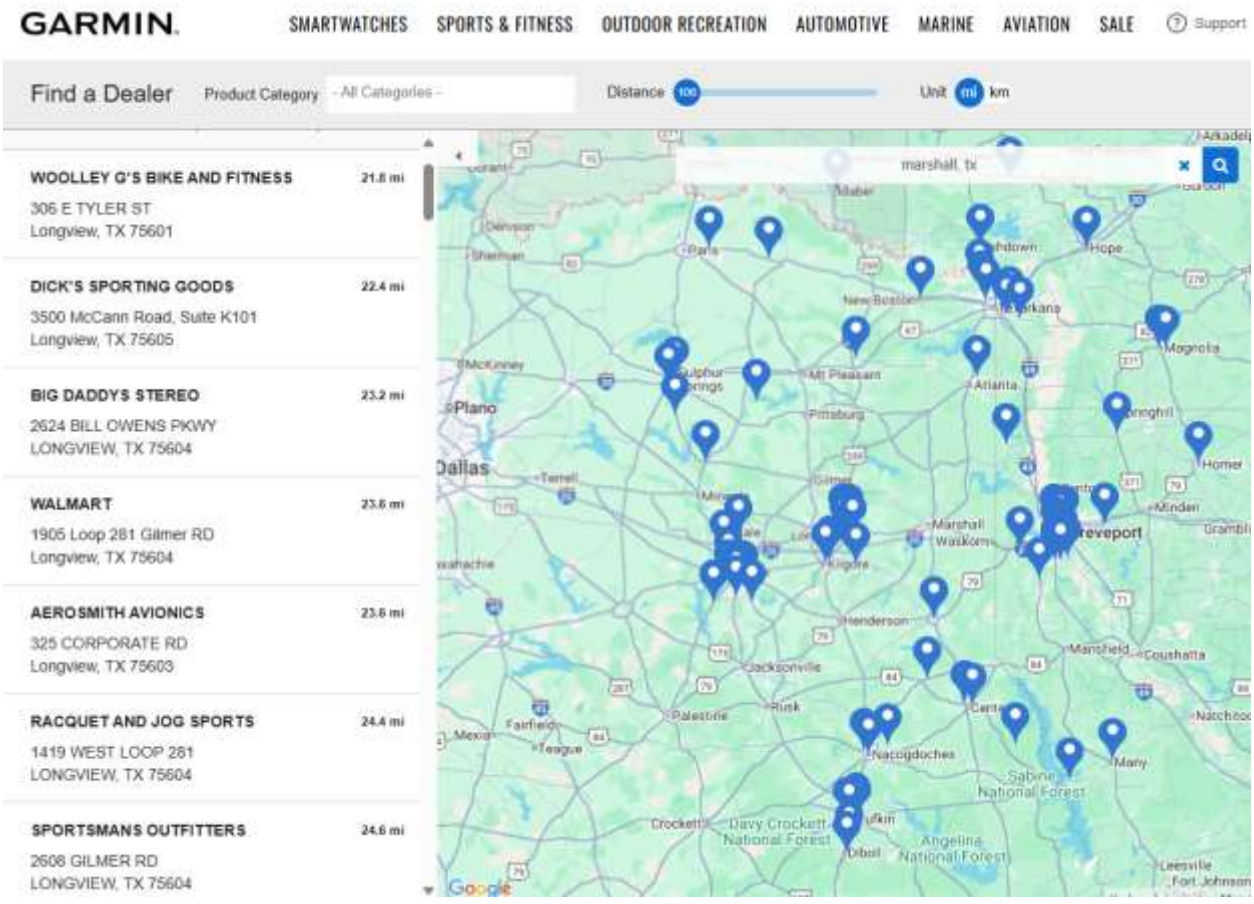
JURISDICTION AND VENUE

11. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1, *et seq*. The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

12. This Court has personal jurisdiction over Garmin in this action because Garmin has committed acts within this District giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction would not offend traditional notions of fair play and substantial justice. Garmin directly and/or through subsidiaries, affiliates, agents, and/or intermediaries (including distributors and retailers), has committed and continues to commit acts of infringement in this District by, among other things, offering to sell and selling (including by

providing an interactive web page, https://www.garmin.com/en-US/) the products accused herein (collectively "Accused Products").

13. Garmin is subject to the Court's general and specific jurisdiction pursuant to due process and/or the Texas Long Arm Statute due at least to Garmin's substantial business in the State of Texas and in this District. For example, Garmin goods and services are offered for sale at locations within this judicial district, including but not limited to: 306 E Tyler St, Longview, TX 75601, 3500 McCann Road, Suite K101, Longview, TX 75605, 2624 Bill Owens Pkwy, Longview, TX 75604, 1905 Loop 281 Gilmer Rd, Longview, TX 75604, 325 Corporate Rd, Longview, TX 75603, 1419 West Loop 281, Longview, TX 75604, and 2608 Gilmer Rd, Longview, TX 75604.



https://www.garmin.com/en-US/dealerlocator/.

14. Venue is proper in this Judicial District as to Garmin pursuant to 28 U.S.C. §§ 1391 and 1400(b). Garmin is not a resident of the United States and may be sued in any judicial district pursuant to 28 U.S.C. § 1391(c)(3). Garmin, through its own acts and/or through the acts of its subsidiaries, affiliates, and/or agents, has used, made, sold, and/or offered to sell infringing products within this Judicial District, regularly does and solicits business in this Judicial District, and has the requisite minimum contacts with the Judicial District such that venue is fair and reasonable.

ASSERTED PATENTS

15. The ’241 Patent, entitled “Method in Connection with a Wristop Computer and a Wristop-Computer System,” issued from an application filed on June 15, 2005. The ’241 Patent was duly issued by the United States Patent and Trademark Office (“USPTO”) on February 10, 2009, with a patent term adjustment of 449 days. Accordingly, the ’241 Patent will expire on September 7, 2026. Suunto Oy is the owner of the ’241 Patent by assignment. The co-inventors, Erik Lindman, Michael Miettinen, Sami Ruotsalainen, and Heikki Puuri, assigned their rights to Suunto Oy pursuant to an assignment recorded with the USPTO at Reel/Frame 016693/0784. A true and correct copy of the ’241 Patent is attached as **Exhibit A**. Suunto Oy is the owner of all rights, title, and interest in and to the ’241 Patent, with the full and exclusive right to bring suit to enforce the ’241 Patent, including the right to recover for past infringement.

16. U.S. Patent No. 8,021,306 (the “’306 Patent”), entitled “Method, device and computer program product for monitoring the physiological state of a person,” issued from an application filed on May 3, 2010. The ’306 Patent was duly issued by the USPTO on September 20, 2011. The ’306 Patent is a continuation of Application No. 11,432,380, filed on May 12, 2006, which issued as U.S. Patent No. 7,803,117 (the “’117 Patent”). Accordingly, the ’306 Patent will

expire on May 12, 2026. The co-inventors, Erik Lindman and Mikko Martikka, assigned their rights for the patent application that resulted in the '117 Patent to Suunto Oy in an assignment recorded with the USPTO at Reel/Frame 017958/0638. A true and correct copy of the '306 Patent is attached as **Exhibit B**. Suunto Oy is the owner of all rights, title, and interest in and to the '306 Patent, with the full and exclusive right to bring suit to enforce the '306 Patent, including the right to recover for past infringement.

