UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TREND MICRO, INC.,
Petitioner

v.

TAASERA LICENSING LLC,
Patent Owner.

Case No. IPR2023-00798
Patent No. 8,850,517

STIPULATION

Filed on behalf of Trend Micro
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STIPULATION

As evidenced by Patent Owner's Exhibit 2002 and attachments A-C hereto, Trend Micro Incorporated has not pursued (and no longer can elect to pursue) any invalidity ground in the Related Litigation based on any of the prior art references asserted in the petition in this IPR.

Exhibit 2002 is cited by Patent Owner in its Preliminary Response (Paper 6 at p. 26). Attachment A is a true and correct copy of the District Court's Order Focusing Patent Claims and Prior art to Reduce Costs filed in 2:22-md-03042-JRG in the Eastern District of Texas (the "Related Litigation"). Attachment B is a true and correct copy of the Preliminary Election of Asserted Claims served by Patent Owner on counsel for Trend Micro Incorporated in the Related Litigation. Attachment C is a true and correct copy of the Preliminary Election of Prior Art served by Trend Micro Incorporated on counsel for Patent Owner in the Related Litigation.

To memorialize the impact of its invalidity elections in the Related Litigation, Petitioner stipulates that, if the Board institutes trial in this IPR, Petitioner will not pursue, in the Related Litigation, the specific grounds asserted in the IPR petition, nor any ground based on any prior art reference asserted in the IPR petition. *Cf. Sand Revolution II, LLC v. Continental Intermodal Group – Trucking LLC*, IPR2019-01393, Paper 24 at 11-12 (PTAB June 16, 2020) (Informative) (Board finding that Petitioner's stipulation—"that it will not pursue,

in district court, the 'same grounds' presented in the Petition in this case"—"mitigates to some degree the concerns of duplicative efforts between the district court and the Board, as well as concerns of potentially conflicting decisions.")

Respectfully submitted,
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Date: November 6, 2023

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CERTIFICATION OF SERVICE (37 C.F.R. §§ 42.6(e), 42.105(a))

The undersigned hereby certifies that the above-captioned **STIPULATIONS FOR INTER PARTES REVIEW OF U.S. PATENT NO. 8,850,517**, was served in its entirety on November 6, 2023, to Opposing Counsel via email:

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