



October 8, 2024

Via E-Mail

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Re: *Optimum Imaging Techs. LLC v. Olympus Corp., et al.*, Civ. No. 4-23-cv-00924 (E.D. Tex.);
Optimum Imaging Techs. LLC v. Nikon Corp., Case No. 4-23-cv-00923 (E.D. Tex.);
Optimum Imaging Techs. LLC v. Panasonic Corp., et al., Case No. 4-23-cv-00926 (E.D. Tex.);
Optimum Imaging Techs. LLC v. FUJIFILM Corporation, Case No. 4-23-cv-00922 (E.D. Tex.)

Dear Counsel:

We write regarding the above-captioned litigations (the “District Court Cases”), and the related petition for *inter partes* review (IPR) in IPR2024-01374 that was filed today against certain claims of U.S. Patent No. 10,877,266.

Petitioners FUJIFILM North America Corporation (“FNAC”), FUJIFILM Corporation (“FUJIFILM”), Olympus Corporation (“Olympus”), OM Digital Solutions Corporation (“OMDS”), Nikon Corporation (“Nikon”), and Panasonic Entertainment & Communication Co., Ltd. (“Panasonic”) (collectively “Petitioners”) hereby stipulate that if the Patent Trial and Appeal Board (PTAB) institutes an IPR based on the grounds identified below, then it will (i) not pursue the grounds identified below in the respective District Court Case, and (ii) not pursue any other ground that reasonably could have been raised during the IPR (should it be instituted) in the respective District Court Case.

The grounds presented in the IPR petition are reproduced below for convenience:

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Ground	Prior Art	Statutory Basis	Claims Challenged from U.S. Patent No. 10,877,266
1	Sarbadhikari + Yoshida	§ 103	1-2, 9-11, 20, 22-23 and 25
2	Sarbadhikari + Yoshida + Iwasawa	§ 103	2-8, 13-19, 24, 27 and 30
3	Sarbadhikari + Yoshida + Gindele	§ 103	8, 13 and 27
4	Sarbadhikari + Yoshida + Yamasaki	§ 103	11-12 and 25-26
5	Sarbadhikari + Yoshida + Ito	§ 103	21
6	Sarbadhikari + Yoshida + Miyazawa	§ 103	28
7	Sarbadhikari + Yoshida + Hamilton	§ 103	29

Sincerely,

/ T. Vann Pearce, Jr /

T. Vann Pearce, Jr for FUJIFILM and FNAC

/ Alexander B. Stein /

Alexander B. Stein for Olympus and OMDs

/ Marc S. Blackman /

Marc S. Blackman for Nikon

/ Joseph M. Casino /

Joseph M. Casino for Panasonic