17. U.S. Patent No. 11,018,432 (the "'432 Patent"), entitled "Slot mode antennas," issued from an application filed on February 6, 2019. Accordingly, the '432 Patent will expire on February 6, 2039. Co-inventors, Erik Lindman, Mikko Sepänniitty, and Eero Varjonen, assigned their rights to Suunto Oy in an assignment recorded with the USPTO at Reel/Frame 052103/0921. Panu Perko's rights were assigned to Suunto Oy as reflected in that same instrument pursuant to the Act on the Right in Employee Inventions. A true and correct copy of the '432 Patent is attached as **Exhibit C**. Suunto Oy is the owner of all rights, title, and interest in and to the '432 Patent, with the full and exclusive right to bring suit to enforce the '432 Patent, including the right to recover for past infringement.

18. U.S. Patent No. 7,271,774 (the "'774 Patent"), entitled "Electronic wearable device," issued from an application filed on October 21, 2005. Accordingly, the '774 Patent will expire on October 21, 2025. The inventor, Heikki Puuri, assigned his rights to Suunto Oy in an assignment recorded with the USPTO at Reel/Frame 017127/0871. A true and correct copy of the '774 Patent is attached as **Exhibit D**. Suunto Oy is the owner of all rights, title, and interest in and to the '774 Patent, with the full and exclusive right to bring suit to enforce the '774 Patent, including the right to recover for past infringement.

19. U.S. Patent No. 10,734,731 (the "'731 Patent"), entitled "Antenna assembly for

customizable devices," issued from an application filed on October 19 2018. The '731 Patent is a continuation-in-part of Application No. 14/839,928, filed on August 29, 2015, which issued as U.S. Patent No. 10,594,025. U.S. Patent No. 10,594,025 is a continuation of Application No. 14/195,670, filed on March 3, 2014, which issued as U.S. Patent No. 9,647,338. U.S. Patent No. 9,647,338 is a continuation-in-part of Application No. 13/794,468, filed on March 11, 2013, which issued as U.S. Patent No. 10,079,428. Accordingly, the '731 Patent will expire on March 11, 2033. Co-inventors, Erik Lindman, Mikko Sepänniitty, Panu Perko, and Eero Varjonen, assigned their rights to Suunto Oy in an assignment recorded with the USPTO at Reel/Frame 052254/0794. Panu Perko's rights were assigned to Suunto Oy as reflected in that same instrument pursuant to the Act on the Right in Employee Inventions. A true and correct copy of the '731 Patent is attached as **Exhibit E**. Suunto Oy is the owner of all rights, title, and interest in and to the '731 Patent, with the full and exclusive right to bring suit to enforce the '731 Patent, including the right to recover for past infringement.

COUNT I
(INFRINGEMENT OF THE '241 PATENT)

20. Plaintiff realleges and incorporates by reference the allegations of the preceding paragraphs of this Complaint.

21. Garmin has infringed, and continues to infringe, one or more claims of the '241 Patent in violation of 35 U.S.C. §§ 271(a) and 271(b) in this District and elsewhere in the United States. The "'241 Patent Accused Products" include Garmin Approach and MARQ smart golf watches (*e.g.,* the Garmin Approach S70, Garmin Approach S62, Garmin Approach S44, Garmin Approach S42, Garmin Approach S40, Garmin Approach S20, and Garmin MARQ Golfer (Gen 1 and Gen 2)), and premium and multisport watches designed to track golf shots (*e.g.,* the Garmin fēnix 8 Series, Garmin fēnix 7 Series, Garmin EPIX (Gen 1 and 2), and Garmin EPIX Pro), alone

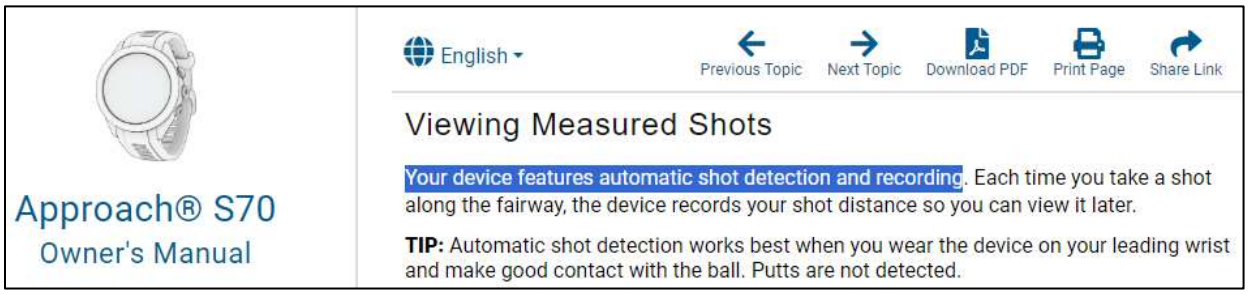
or in combination with Garmin's club tracking sensors compatible with said products (*e.g.,* Approach CT10, Approach CT1).

22. Plaintiff adopts, and incorporates by reference, as if fully stated herein, **Exhibit F**, which is a preliminary claim chart that describes and demonstrates how the '241 Patent Accused Products infringe at least exemplary claims 1, 2, 4, 9, 10, and 12 of the '241 Patent. **Exhibit F** is based on publicly available information. Plaintiff expressly reserves the right to modify and/or supplement its infringement allegations as its investigation continues and as a result of information it obtains from Defendant and/or third parties.

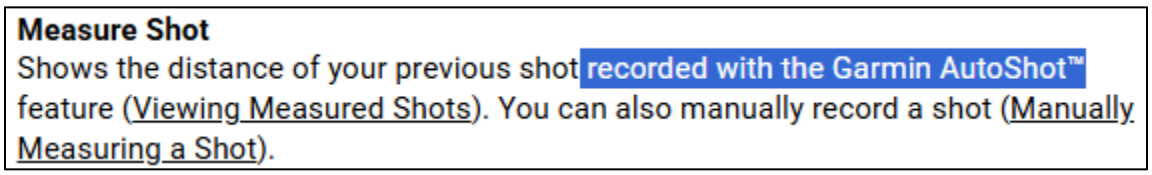
23. Defendant has directly infringed, and continues to directly infringe, at least the above-recited claims of the '241 Patent in violation of 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, by making, using, selling, and/or offering to sell the '241 Patent Accused Products in the United States, including in this District, and/or importing the '241 Patent Accused Products into the United States. On information and belief, Garmin also directly infringes each of the above-recited claims by testing the '241 Patent Accused Products in the manner described in **Exhibit F**. Moreover, Garmin directly infringes at least claims 9, 10, and 12 by making, selling, offering to sell, and/or importing the '241 Patent Accused Products.

24. Garmin also induces infringement under 35 U.S.C. § 271(b) by customers and end users of the '241 Patent Accused Products, who directly infringe said claims, literally or under the doctrine of equivalents, by using the '241 Patent Accused Products in the manner described in **Exhibit F**. On information and belief, at least as a result of the filing of this action, Defendant is aware of the '241 Patent, is aware that its actions would result in infringement by customers and end users of the '241 Patent Accused Products, and despite such awareness will continue to take active steps, such as creating and disseminating the '241 Patent Accused Products, and providing

user manuals and instructions, including those cited in **Exhibit F**, which encourage infringement by said customers and end users with the specific intent to induce such infringement. For example, Garmin teaches end users how to use the '241 Patent Accused Products to automatically track and measure golf shots. Sample instructions for the Approach S70 appear below



https://www8.garmin.com/manuals/webhelp/GUID-0F89E6A5-EC1C-4382-964E-27DC4B5FC932/EN-US/GUID-36C094EA-AFF5-4A82-BBEC-E91C445DCF86.html.



https://www8.garmin.com/manuals/webhelp/GUID-0F89E6A5-EC1C-4382-964E-27DC4B5FC932/EN-US/GUID-07681BF1-996F-4151-963B-B6D7CA7CF910.html (Approach S70 Manual).

