



May 1, 2025

VIA EMAIL

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Re: *SK nexilis Co. v. Solus Advanced Materials Co. et al.*, No. 2:23-cv-00539 (E.D. Tex.)

Dear Counsel:

Solus Advanced Materials Co., Ltd. has filed an IPR petition (“Petition”) with the Patent Trial and Appeal Board (PTAB) to address the validity of the asserted claims of U.S. Patent No. 9,457,541 in IPR2025-00005. Defendants Volta Energy Solutions S.A.R.L., Volta Energy Solutions Europe KFT., Volta Energy Solutions Hungary KFT., Volta Energy Solutions Canada Inc., and Solus Advanced Materials Co., Ltd. previously stipulated, on March 24, 2025, that if the PTAB institutes review in the IPR2025-00005 proceeding, Defendants agree not to pursue any of the grounds raised in the Petition, or any grounds Defendants could have reasonably raised in the Petition, in this district court litigation or any parallel proceeding.

Defendants hereby **further** stipulate that, should the IPR2025-00005 proceeding be instituted, Defendants agree not to pursue in this district court litigation any invalidity assertions based on combinations of prior art patents or printed publications with “unpublished system prior art,” with respect to the ’541 Patent. *Motorola Solutions, Inc. v. Stellar, LLC*, IPR2024-01205, Paper 19 at 3-4 (PTAB March 28, 2025).

For the sake of clarity and to avoid any doubt, if the PTAB declines to institute IPR2025-00005, Defendants reserve the right to assert any grounds of invalidity in the district court proceedings against the ’541 Patent.

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Sincerely,


Daniel Tishman

Attorney for Defendants