**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

CISCO SYSTEMS, INC.,
Petitioner,

v.

ZILKR CLOUD TECHNOLOGIES, LLC,
Patent Owner.

---

IPR2023-00822
U.S. Patent No. 9,883,047

---

# 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, IPR2023-00822, 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 '047 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

HAYNES AND BOONE, LLP
2801 N. Harwood St., Suite 2300
Dallas, Texas 75201
Customer No. 27683

## 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<br>Michael Pomeroy<br>Scott Breedlove<br>Howard L. Lim<br>CARTER ARNETT PLLC<br>8150 N. Central Expressway, Suite 500<br>Dallas, Texas 75206 |

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