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By Email

Brian Farnan
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Re: *Lenovo (United States) Inc. v. Universal Connectivity Technologies Inc.*, Case No. 1:24-cv-01126 (D. Del.)

Counsel:

Lenovo (United States) Inc., among others, has filed an *inter partes* review (IPR) petition (IPR2024-01482) with the Patent Trial and Appeal Board (PTAB) to address the unpatentability of claims 1, 2, 4, 8, 9, 10, 12, 13, 15, 18, 19, 20, and 25 ("the Challenged Claims") of U.S. Patent No. 7,856,520 ("the '520 Patent"). The table in attached Appendix A lists the grounds and references asserted in IPR2024-01482.

I write to inform you that Petitioner Lenovo (United States) Inc. hereby stipulates, in the above-captioned litigation, that if IPR is instituted in IPR2024-01482, then:

> Petitioner Lenovo (United States) Inc. will not pursue in District Court litigation the specific grounds asserted in inter partes review IPR2024-01482, or on any other ground that was raised or could have been reasonably raised in an IPR (i.e., any ground that could be raised under §§ 102 or 103 on the basis of prior art patents or printed publications).

See Sotera Wireless, Inc. v. Masimo Corporation, IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020) (precedential); Board's e-mail to the parties dated March 3, 2025 (IPR2024-01482).

This language is the same as that set forth in the Board's e-mail dated March 3, 2025, authorizing submission of such a stipulation to the Board with respect to IPR2024-01482.

Pursuant to *Sotera*, Petitioner Lenovo (United States) Inc. reserves the right to assert grounds in the above-captioned litigation based on any art not comprised solely of patents and printed

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publications, including system art, either alone, or in combination with other prior art.[1] For the sake of clarity and to avoid any doubt, if the PTAB declines to institute IPR2024-01482, Petitioner Lenovo (United States) Inc. reserves the right to assert any grounds of invalidity in the above-captioned litigation against the ’520 Patent.

Regards,

/s/ Joshua H. Lee
Joshua H. Lee

cc: Counsel of Record

[1] Petitioner Lenovo (United States) Inc. notes that system art is not eligible for PTAB consideration in an IPR proceeding, and grounds based on system art either alone, or in combination with patent or printed publication prior art, could not have reasonably been raised before the PTAB in the IPR petition. *See* 35 U.S.C. § 311(b). Further, there may be additional materials and/or testimony relating to system art. For the avoidance of doubt, Petitioner Lenovo (United States) Inc. reserves the right to rely on such forthcoming productions in the above-captioned litigation.

Appendix A – Grounds and Prior Art References

Ground	Patent Claims	Basis
1	1, 4, 8, 9, 10, 12, 15, 18, 19, 25	Obvious under 35 U.S.C. § 103 over U.S. Patent Pub. No. 2006/0095596 (Yung) in view of High-Definition Multimedia Interface Specification, Version 1.3a (HDMI 1.3)
2	2, 13, 20	Obvious under 35 U.S.C. § 103 over Yung in view of HDMI 1.3 in further view of Version 1.3a, Supplement 1 – Consumer Electronics Control (CEC) Design of a Multicode Bi- Phase Encoder for Data Transmission (Al-Alawi)