25. Plaintiff has suffered and continues to suffer damages, including lost profits, as a result of Defendant's infringement of the '241 Patent. Defendant is therefore liable to Plaintiff under 35 U.S.C. § 284 for damages in an amount that adequately compensates Plaintiff for Defendant's infringement, but no less than a reasonable royalty.

26. The Garmin Approach S70 is a smartwatch.

27. The Garmin Approach S70 includes an accelerometer.

28. The Garmin Approach S70 includes a gyroscope.

29. The Garmin Approach S70 detects when a user hits a golf ball.

30. The Garmin Approach S70 automatically detects when a user hits a golf ball.

31. The Garmin Approach S70 features automatic shot detection.

32. The Garmin Approach S70 features automatic shot detection and recording.

33. The Garmin Approach S70 includes Garmin's AutoShot feature for detecting impact with a golf ball.

34. The Garmin Approach S70 detects when a user hits a golf ball based in whole or in part on an accelerometer.

35. The Garmin Approach S70 can record information about a wearer's golf game.

36. The Garmin Approach S70 includes GPS functionality.

37. The Garmin Approach S70 determines a GPS position when a user strikes a golf ball.

38. The Garmin Approach S70 is compatible with Garmin's Approach CT10 golf club sensors.

39. The Garmin Approach S62 is a smartwatch.

40. The Garmin Approach S62 includes an accelerometer.

41. The Garmin Approach S62 includes a gyroscope.

42. The Garmin Approach S62 detects when a user hits a golf ball.

43. The Garmin Approach S62 automatically detects when a user hits a golf ball.

44. The Garmin Approach S62 features automatic shot detection.

45. The Garmin Approach S62 features automatic shot detection and recording.

46. The Garmin Approach S62 includes Garmin's AutoShot feature for detecting impact with a golf ball.

47. The Garmin Approach S62 detects when a user hits a golf ball based in whole or in part on an accelerometer.

48. The Garmin Approach S62 can record information about a wearer's golf game.

49. The Garmin Approach S62 includes GPS functionality.

50. The Garmin Approach S62 determines a GPS position when a user strikes a golf ball.

51. The Garmin Approach S62 is compatible with Garmin's Approach CT10 golf club sensors.

52. The Garmin Approach S44 is a smartwatch.

53. The Garmin Approach S44 includes an accelerometer.

54. The Garmin Approach S44 includes a gyroscope.

55. The Garmin Approach S44 detects when a user hits a golf ball.

56. The Garmin Approach S44 automatically detects when a user hits a golf ball.

57. The Garmin Approach S44 features automatic shot detection.

58. The Garmin Approach S44 features automatic shot detection and recording.

59. The Garmin Approach S44 includes Garmin's AutoShot feature for detecting impact with a golf ball.

60. The Garmin Approach S44 detects when a user hits a golf ball based in whole or in part on an accelerometer.

61. The Garmin Approach S44 can record information about a wearer's golf game.

62. The Garmin Approach S44 includes GPS functionality.

63. The Garmin Approach S44 determines a GPS position when a user strikes a golf ball.

64. The Garmin Approach S44 is compatible with Garmin's Approach CT10 golf club sensors.

65. The Garmin Approach S42 is a smartwatch.

66. The Garmin Approach S42 includes an accelerometer.

67. The Garmin Approach S42 includes a gyroscope.

68. The Garmin Approach S42 detects when a user hits a golf ball.

69. The Garmin Approach S42 automatically detects when a user hits a golf ball.

70. The Garmin Approach S42 features automatic shot detection.

71. The Garmin Approach S42 features automatic shot detection and recording.

72. The Garmin Approach S42 includes Garmin's AutoShot feature for detecting impact with a golf ball.

73. The Garmin Approach S42 detects when a user hits a golf ball based in whole or in part on an accelerometer.

74. The Garmin Approach S42 can record information about a wearer's golf game.

75. The Garmin Approach S42 includes GPS functionality.

76. The Garmin Approach S42 determines a GPS position when a user strikes a golf ball.

77. The Garmin Approach S42 is compatible with Garmin's Approach CT10 golf club sensors.

78. The Garmin Approach S40 is a smartwatch.

79. The Garmin Approach S40 includes an accelerometer.

80. The Garmin Approach S40 includes a gyroscope.

81. The Garmin Approach S40 detects when a user hits a golf ball.

82. The Garmin Approach S40 automatically detects when a user hits a golf ball.

83. The Garmin Approach S40 features automatic shot detection.

84. The Garmin Approach S40 features automatic shot detection and recording.

85. The Garmin Approach S40 includes Garmin's AutoShot feature for detecting impact with a golf ball.

86. The Garmin Approach S40 detects when a user hits a golf ball based in whole or in part on an accelerometer.

87. The Garmin Approach S40 can record information about a wearer's golf game.

88. The Garmin Approach S40 includes GPS functionality.

89. The Garmin Approach S40 determines a GPS position when a user strikes a golf ball.

90. The Garmin Approach S40 is compatible with Garmin's Approach CT10 golf club sensors.

91. The Garmin Approach S20 is a smartwatch.

92. The Garmin Approach S20 includes an accelerometer.

93. The Garmin Approach S20 detects when a user hits a golf ball.

94. The Garmin Approach S20 automatically detects when a user hits a golf ball.

95. The Garmin Approach S20 features automatic shot detection.

96. The Garmin Approach S20 features automatic shot detection and recording.

97. The Garmin Approach S20 includes Garmin's AutoShot feature for detecting impact with a golf ball.

98. The Garmin Approach S20 detects when a user hits a golf ball based in whole or in part on an accelerometer.

99. The Garmin Approach S20 can record information about a wearer's golf game.

100. The Garmin Approach S20 includes GPS functionality.

101. The Garmin Approach S20 determines a GPS position when a user strikes a golf ball.

102. The Garmin Approach S20 is compatible with Garmin's Approach CT10 golf club sensors.

103. The Garmin MARQ Golfer (Gen 1) is a smartwatch.

104. The Garmin MARQ Golfer (Gen 1) includes an accelerometer.

105. The Garmin MARQ Golfer (Gen 1) includes a gyroscope.

106. The Garmin MARQ Golfer (Gen 1) detects when a user hits a golf ball.

107. The Garmin MARQ Golfer (Gen 1) automatically detects when a user hits a golf ball.

108. The Garmin MARQ Golfer (Gen 1) features automatic shot detection.

109. The Garmin MARQ Golfer (Gen 1) features automatic shot detection and recording.

110. The Garmin MARQ Golfer (Gen 1) includes Garmin's AutoShot feature for detecting impact with a golf ball.

111. The Garmin MARQ Golfer (Gen 1) detects when a user hits a golf ball based in whole or in part on an accelerometer.

112. The Garmin MARQ Golfer (Gen 1) can record information about a wearer's golf game.

113. The Garmin MARQ Golfer (Gen 1) includes GPS functionality.

114. The Garmin MARQ Golfer (Gen 1) determines a GPS position when a user strikes

a golf ball.

