

June 22, 2023

Via Email

William P Ramey III
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Jack R. Wilson, IV
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Re: *SafeCast Limited v. Dish Network Corp.*, C.A. No. 1:22-cv-03037-RMR (D. Colo.)

Dear Mr. Ramey:

I write regarding a petition for *inter partes* review (IPR) having control number IPR2023-01116 and being filed with the Patent Trial and Appeal Board (PTAB) to address claims of U.S. Patent No. 9,392,302 (“302 Patent”). The table below lists grounds asserted by DISH Network L.L.C. and DISH Technologies L.L.C. (collectively, “DISH”) in the IPR petition, along with the implicated claims against which the grounds are asserted. I write to inform you that DISH hereby stipulates that, in the event the PTAB institutes an IPR in IPR2023-01116 including the grounds (“Instituted Grounds”) and corresponding claims listed in the table below, DISH will not assert invalidity based on the Instituted Grounds against the corresponding claims listed in the table for those grounds in the above-captioned litigation (1:22-cv-03037-RMR).

Ground	Claims	Section 103(a) Basis
Ground 1	1-3, 6-9, 12, 13, 15	Patten in view of Ben-Rubi and Applicant Admitted Prior Art (“AAPA”)
Ground 2	3, 4, 14	Patten in view of Ben-Rubi, AAPA, and Plotnick

Moreover, DISH hereby stipulates that, in the event the PTAB institutes an IPR in IPR2023-01116 on the Instituted Grounds above and the PTAB institutes an IPR in IPR2023-00652, *Google LLC f/k/a Google Inc. v. Safecast Limited LLC*, DISH will not assert the instituted grounds from IPR2023-00652 against the corresponding claims in the above-captioned litigation (1:22-cv-03037-RMR).

In so stipulating, DISH seeks to avoid multiple proceedings addressing the validity of these claims based on the Instituted Grounds or grounds in IPR2023-00652. Rather, through this stipulation, DISH expresses its intention to have only the PTAB address the Instituted Grounds of invalidity of these claims. But, for the sake of clarity and to avoid any doubt, if the PTAB

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declines to institute any of the grounds identified herein—including in IPR2023-00652, DISH reserves the right to assert such grounds in the above-captioned litigation.

Additionally, even in the event of institution, DISH reserves its rights to continue to assert all grounds other than the Instituted Grounds.

Sincerely yours,
/s/ Jack Wilson
Jack Wilson