UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

ZILKR CLOUD TECHNOLOGIES, LLC,
Patent Owner.

IPR2023-00663
U.S. Patent No. 9,998,607

PETITIONER'S AUTHORIZED *SOTERA* STIPULATION

Petitioner Cisco Systems, Inc. stipulates as follows pursuant to the Board's authorizing email dated September 27, 2023:

> If the PTAB institutes an IPR trial on the grounds presented in Petitioner's petition filed in this proceeding, IPR2023-00663, Petitioner will not pursue in the co-pending district court litigation (*Zilkr Cloud Technologies, LLC v. Cisco Systems, Inc.*, Case No. 2-22-cv-00166 (E.D. Tex.)) the specific grounds asserted in the petition, or any other ground that could have been reasonably raised in an IPR (i.e., grounds that could have been raised under §§ 102 or 103 on the basis of prior art patent or printed publications). *See Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-00109, Paper 12 at 18–19 (Dec. 1, 2020).

Notwithstanding this stipulation, Petitioner does not relinquish any rights or opportunities to pursue in the co-pending district court litigation any ground on which the PTAB declines to institute an IPR trial. Petitioner also does not relinquish any rights or opportunities to challenge the '607 patent claims on any other ground (i.e., any ground that could not have been raised under §§ 102 or 103 on the basis of prior art patent or printed publications).

Dated: September 28, 2023

/Theodore M. Foster/
Theodore M. Foster
Lead Counsel for Petitioner
Registration No. 57,456

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CERTIFICATE OF SERVICE

The undersigned certifies that, in accordance with 37 C.F.R. § 42.6(e) and 37 C.F.R. § 42.105, service was made on Patent Owner as detailed below.

Date of service	September 28, 2023
Manner of service	Electronic Service: bliddle@carterarnett.com; mpomeroy@carterarnett.com; sbreedlove@carterarnett.com; hlim@carterarnett.com
Documents served	**Petitioner's Authorized *Sotera* Stipulation**.
Persons served	Bradley D. Liddle Michael Pomeroy Scott Breedlove Howard L. Lim CARTER ARNETT PLLC 8150 N. Central Expressway, Suite 500 Dallas, Texas 75206

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