115. The Garmin MARQ Golfer (Gen 1) is compatible with Garmin's Approach CT10 golf club sensors.

116. The Garmin MARQ Golfer (Gen 2) is a smartwatch.

117. The Garmin MARQ Golfer (Gen 2) includes an accelerometer.

118. The Garmin MARQ Golfer (Gen 2) includes a gyroscope.

119. The Garmin MARQ Golfer (Gen 2) detects when a user hits a golf ball.

120. The Garmin MARQ Golfer (Gen 2) automatically detects when a user hits a golf ball.

121. The Garmin MARQ Golfer (Gen 2) features automatic shot detection.

122. The Garmin MARQ Golfer (Gen 2) features automatic shot detection and recording.

123. The Garmin MARQ Golfer (Gen 2) includes Garmin's AutoShot feature for detecting impact with a golf ball.

124. The Garmin MARQ Golfer (Gen 2) detects when a user hits a golf ball based in whole or in part on an accelerometer.

125. The Garmin MARQ Golfer (Gen 2) can record information about a wearer's golf game.

126. The Garmin MARQ Golfer (Gen 2) includes GPS functionality.

127. The Garmin MARQ Golfer (Gen 2) determines a GPS position when a user strikes a golf ball.

128. The Garmin MARQ Golfer (Gen 2) is compatible with Garmin's Approach CT10 golf club sensors.

129. The Garmin fēnix 8 Series is a smartwatch.

130. The Garmin fēnix 8 Series includes an accelerometer.

131. The Garmin fēnix 8 Series includes a gyroscope.

132. The Garmin fēnix 8 Series detects when a user hits a golf ball.

133. The Garmin fēnix 8 Series automatically detects when a user hits a golf ball.

134. The Garmin fēnix 8 Series features automatic shot detection.

135. The Garmin fēnix 8 Series features automatic shot detection and recording.

136. The Garmin fēnix 8 Series includes Garmin's AutoShot feature for detecting impact with a golf ball.

137. The Garmin fēnix 8 Series detects when a user hits a golf ball based in whole or in part on an accelerometer.

138. The Garmin fēnix 8 Series can record information about a wearer's golf game.

139. The Garmin fēnix 8 Series includes GPS functionality.

140. The Garmin fēnix 8 Series determines a GPS position when a user strikes a golf ball.

141. The Garmin fēnix 8 Series is compatible with Garmin's Approach CT10 golf club sensors.

142. The Garmin fēnix 7 Series is a smartwatch.

143. The Garmin fēnix 7 Series includes an accelerometer.

144. The Garmin fēnix 7 Series includes a gyroscope.

145. The Garmin fēnix 7 Series detects when a user hits a golf ball.

146. The Garmin fēnix 7 Series automatically detects when a user hits a golf ball.

147. The Garmin fēnix 7 Series features automatic shot detection.

148. The Garmin fēnix 7 Series features automatic shot detection and recording.

149. The Garmin fēnix 7 Series includes Garmin's AutoShot feature for detecting impact with a golf ball.

150. The Garmin fēnix 7 Series detects when a user hits a golf ball based in whole or in part on an accelerometer.

151. The Garmin fēnix 7 Series can record information about a wearer's golf game.

152. The Garmin fēnix 7 Series includes GPS functionality.

153. The Garmin fēnix 7 Series determines a GPS position when a user strikes a golf ball.

154. The Garmin fēnix 7 Series is compatible with Garmin's Approach CT10 golf club sensors.

155. The Garmin EPIX (Gen 1) is a smartwatch.

156. The Garmin EPIX (Gen 1) includes an accelerometer.

157. The Garmin EPIX (Gen 1) includes a gyroscope.

158. The Garmin EPIX (Gen 1) detects when a user hits a golf ball.

159. The Garmin EPIX (Gen 1) automatically detects when a user hits a golf ball.

160. The Garmin EPIX (Gen 1) features automatic shot detection.

161. The Garmin EPIX (Gen 1) features automatic shot detection and recording.

162. The Garmin EPIX (Gen 1) includes Garmin's AutoShot feature for detecting impact with a golf ball.

163. The Garmin EPIX (Gen 1) detects when a user hits a golf ball based in whole or in part on an accelerometer.

164. The Garmin EPIX (Gen 1) can record information about a wearer's golf game.

165. The Garmin EPIX (Gen 1) includes GPS functionality.

166. The Garmin EPIX (Gen 1) determines a GPS position when a user strikes a golf ball.

167. The Garmin EPIX (Gen 1) is compatible with Garmin's Approach CT10 golf club sensors.

168. The Garmin EPIX (Gen 2) is a smartwatch.

169. The Garmin EPIX (Gen 2) includes an accelerometer.

170. The Garmin EPIX (Gen 2) includes a gyroscope.

171. The Garmin EPIX (Gen 2) detects when a user hits a golf ball.

172. The Garmin EPIX (Gen 2) automatically detects when a user hits a golf ball.

173. The Garmin EPIX (Gen 2) features automatic shot detection.

174. The Garmin EPIX (Gen 2) features automatic shot detection and recording.

175. The Garmin EPIX (Gen 2) includes Garmin's AutoShot feature for detecting impact with a golf ball.

176. The Garmin EPIX (Gen 2) detects when a user hits a golf ball based in whole or in part on an accelerometer.

177. The Garmin EPIX (Gen 2) can record information about a wearer's golf game.

178. The Garmin EPIX (Gen 2) includes GPS functionality.

179. The Garmin EPIX (Gen 2) determines a GPS position when a user strikes a golf ball.

180. The Garmin EPIX (Gen 2) is compatible with Garmin's Approach CT10 golf club sensors.

181. The Garmin EPIX Pro is a smartwatch.

182. The Garmin EPIX Pro includes an accelerometer.

183. The Garmin EPIX Pro includes a gyroscope.

184. The Garmin EPIX Pro detects when a user hits a golf ball.

185. The Garmin EPIX Pro automatically detects when a user hits a golf ball.

186. The Garmin EPIX Pro features automatic shot detection.

187. The Garmin EPIX Pro features automatic shot detection and recording.

188. The Garmin EPIX Pro includes Garmin's AutoShot feature for detecting impact with a golf ball.

189. The Garmin EPIX Pro detects when a user hits a golf ball based in whole or in part on an accelerometer.

190. The Garmin EPIX Pro can record information about a wearer's golf game.

191. The Garmin EPIX Pro includes GPS functionality.

192. The Garmin EPIX Pro determines a GPS position when a user strikes a golf ball.

193. The Garmin EPIX Pro is compatible with Garmin's Approach CT10 golf club sensors.

COUNT II
(INFRINGEMENT OF THE ’306 PATENT)

194. Plaintiff realleges and incorporates by reference the allegations of the preceding paragraphs of this Complaint.

195. Defendant has directly infringed, and continues to directly infringe, at least exemplary claim 11 of the ’306 Patent in violation of 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, by making, using, selling, and/or offering to sell the ’306 Patent Accused Products (defined below) in the United States, including in this District, and/or importing the ’306 Patent Accused Products into the United States. The ’306 Patent Accused Products

include Approach smartwatches (*e.g.,* Approach S70, S70 TaylorMade Edition, S50), D2 aviation smartwatches (*e.g.,* D2 Mach 1, Mach 1 Pro, D2 Air, D2 Air X10), Descent dive smartwatches (*e.g.,* Descent G2, Mk2, Mk2S, Mk2i, Mk3, Mk3i), Enduro smartwatches (*e.g.,* Enduro, Enduro 2, Enduro 3), epix smartwatches (*e.g.,* epix Gen 2 Standard, Sapphire, Porsche; epix Pro Gen 2 Standard, Sapphire), fēnix smartwatches (*e.g.,* fēnix 6/6S/6X variants, fēnix 7/7S/7X variants, fēnix 7 Pro/7S Pro/7X Pro, fēnix 8 AMOLED, Solar, fēnix E), Forerunner smartwatches (*e.g.,* Forerunner 55, 165, 245, 255, 265, 570, 745, 945, 955, 965, 970), Instinct smartwatches (*e.g.,* Instinct 2/2S/2X editions, Instinct 3 AMOLED, Solar, Tactical, Instinct Crossover Standard, Solar, Tactical, Instinct E), MARQ luxury smartwatches (*e.g.,* MARQ Adventurer, Athlete, Aviator, Captain, Commander, Driver, Expedition, Golfer; MARQ Gen 2 Adventurer, Athlete, Aviator, Captain, Golfer; MARQ special editions Damascus Steel, Carbon, Performance), quatix marine smartwatches (*e.g.,* quatix 6, 6 Titanium, 6X Solar; quatix 7, 7 Pro, 7X Solar), tactix tactical smartwatches (*e.g.,* tactix 7 AMOLED, Standard, Pro, Pro Ballistics; tactix 8 AMOLED, Solar; tactix Delta Sapphire, Solar, Solar Ballistics), Venu lifestyle smartwatches (*e.g.,* Venu, Venu 2, 2S, 2 Plus, Venu 3, 3S, Venu Sq, Sq Music Edition, Venu X1), vívoactive smartwatches (*e.g.,* vívoactive 5, vívoactive 6), and Lily lifestyle smartwatches (*e.g.,* Lily 2 Active).

