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April 18, 2023

VIA E-MAIL

Matthew Berkowitz
Reichman Jorgensen Lehman & Feldberg LLP
100 Marine Parkway, Suite 300
Redwood Shores, CA 94065
Email: mberkowitz@reichmanjorgensen.com

Re: CardWare, Inc. v. Samsung Electronics Co., Ltd. et al., Case No. 2:22-cv-0141 (E.D. Tex.)

Dear Mr. Berkowitz:

We write regarding the following *inter partes* review ("IPR") and post-grant review ("PGR") proceedings involving Petitioner Samsung Electronics Co. Ltd. and Patent Owner CardWare Inc. ("CardWare"):

IPR/PGR Proceeding No.	U.S. Patent No.
IPR2023-00196	10,810,579
IPR2023-00210	10,339,520
IPR2023-00211	10,339,520
IPR2023-00219	11,176,538
IPR2023-00314	10,628,820
PGR2023-00012	11,328,286

For each of the IPR and PGR proceedings identified in the table above, Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc. (collectively, "Samsung") hereby stipulate that, if that IPR or PGR proceeding is instituted, Samsung will not pursue an invalidity defense in the E.D. Texas litigation (2:22-cv-0141) with respect to the claims of the patent challenged in that IPR or PGR based on (i) any of the same grounds in that instituted IPR or PGR or (ii) any prior art reference that forms the basis of any ground in that instituted IPR or PGR.

In so stipulating, Samsung seeks to avoid multiple proceedings addressing the validity of each of the indicated patents based on the same grounds or the same prior art references under 35 U.S.C. §§ 102 or 103. Rather, consistent with Congressional intent, Samsung wishes the patentability of these patents over those grounds and references to be addressed at the PTAB. But, for the sake of clarity and to avoid any doubt, for any IPR or PGR proceeding in which the PTAB declines institution, Samsung reserves the right to pursue in the E.D. Texas proceeding invalidity defenses based on any of the same grounds and prior art references relied upon in the Petition of the non-instituted IPR or PGR.

Sincerely,

/s/ David M. Valente

David M. Valente
for PAUL HASTINGS LLP

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