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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

BESANG INC.,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.

Case No. 3:23-cv-00113-HZ

JURY TRIAL DEMANDED

**DEFENDANT INTEL
CORPORATION'S NOTICE OF
SOTERA STIPULATION**

Intel v. BeSang
IPR2023-00991
Exhibit 1034

On June 2, 2023, Defendant Intel Corporation (“Intel”) filed IPR2023-00991 with the Patent Trial and Appeal Board of the United States Patent and Trademark Office (the “PTAB”). Intel’s petition requests *inter partes* review and cancelation of claims 1 and 13-17 of U.S. Patent No. 7,378,702 (the “’702 patent”). Those claims include all the ’702 patent claims that Plaintiff BeSang Inc. (“BeSang”) has asserted against Intel in this lawsuit (*i.e.*, claims 13, 14, and 16). Intel hereby notifies the Court and BeSang that Intel has submitted what is known as a “Sotera stipulation” in support of Intel’s petition in IPR2023-00991. *See Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18-19 (PTAB Dec. 1, 2020).

Intel has thus committed and agreed that, if the PTAB institutes an *inter partes* review (“IPR”) proceeding for the ’702 patent on the grounds presented in Intel’s petition in IPR2023-00991, and so long as the PTAB does not vacate its institution decision or otherwise terminate the instituted IPR, Intel will not pursue an invalidity defense in this lawsuit that the patent claims subject to the instituted IPR are invalid based on grounds that were raised or reasonably could have been raised during the IPR.

Intel’s *Sotera* commitment and agreement above is not intended and should not be construed to limit Intel’s ability to assert invalidity of any claims of the ’702 patent in this lawsuit based on any other ground.

DATED: September 28, 2023.

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By /s/ Renee E. Rothauge

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **DEFENDANT INTEL CORPORATION'S**

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to be sent by the following indicated method or methods, on the date set forth below:

☒ by sending via the court's electronic filing system
☒ by email
☐ by mail
☐ by hand delivery

DATED: September 29, 2023

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