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VIA EMAIL

Peter Lambrianakos
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Re: Multimodal Media LLC v. Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc., Case No. 2:22-cv-00462-JRG-RSP

Dear Peter:

We write to inform you that Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. ("Samsung") hereby stipulate as follows:

If the Patent Trial and Appeal Board ("PTAB") institutes the pending inter partes review ("IPR") in IPR2024-00053 challenging the patentability of Claims 10-14 of U.S. Patent No. 8,107,978 (the "'978 Patent"), then Samsung will not pursue as to the challenged claims any ground raised or that could have been reasonably raised in the IPR in the above-captioned district court Case 2:22-cv-00462-JRG-RSP. *See Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 16-19 (PTAB Dec. 1, 2020).

If the PTAB institutes the pending IPR in IPR2024-00056 challenging the patentability of Claims 1-2, 4-5, and 9 of U.S. Patent No. 7,929,949 (the "'949 Patent"), then Samsung will not pursue as to the challenged claims any ground raised or that could have been reasonably raised in the IPR in the above-captioned district court Case 2:22-cv-00462-JRG-RSP. *Id.*

If the PTAB institutes the pending IPR in IPR2024-00063 challenging the patentability of Claims 1-6, 8-15, and 17-19 of U.S. Patent No. 9,185,227 (the "'227 Patent"), then Samsung will not pursue as to the challenged claims any ground raised or that could have been reasonably raised in the IPR in the above-captioned district court Case 2:22-cv-00462-JRG-RSP. *Id.*

If the PTAB institutes the pending IPR in IPR2024-00064 challenging the patentability of Claims 1-14 of U.S. Patent No. 10,552,030 (the "'030 Patent"), then Samsung will not pursue as to the challenged claims any ground raised or that could have been reasonably raised in the IPR in the above-captioned district court Case 2:22-cv-00462-JRG-RSP. *Id.*

This stipulation is not intended, and should not be construed, to limit Samsung's ability to assert invalidity of the asserted claims of the '978, '949, '227, or '030 patents on any other ground (e.g., invalidity under 35 U.S.C. §§ 102 and 103 not available in IPR and under 35 U.S.C. §§ 101 and 112), regardless of whether IPRs are instituted. Further, Samsung reserves the right to pursue invalidity grounds encompassed by this stipulation in the district court litigation if the PTAB declines institution of the requested IPRs.

Sincerely,

/s/ Bill Trac

Bill Trac