196. Plaintiff adopts, and incorporates by reference, as if fully stated herein, **Exhibit G**, which is a preliminary claim chart that describes and demonstrates how the ’306 Patent Accused Products infringe at least exemplary claim 11 of the ’306 Patent. **Exhibit G** is based on publicly available information. Plaintiff expressly reserves the right to modify and/or supplement its infringement allegations as its investigation continues and as a result of information it obtains from Defendant and/or third parties.

197. Defendant directly infringes under 35 U.S.C. § 271(a) at least the above-recited

claim of the ’306 Patent, literally or under the doctrine of equivalents, by making, using, selling, offering to sell, and/or importing the ’306 Patent Accused Products into the United States and into this District.

198. Plaintiff has suffered and continues to suffer damages, including lost profits, as a result of Defendant’s infringement of the ’306 Patent. Defendant is therefore liable to Plaintiff under 35 U.S.C. § 284 for damages in an amount that adequately compensates Plaintiff for Defendant’s infringement, but no less than a reasonable royalty.

199. The Approach S70 smartwatch includes an optical heart rate sensor.

200. The Approach S70 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

201. The Approach S70 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.[1]

202. The Approach S70 includes processor which determines a user's respiration rate.

203. The Approach S70 TaylorMade Edition smartwatch includes an optical heart rate sensor.

204. The Approach S70 TaylorMade Edition smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

205. The Approach S70 TaylorMade Edition smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate

[1] Heart Rate Variability as used herein is described by Garmin at the following URL: https://support.garmin.com/en-US/?faq=04pnPSBTYSAYL9FylZoUl5#:~:text=Most%20features%20that%20use%20HRV,owner's%20manual%20for%20more%20details.

signal provided by the device's optical heart rate sensor.

206. The Approach S70 TaylorMade Edition includes processor which determines a user's respiration rate.

207. The Approach S50 smartwatch includes an optical heart rate sensor.

208. The Approach S50 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

209. The Approach S50 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

210. The Approach S50 includes processor which determines a user's respiration rate.

211. The D2 Mach 1 smartwatch includes an optical heart rate sensor.

212. The D2 Mach 1 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

213. The D2 Mach 1 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

214. The D2 Mach 1 includes processor which determines a user's respiration rate.

215. The D2 Mach 1 Pro smartwatch includes an optical heart rate sensor.

216. The D2 Mach 1 Pro smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

217. The D2 Mach 1 Pro smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

218. The D2 Mach 1 Pro includes processor which determines a user's respiration rate.

219. The D2 Air smartwatch includes an optical heart rate sensor.

220. The D2 Air smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

221. The D2 Air smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

222. The D2 Air includes processor which determines a user's respiration rate.

223. The D2 Air X10 smartwatch includes an optical heart rate sensor.

224. The D2 Air X10 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

225. The D2 Air X10 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

226. The D2 Air X10 includes processor which determines a user's respiration rate.

227. The Descent G2 smartwatch includes an optical heart rate sensor.

228. The Descent G2 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

229. The Descent G2 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

230. The Descent G2 includes processor which determines a user's respiration rate.

231. The Descent Mk2 smartwatch includes an optical heart rate sensor.

232. The Descent Mk2 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

233. The Descent Mk2 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

234. The Descent Mk2 includes processor which determines a user's respiration rate.

235. The Descent Mk2S smartwatch includes an optical heart rate sensor.

236. The Descent Mk2S smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

237. The Descent Mk2S smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

238. The Descent Mk2S includes processor which determines a user's respiration rate.

239. The Descent Mk2i smartwatch includes an optical heart rate sensor.

240. The Descent Mk2i smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

241. The Descent Mk2i smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

242. The Descent Mk2i includes processor which determines a user's respiration rate.

243. The Descent Mk3 smartwatch includes an optical heart rate sensor.

244. The Descent Mk3 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

245. The Descent Mk3 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

246. The Descent Mk3 includes processor which determines a user's respiration rate.

247. The Descent Mk3i smartwatch includes an optical heart rate sensor.

248. The Descent Mk3i smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

249. The Descent Mk3i smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

250. The Descent Mk3i includes processor which determines a user's respiration rate.

251. The Enduro smartwatch includes an optical heart rate sensor.

252. The Enduro smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

253. The Enduro smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

254. The Enduro includes processor which determines a user's respiration rate.

255. The Enduro 2 smartwatch includes an optical heart rate sensor.

256. The Enduro 2 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

257. The Enduro 2 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical

heart rate sensor.

258. The Enduro 2 includes processor which determines a user's respiration rate.

259. The Enduro 3 smartwatch includes an optical heart rate sensor.

260. The Enduro 3 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

261. The Enduro 3 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

262. The Enduro 3 includes processor which determines a user's respiration rate.

263. The epix Gen 2 Standard smartwatch includes an optical heart rate sensor.

264. The epix Gen 2 Standard smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

265. The epix Gen 2 Standard smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

266. The epix Gen 2 Standard includes processor which determines a user's respiration rate.

267. The epix Gen 2 Sapphire smartwatch includes an optical heart rate sensor.

268. The epix Gen 2 Sapphire smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

269. The epix Gen 2 Sapphire smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

270. The epix Gen 2 Sapphire includes processor which determines a user's respiration rate.

271. The epix Gen 2 Porsche smartwatch includes an optical heart rate sensor.

272. The epix Gen 2 Porsche smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

273. The epix Gen 2 Porsche smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

274. The epix Gen 2 Porsche includes processor which determines a user's respiration rate.

275. The epix Pro Gen 2 Standard smartwatch includes an optical heart rate sensor.

276. The epix Pro Gen 2 Standard smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

277. The epix Pro Gen 2 Standard smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

278. The epix Pro Gen 2 Standard includes processor which determines a user's respiration rate.

279. The epix Pro Gen 2 Sapphire smartwatch includes an optical heart rate sensor.

280. The epix Pro Gen 2 Sapphire smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

281. The epix Pro Gen 2 Sapphire smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by

the device's optical heart rate sensor.

