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Via E-Mail

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Re: *Midas Green Technologies, LLC v. Green Revolution Cooling, Inc.*, Case No. 6:24-cv-00166-ADA (W.D. Tex.)

Dear Counsel:

Green Revolution Cooling, Inc. ("GRC") has filed an *inter partes* review (IPR) petition (IPR2025-00196) with the Patent Trial and Appeal Board ("PTAB") to address the validity of claims 1-16 of U.S. Patent No. 10,405,457 (the "'457 patent").

I write to inform you that GRC hereby stipulates that if the PTAB institutes IPR2024-00196, GRC agrees not to pursue any grounds raised in the petition, or any grounds GRC could have reasonably raised in the petition, in this district court litigation or any parallel proceeding. *Sotera Wireless, Inc. v. Masimo Corp.*, Case IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020). For the sake of clarity and to avoid any doubt, if the PTAB declines to institute IPR2024-00196, GRC reserves the right to assert any grounds of invalidity in the District Court proceedings against the '457 patent.

Sincerely,

/s/ Stephen M. Ullmer
Stephen M. Ullmer
Attorney for GRC