

From: [Crumbley, Kit](#)
To: [Trials](#)
CC: [Jason Charkow](#); richard.juang@gmail.com; [Chandran Iyer](#); [Ron Daignault](#); [PV](#); [Josh Griswold](#); [IPR12189-0091IP1](#); [PTAB Inbound](#); [Chibib, Michael](#); [Mierzejewski, Chris](#)
Subject: IPR2024-01066 and IPR2024-01068 - Petitioner's Stipulations (Ex. 1041)
Date: Monday, November 11, 2024 3:33:00 PM

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Dear Honorable Board,

We represent Petitioner NXP in the two above-referenced proceedings, and are contacting the Board regarding the *Sotera* stipulations Petitioner has provided to Patent Owner (Ex. 1041 in both cases). Prior to sending this email, we conferred with counsel for Patent Owner, who did not oppose Petitioner sending the following email to the Board.

Patent Owner's Preliminary Responses in these proceedings allege an ambiguity in the stipulations provided to it by Petitioner: "If Petitioner is joined in [the Texas Instruments IPRs to which NXP seeks joinder], it is unclear whether its stipulation, which is specific to 'this petition,' would effectively bar it from re-raising the same art in the district court case." IPR2024-01066, Paper 7, 12-13; IPR2024-01068, Paper 7, 27-28.

While Petitioner believes that its *Sotera* stipulation is in line with the Director's Memorandum and with stipulations accepted by the Board in the past, to resolve any potential ambiguity and to narrow the issues before the Board in these proceedings, Petitioner has clarified to Patent Owner that its prior stipulations apply if joinder is granted. Specifically, Petitioner has confirmed to Patent Owner **that its prior stipulations will apply if the NXP petitions are granted institution on their own, or if they are instituted and then joined to the Texas Instruments IPRs.**

While Petitioner does not believe a conference call is necessary on this issue, counsel can be available at the Board's convenience if the panel wishes to discuss this matter further.

Sincerely,
Kit Crumbley
Lead Counsel for Petitioner NXP

KIT CRUMBLEY

Partner

kit.crumbley@bracewell.com | [download v-card](#)

T: +1.512.494.3621 | F: +1.800.404.3970

BRACEWELL LLP

111 Congress Avenue, Suite 2300 | Austin, TX | 78701-4061

bracewell.com | [profile](#) | [LinkedIn](#) | [Twitter](#)

CONFIDENTIALITY STATEMENT

Ex. 3001
IPR2024-01066
IPR2024-01068

This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.