282. The epix Pro Gen 2 Sapphire includes processor which determines a user's respiration rate.

283. The fēnix 6 smartwatch includes an optical heart rate sensor.

284. The fēnix 6 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

285. The fēnix 6 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

286. The fēnix 6 includes processor which determines a user's respiration rate.

287. The fēnix 6S smartwatch includes an optical heart rate sensor.

288. The fēnix 6S smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

289. The fēnix 6S smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

290. The fēnix 6S includes processor which determines a user's respiration rate.

291. The fēnix 6X smartwatch includes an optical heart rate sensor.

292. The fēnix 6X smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

293. The fēnix 6X smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

294. The fēnix 6X includes processor which determines a user's respiration rate.

295. The fēnix 7 smartwatch includes an optical heart rate sensor.

296. The fēnix 7 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

297. The fēnix 7 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

298. The fēnix 7 includes processor which determines a user's respiration rate.

299. The fēnix 7S smartwatch includes an optical heart rate sensor.

300. The fēnix 7S smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

301. The fēnix 7S smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

302. The fēnix 7S includes processor which determines a user's respiration rate.

303. The fēnix 7X smartwatch includes an optical heart rate sensor.

304. The fēnix 7X smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

305. The fēnix 7X smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

306. The fēnix 7X includes processor which determines a user's respiration rate.

307. The fēnix 7 Pro smartwatch includes an optical heart rate sensor.

308. The fēnix 7 Pro smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

309. The fēnix 7 Pro smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

310. The fēnix 7 Pro includes processor which determines a user's respiration rate.

311. The fēnix 7S Pro smartwatch includes an optical heart rate sensor.

312. The fēnix 7S Pro smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

313. The fēnix 7S Pro smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

314. The fēnix 7S Pro includes processor which determines a user's respiration rate.

315. The fēnix 7X Pro smartwatch includes an optical heart rate sensor.

316. The fēnix 7X Pro smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

317. The fēnix 7X Pro smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

318. The fēnix 7X Pro includes processor which determines a user's respiration rate.

319. The fēnix 8 AMOLED smartwatch includes an optical heart rate sensor.

320. The fēnix 8 AMOLED smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

321. The fēnix 8 AMOLED smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

322. The fēnix 8 AMOLED includes processor which determines a user's respiration rate.

323. The fēnix 8 Solar smartwatch includes an optical heart rate sensor.

324. The fēnix 8 Solar smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

325. The fēnix 8 Solar smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

326. The fēnix 8 Solar includes processor which determines a user's respiration rate.

327. The fēnix E smartwatch includes an optical heart rate sensor.

328. The fēnix E smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

329. The fēnix E smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

330. The fēnix E includes processor which determines a user's respiration rate.

331. The Forerunner 55 smartwatch includes an optical heart rate sensor.

332. The Forerunner 55 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

333. The Forerunner 55 smartwatch can determine a user's respiration rate based on

analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

334. The Forerunner 55 includes processor which determines a user's respiration rate.

335. The Forerunner 165 smartwatch includes an optical heart rate sensor.

336. The Forerunner 165 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

337. The Forerunner 165 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

338. The Forerunner 165 includes processor which determines a user's respiration rate.

339. The Forerunner 245 smartwatch includes an optical heart rate sensor.

340. The Forerunner 245 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

341. The Forerunner 245 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

342. The Forerunner 245 includes processor which determines a user's respiration rate.

343. The Forerunner 255 smartwatch includes an optical heart rate sensor.

344. The Forerunner 255 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

345. The Forerunner 255 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

346. The Forerunner 255 includes processor which determines a user's respiration rate.

347. The Forerunner 265 smartwatch includes an optical heart rate sensor.

348. The Forerunner 265 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

349. The Forerunner 265 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

350. The Forerunner 265 includes processor which determines a user's respiration rate.

351. The Forerunner 570 smartwatch includes an optical heart rate sensor.

352. The Forerunner 570 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

353. The Forerunner 570 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

354. The Forerunner 570 includes processor which determines a user's respiration rate.

355. The Forerunner 745 smartwatch includes an optical heart rate sensor.

356. The Forerunner 745 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

357. The Forerunner 745 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

358. The Forerunner 745 includes processor which determines a user's respiration rate.

359. The Forerunner 945 smartwatch includes an optical heart rate sensor.

360. The Forerunner 945 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

361. The Forerunner 945 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

362. The Forerunner 945 includes processor which determines a user's respiration rate.

363. The Forerunner 955 smartwatch includes an optical heart rate sensor.

364. The Forerunner 955 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

365. The Forerunner 955 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

366. The Forerunner 955 includes processor which determines a user's respiration rate.

367. The Forerunner 965 smartwatch includes an optical heart rate sensor.

368. The Forerunner 965 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

369. The Forerunner 965 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

370. The Forerunner 965 includes processor which determines a user's respiration rate.

371. The Forerunner 970 smartwatch includes an optical heart rate sensor.

372. The Forerunner 970 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

373. The Forerunner 970 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

374. The Forerunner 970 includes processor which determines a user's respiration rate.

375. The Instinct 2 smartwatch includes an optical heart rate sensor.

376. The Instinct 2 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

377. The Instinct 2 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

378. The Instinct 2 includes processor which determines a user's respiration rate.

379. The Instinct 2S smartwatch includes an optical heart rate sensor.

380. The Instinct 2S smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

381. The Instinct 2S smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

382. The Instinct 2S includes processor which determines a user's respiration rate.

383. The Instinct 2X smartwatch includes an optical heart rate sensor.

384. The Instinct 2X smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

385. The Instinct 2X smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical

heart rate sensor.

386. The Instinct 2X includes processor which determines a user's respiration rate.

387. The Instinct 3 AMOLED smartwatch includes an optical heart rate sensor.

388. The Instinct 3 AMOLED smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

389. The Instinct 3 AMOLED smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

390. The Instinct 3 AMOLED includes processor which determines a user's respiration rate.

391. The Instinct 3 Solar smartwatch includes an optical heart rate sensor.

392. The Instinct 3 Solar smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

393. The Instinct 3 Solar smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

394. The Instinct 3 Solar includes processor which determines a user's respiration rate.

395. The Instinct 3 Tactical smartwatch includes an optical heart rate sensor.

396. The Instinct 3 Tactical smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

397. The Instinct 3 Tactical smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

398. The Instinct 3 Tactical includes processor which determines a user's respiration rate.

399. The Instinct Crossover Standard smartwatch includes an optical heart rate sensor.

400. The Instinct Crossover Standard smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

401. The Instinct Crossover Standard smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

402. The Instinct Crossover Standard includes processor which determines a user's respiration rate.

403. The Instinct Crossover Solar smartwatch includes an optical heart rate sensor.

404. The Instinct Crossover Solar smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

405. The Instinct Crossover Solar smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

406. The Instinct Crossover Solar includes processor which determines a user's respiration rate.

407. The Instinct Crossover Tactical smartwatch includes an optical heart rate sensor.

408. The Instinct Crossover Tactical smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

409. The Instinct Crossover Tactical smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by

the device's optical heart rate sensor.

410. The Instinct Crossover Tactical includes processor which determines a user's respiration rate.

411. The Instinct E smartwatch includes an optical heart rate sensor.

412. The Instinct E smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

413. The Instinct E smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

414. The Instinct E includes processor which determines a user's respiration rate.

415. The MARQ Adventurer smartwatch includes an optical heart rate sensor.

416. The MARQ Adventurer smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

417. The MARQ Adventurer smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

418. The MARQ Adventurer includes processor which determines a user's respiration rate.

419. The MARQ Athlete smartwatch includes an optical heart rate sensor.

420. The MARQ Athlete smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

421. The MARQ Athlete smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's

optical heart rate sensor.

422. The MARQ Athlete includes processor which determines a user's respiration rate.

423. The MARQ Aviator smartwatch includes an optical heart rate sensor.

424. The MARQ Aviator smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

425. The MARQ Aviator smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

426. The MARQ Aviator includes processor which determines a user's respiration rate.

427. The MARQ Captain smartwatch includes an optical heart rate sensor.

428. The MARQ Captain smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

429. The MARQ Captain smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

430. The MARQ Captain includes processor which determines a user's respiration rate.

431. The MARQ Commander smartwatch includes an optical heart rate sensor.

432. The MARQ Commander smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

433. The MARQ Commander smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

434. The MARQ Commander includes processor which determines a user's respiration

rate.

