wolf greenfield
INTELLECTUAL PROPERTY LAW

Michael N. Rader
Michael.Rader@WolfGreenfield.com
direct dial 617.646.8370

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By Email: aalavi@aatriallaw.com

Amir Alavi, Esq.
Alavi & Anaipakos PLLC
3417 Mercer Street, Suite C
Houston, Texas 77027

Re: *VisionX Technologies, LLC v. Sony Group Corporation, Sony Corporation, Sony Semiconductor Manufacturing Corporation, and Sony Semiconductor Solutions Corporation,* EDTX Civil Action No. 2:22-cv-00178-RSP ("Litigation")

Dear Counsel:

In the above-referenced Litigation, your client VisionX Technologies, LLC ("VisionX") sued Sony Group Corporation, Sony Corporation, Sony Semiconductor Manufacturing Corporation, and Sony Semiconductor Solutions Corporation (collectively, "Sony") for infringement of U.S. Patent Nos. 7,867,808, 8,035,143, and 7,868,366 (the "asserted patents").

In VisionX's September 8, 2022 infringement contentions in the Litigation, VisionX asserted infringement of the following claims of the asserted patents, the patentability of which Sony Group Corporation in turn challenged before the Patent Trial and Appeal Board ("Board") of the United States Patent and Trademark Office in the following IPRs: IPR2023-00296, IPR2023-00298, and IPR2023-00389.

- U.S. Patent No. 7,867,808: VisionX asserted claims 1, 2, and 4-9 and Sony Group Corporation challenged claims 1, 2, and 4-9 in IPR2023-00296. Claims 1, 2, and 4-9 of the '808 patent are referred to herein as "the '808 claims-at-issue."

- U.S. Patent No. 7,868,366: VisionX asserted claims 1, 2, and 4-8 and Sony Group Corporation challenged claims 1-8 in IPR2023-00298. Claims 1-8 of the '366 patent are referred to herein as "the '366 claims-at-issue."

- U.S. Patent No. 8,035,143: VisionX asserted claims 1-4 and Sony Group Corporation challenged claims 1-4 in IPR2023-00389. Claims 1-4 of the '143 patent are referred to herein as "the '143 claims-at-issue."

Sony Exhibit 1028
Sony v. VisionX
IPR2023-0389

Sony hereby stipulates as follows:

- If the Board institutes an IPR trial in IPR2023-00296, then Sony will not pursue, in the Litigation[1], invalidity of the '808 claims-at-issue based on the grounds set forth in the Petition in IPR2023-00296, or any grounds that could reasonably have been raised before the Board in IPR2023-00296.

- If the Board institutes an IPR trial in IPR2023-00298, then Sony will not pursue, in the Litigation, invalidity of the '366 claims-at-issue based on the grounds set forth in the Petition in IPR2023-00298, or any grounds that could reasonably have been raised before the Board in IPR2023-00298.

- If the Board institutes an IPR trial in IPR2023-00389, then Sony will not pursue, in the Litigation, invalidity of the '143 claims-at-issue based on the grounds set forth in the Petition in IPR2023-00389, or any grounds that could reasonably have been raised before the Board in IPR2023-00389.

The foregoing "*Sotera* stipulations" are intended to streamline proceedings. Consistent with Director Katherine Vidal's guidance in her June 21, 2022 memorandum entitled "Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation," these stipulations obviate the possibility of discretionary denial based on the Litigation under *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 (PTAB Mar. 20, 2020) (precedential).

Very truly yours,

WOLF, GREENFIELD & SACKS, P.C.

Michael N. Rader
Shareholder
Admitted to Practice: MA, NY

[1] Sony has filed a motion to transfer the Litigation to the Northern District of California. D.I. 35. All three stipulations set forth herein apply both to EDTX Civil Action No. 2:22-cv-00178-RSP, and to the transferred case if Sony's motion to transfer is granted.