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Re: BeSang, Inc. v. Micron Technology, Inc. et al., No. 2:23-cv-00028 (E.D. Tex.) and IPR2023-00900

Dear Counsel:

We represent Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas, LLC (collectively, “Micron”) in the above referenced matters. We write to inform you that Micron hereby stipulates that if the PTAB institutes *inter partes* review in IPR2023-00900 (filed against U.S. Patent No. 7,378,702 (the “’702 Patent”)), then Micron will not pursue invalidity against the asserted claims of the ’702 Patent in the District Court proceeding captioned above using any obviousness ground that includes the primary references in that petition, referred to therein as “Watanabe” and “Lee.” Micron reserves the right to present invalidity in District Court on other bases.

This stipulation does not apply to any claims other than the ’702 Patent claims challenged in the above-captioned IPR, nor does it apply to any claims of any other patent. Additionally, the primary references identified above are included in Micron’s invalidity contentions to preserve its rights in the event that the above-captioned IPR is not instituted.

Sincerely,

/s/ John Kappos

John Kappos