435. The MARQ Driver smartwatch includes an optical heart rate sensor.

436. The MARQ Driver smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

437. The MARQ Driver smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

438. The MARQ Driver includes processor which determines a user's respiration rate.

439. The MARQ Expedition smartwatch includes an optical heart rate sensor.

440. The MARQ Expedition smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

441. The MARQ Expedition smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

442. The MARQ Expedition includes processor which determines a user's respiration rate.

443. The MARQ Golfer smartwatch includes an optical heart rate sensor.

444. The MARQ Golfer smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

445. The MARQ Golfer smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

446. The MARQ Golfer includes processor which determines a user's respiration rate.

447. The MARQ Gen 2 Adventurer smartwatch includes an optical heart rate sensor.

448. The MARQ Gen 2 Adventurer smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

449. The MARQ Gen 2 Adventurer smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

450. The MARQ Gen 2 Adventurer includes processor which determines a user's respiration rate.

451. The MARQ Gen 2 Athlete smartwatch includes an optical heart rate sensor.

452. The MARQ Gen 2 Athlete smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

453. The MARQ Gen 2 Athlete smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

454. The MARQ Gen 2 Athlete includes processor which determines a user's respiration rate.

455. The MARQ Gen 2 Aviator smartwatch includes an optical heart rate sensor.

456. The MARQ Gen 2 Aviator smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

457. The MARQ Gen 2 Aviator smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

458. The MARQ Gen 2 Aviator includes processor which determines a user's respiration

rate.

459. The MARQ Gen 2 Captain smartwatch includes an optical heart rate sensor.

460. The MARQ Gen 2 Captain smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

461. The MARQ Gen 2 Captain smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

462. The MARQ Gen 2 Captain includes processor which determines a user's respiration rate.

463. The MARQ Gen 2 Golfer smartwatch includes an optical heart rate sensor.

464. The MARQ Gen 2 Golfer smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

465. The MARQ Gen 2 Golfer smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

466. The MARQ Gen 2 Golfer includes processor which determines a user's respiration rate.

467. The MARQ Damascus Steel smartwatch includes an optical heart rate sensor.

468. The MARQ Damascus Steel smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

469. The MARQ Damascus Steel smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

470. The MARQ Damascus Steel includes processor which determines a user's respiration rate.

471. The MARQ Carbon smartwatch includes an optical heart rate sensor.

472. The MARQ Carbon smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

473. The MARQ Carbon smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

474. The MARQ Carbon includes processor which determines a user's respiration rate.

475. The MARQ Performance smartwatch includes an optical heart rate sensor.

476. The MARQ Performance smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

477. The MARQ Performance smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

478. The MARQ Performance includes processor which determines a user's respiration rate.

479. The quatix 6 smartwatch includes an optical heart rate sensor.

480. The quatix 6 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

481. The quatix 6 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

482. The quatix 6 includes processor which determines a user's respiration rate.

483. The quatix 6 Titanium smartwatch includes an optical heart rate sensor.

484. The quatix 6 Titanium smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

485. The quatix 6 Titanium smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

486. The quatix 6 Titanium includes processor which determines a user's respiration rate.

487. The quatix 6X Solar smartwatch includes an optical heart rate sensor.

488. The quatix 6X Solar smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

489. The quatix 6X Solar smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

490. The quatix 6X Solar includes processor which determines a user's respiration rate.

491. The quatix 7 smartwatch includes an optical heart rate sensor.

492. The quatix 7 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

493. The quatix 7 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

494. The quatix 7 includes processor which determines a user's respiration rate.

495. The quatix 7 Pro smartwatch includes an optical heart rate sensor.

496. The quatix 7 Pro smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

497. The quatix 7 Pro smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

498. The quatix 7 Pro includes processor which determines a user's respiration rate.

499. The quatix 7X Solar smartwatch includes an optical heart rate sensor.

500. The quatix 7X Solar smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

501. The quatix 7X Solar smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

502. The quatix 7X Solar includes processor which determines a user's respiration rate.

503. The tactix 7 AMOLED smartwatch includes an optical heart rate sensor.

504. The tactix 7 AMOLED smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

505. The tactix 7 AMOLED smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

506. The tactix 7 AMOLED includes processor which determines a user's respiration rate.

507. The tactix 7 Standard smartwatch includes an optical heart rate sensor.

508. The tactix 7 Standard smartwatch can determine a user's respiration rate based at

least in part on heart rate data obtained from its optical heart rate sensor.

