

From: [Neil Benchell](#)
To: [Biggs, Brian](#)
Cc: [Jason Wejnert](#)
Bcc: [Neil Benchell \(nabenchell@gmail.com\)](mailto:nabenchell@gmail.com)
Subject: FW: MMT v. BMW
Date: Thursday, November 2, 2023 4:05:00 PM
Attachments: [image001.png](#)

Brian,

On your suggestion in August, we agreed to enter into a covenant not to sue over the patents that Judge Jenkins found invalid under 101 if BMW agrees to withdraw the IPRs for those patents.

I do not believe you ever confirmed this with us, or at least we never received your response.

Please confirm you are in agreement and we will prepare an appropriate covenant for your signature.

Best,

Neil



Neil Benchell

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Admitted in IL

Not Admitted in DE

From: Neil Benchell
Sent: Wednesday, August 16, 2023 1:34 PM
To: Biggs, Brian <Brian.Biggs@us.dlapiper.com>
Subject: MMT v. BMW

Brian,

I spoke with the client who is willing to offer a covenant not to sue on the '540, '260 and '482 patents if BMW withdraws the IPRs.

If BMW agrees I can get a draft covenant not to sue by the end of the week.

Best,

Neil



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