509. The tactix 7 Standard smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

510. The tactix 7 Standard includes processor which determines a user's respiration rate.

511. The tactix 7 Pro smartwatch includes an optical heart rate sensor.

512. The tactix 7 Pro smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

513. The tactix 7 Pro smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

514. The tactix 7 Pro includes processor which determines a user's respiration rate.

515. The tactix 7 Pro Ballistics smartwatch includes an optical heart rate sensor.

516. The tactix 7 Pro Ballistics smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

517. The tactix 7 Pro Ballistics smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

518. The tactix 7 Pro Ballistics includes processor which determines a user's respiration rate.

519. The tactix 8 AMOLED smartwatch includes an optical heart rate sensor.

520. The tactix 8 AMOLED smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

521. The tactix 8 AMOLED smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

522. The tactix 8 AMOLED includes processor which determines a user's respiration rate.

523. The tactix 8 Solar smartwatch includes an optical heart rate sensor.

524. The tactix 8 Solar smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

525. The tactix 8 Solar smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

526. The tactix 8 Solar includes processor which determines a user's respiration rate.

527. The tactix Delta Sapphire smartwatch includes an optical heart rate sensor.

528. The tactix Delta Sapphire smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

529. The tactix Delta Sapphire smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

530. The tactix Delta Sapphire includes processor which determines a user's respiration rate.

531. The tactix Delta Solar smartwatch includes an optical heart rate sensor.

532. The tactix Delta Solar smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

533. The tactix Delta Solar smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

534. The tactix Delta Solar includes processor which determines a user's respiration rate.

535. The tactix Delta Solar Ballistics smartwatch includes an optical heart rate sensor.

536. The tactix Delta Solar Ballistics smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

537. The tactix Delta Solar Ballistics smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

538. The tactix Delta Solar Ballistics includes processor which determines a user's respiration rate.

539. The Venu smartwatch includes an optical heart rate sensor.

540. The Venu smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

541. The Venu smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

542. The Venu includes processor which determines a user's respiration rate.

543. The Venu 2 smartwatch includes an optical heart rate sensor.

544. The Venu 2 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

545. The Venu 2 smartwatch can determine a user's respiration rate based on analysis of

Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

546. The Venu 2 includes processor which determines a user's respiration rate.

547. The Venu 2S smartwatch includes an optical heart rate sensor.

548. The Venu 2S smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

549. The Venu 2S smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

550. The Venu 2S includes processor which determines a user's respiration rate.

551. The Venu 2 Plus smartwatch includes an optical heart rate sensor.

552. The Venu 2 Plus smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

553. The Venu 2 Plus smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

554. The Venu 2 Plus includes processor which determines a user's respiration rate.

555. The Venu 3 smartwatch includes an optical heart rate sensor.

556. The Venu 3 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

557. The Venu 3 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

558. The Venu 3 includes processor which determines a user's respiration rate.

559. The Venu 3S smartwatch includes an optical heart rate sensor.

560. The Venu 3S smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

561. The Venu 3S smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

562. The Venu 3S includes processor which determines a user's respiration rate.

563. The Venu Sq smartwatch includes an optical heart rate sensor.

564. The Venu Sq smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

565. The Venu Sq smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

566. The Venu Sq includes processor which determines a user's respiration rate.

567. The Venu Sq Music Edition smartwatch includes an optical heart rate sensor.

568. The Venu Sq Music Edition smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

569. The Venu Sq Music Edition smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

570. The Venu Sq Music Edition includes processor which determines a user's respiration rate.

571. The Venu X1 smartwatch includes an optical heart rate sensor.

572. The Venu X1 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

573. The Venu X1 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

574. The Venu X1 includes processor which determines a user's respiration rate.

575. The vívoactive 5 smartwatch includes an optical heart rate sensor.

576. The vívoactive 5 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

577. The vívoactive 5 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

578. The vívoactive 5 includes processor which determines a user's respiration rate.

579. The vívoactive 6 smartwatch includes an optical heart rate sensor.

580. The vívoactive 6 smartwatch can determine a user's respiration rate based at least in part on heart rate data obtained from its optical heart rate sensor.

581. The vívoactive 6 smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

582. The vívoactive 6 includes processor which determines a user's respiration rate.

583. The Lily 2 Active smartwatch includes an optical heart rate sensor.

584. The Lily 2 Active smartwatch can determine a user's respiration rate based at least

in part on heart rate data obtained from its optical heart rate sensor.

585. The Lily 2 Active smartwatch can determine a user's respiration rate based on analysis of Heart Rate Variability derived from the optical heart rate signal provided by the device's optical heart rate sensor.

586. The Lily 2 Active includes processor which determines a user's respiration rate.

COUNT III
(INFRINGEMENT OF THE '432 PATENT)

587. Plaintiff realleges and incorporates by reference the allegations of the preceding paragraphs of this Complaint.

588. Defendant has directly infringed, and continues to directly infringe, at least exemplary claim 1 of the '432 Patent in violation of 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, by making, using, selling, and/or offering to sell the Garmin fēnix 5, 6, 7, and 8 series smartwatches and models thereof (including, but not limited to Pro, Plus, and Sapphire models) (collectively, the "'432 Patent Accused Products") in the United States, including within this District, and/or by importing the '432 Patent Accused Products into the United States.

589. Plaintiff adopts, and incorporates by reference, as if fully stated herein, **Exhibit H**, which is a preliminary claim chart that describes and demonstrates how the '432 Patent Accused Products infringe at least exemplary claim 1 of the '432 Patent. **Exhibit H** is based on publicly available information. Plaintiff expressly reserves the right to modify and/or supplement its infringement allegations as its investigation continues and as a result of information it obtains from Defendant and/or third parties.

590. Defendant directly infringes under 35 U.S.C. § 271(a) at least the above-recited claims of the '432 Patent, literally or under the doctrine of equivalents, by making, using, selling,

offering to sell, and/or importing the '432 Patent Accused Products into the United States and into this District.

591. Plaintiff has suffered and continues to suffer damages, including lost profits, as a result of Defendant's infringement of the '432 Patent. Defendant is therefore liable to Plaintiff under 35 U.S.C. § 284 for damages in an amount that adequately compensates Plaintiff for Defendant's infringement, but no less than a reasonable royalty.

COUNT IV
(INFRINGEMENT OF THE '774 PATENT)

592. Plaintiff realleges and incorporates by reference the allegations of the preceding paragraphs of this Complaint.

593. Defendant has directly infringed, and continues to directly infringe, at least exemplary claim 1 of the '774 Patent in violation of 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, by making, using, selling, and/or offering to sell the Garmin fēnix 5, 6, 7, and 8 series smartwatches and models thereof (including, but not limited to Pro, Plus, and Sapphire models) (collectively, the "'774 Patent Accused Products") in the United States, including within this District, and/or by importing the '774 Patent Accused Products into the United States.

594. Plaintiff adopts, and incorporates by reference, as if fully stated herein, **Exhibit I**, which is a preliminary claim chart that describes and demonstrates how the '774 Patent Accused Products infringe at least exemplary claim 1 of the '774 Patent. **Exhibit I** is based on publicly available information. Plaintiff expressly reserves the right to modify and/or supplement its infringement allegations as its investigation continues and as a result of information it obtains from Defendant and/or third parties.

595. Defendant directly infringes under 35 U.S.C. § 271(a) at least the above-recited

claims of the ’774 Patent, literally or under the doctrine of equivalents, by making, using, selling, offering to sell, and/or importing the ’774 Patent Accused Products into the United States and into this District.

596. Plaintiff has suffered and continues to suffer damages, including lost profits, as a result of Defendant’s infringement of the ’774 Patent. Defendant is therefore liable to Plaintiff under 35 U.S.C. § 284 for damages in an amount that adequately compensates Plaintiff for Defendant’s infringement, but no less than a reasonable royalty.

COUNT V
(INFRINGEMENT OF THE ’731 PATENT)

597. Plaintiff realleges and incorporates by reference the allegations of the preceding paragraphs of this Complaint.

598. Defendant has directly infringed, and continues to directly infringe, at least exemplary claim 1 of the ’731 Patent in violation of 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, by making, using, selling, and/or offering to sell the Garmin fēnix 5, 6, 7, and 8 series smartwatches and models thereof (including, but not limited to Pro, Plus, and Sapphire models) (collectively, the “’731 Patent Accused Products”) in the United States, including within this District, and/or by importing the ’731 Patent Accused Products into the United States.

599. Plaintiff adopts, and incorporates by reference, as if fully stated herein, **Exhibit J**, which is a preliminary claim chart that describes and demonstrates how the ’731 Patent Accused Products infringe at least exemplary claim 1 of the ’731 Patent. **Exhibit J** is based on publicly available information. Plaintiff expressly reserves the right to modify and/or supplement its infringement allegations as its investigation continues and as a result of information it obtains from Defendant and/or third parties.

600. Defendant directly infringes under 35 U.S.C. § 271(a) at least the above-recited claims of the '731 Patent, literally or under the doctrine of equivalents, by making, using, selling, offering to sell, and/or importing the '731 Patent Accused Products into the United States and into this District.

601. Plaintiff has suffered and continues to suffer damages, including lost profits, as a result of Defendant's infringement of the '731 Patent. Defendant is therefore liable to Plaintiff under 35 U.S.C. § 284 for damages in an amount that adequately compensates Plaintiff for Defendant's infringement, but no less than a reasonable royalty.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the following relief:

a) That this Court adjudge and decree that Defendant has been, and is currently, infringing the Asserted Patents;

b) A preliminary and permanent injunction prohibiting Defendant from further acts of infringement;

c) An award of damages adequate to compensate Plaintiff for the infringement of the Asserted Patents by Defendants, including, but not limited to, lost profits, where such damages should be no less than a reasonable royalty under 35 U.S.C. § 284, together with costs;

d) That this Court award damages for future infringement up to the expiry of the Asserted Patents;

e) That this Court award pre- and post-judgment interest on such damages to Plaintiff;

f) Other equitable relief which may be requested and to which Plaintiff is entitled;

g) An award of Plaintiff's costs of suit and reasonable attorneys' fees pursuant to 35 U.S.C. § 285 due to the exceptional nature of this case, or as otherwise permitted by law;

h) That this Court issue an accounting for acts of infringement; and

i) That this Court award such other relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff respectfully requests a trial by jury on all issues so triable.

Dated: September 22, 2025

/s/ Ari Rafilson

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