IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

INTELLECTUAL VENTURES II LLC, *Plaintiff*, v. TESLA, INC., *Defendant*.	Civil Action No. 1:24-cv-884-ADA PATENT CASE JURY TRIAL DEMANDED

NOTICE OF SOTERA PLUS STIPULATION OF
DEFENDANT TESLA, INC.

Defendant Tesla, Inc. ("Defendant") filed petitions for *Inter Partes* Review ("IPR") of all the patents in this lawsuit with the Patent Trial and Appeal Board of the United States Patent and Trademark Office (the "PTAB"). The following table identifies the IPR proceedings for seven of the patents in this lawsuit, the date the IPR petitions were filed, the patents involved in the IPR proceedings, and the claims challenged in each IPR proceeding. The claims challenged in these seven IPR proceedings include all the claims of the corresponding patents that are asserted against Defendant in this litigation.[1]

IPR No.	Patent No.	IPR Petition Filed	Claims Challenged
IPR2025-00217	U.S. 10,952,153	November 26, 2024	1-5, 10-15, and 20
IPR2025-00219	U.S. 9,706,500	November 26, 2024	11-22
IPR2025-00220	U.S. 11,206,670	November 25, 2024	1-18

[1] Plaintiff asserts four other patents in this lawsuit that are not subject to Defendant's IPR petitions in the table. Plaintiff asserted U.S. Patent No. 8,898,395 in this lawsuit. On May 16, 2025, the Court dismissed with prejudice Plaintiff and Defendant's respective claims with respect to the '395 patent. ECF No. 55.

IPR No.	Patent No.	IPR Petition Filed	Claims Challenged
IPR2025-00221	U.S. 11,664,889	November 25, 2024	1-8
IPR2025-00222	U.S. 9,232,158	November 26, 2024	1-2, 4-5, 8-11, 13-16, and 19
IPR2025-00341	U.S. 7,181,743	December 23, 2024	10, 11, 14, 16, and 18
IPR2025-00343	U.S. 10,292,138	December 31, 2024	1-6 and 8-13

Defendant hereby notifies the Court and Plaintiff that Defendant is submitting the following broadened *Sotera* stipulation ("*Sotera* Plus stipulation") in connection with each of the petitions in IPR2025-00217, IPR2025-00219, IPR2025-00220, IPR2025-00221, IPR2025-00222, IPR2025-00341, and IPR2025-00343, identified in the table above. *See Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18–19 (PTAB Dec. 1, 2020) ("*Sotera*") (describing the standard, unbroadened *Sotera* stipulation).

Stipulation for U.S. Patent No. 10,952,153

Defendant hereby stipulates, broader than the stipulation made by the Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to Defendant's petition against Plaintiff's U.S. Patent No. 10,952,153 (IPR2025-00217), Defendant will not pursue in this litigation against the claims challenged in IPR2025-00217, (i) the specific grounds raised in IPR2025-00217, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on a combination of system prior art and the references asserted as part of a ground raised in IPR2025-00217, as reflected in the table summarizing the Statutory Grounds for Challenges on page 16 of the Petition.

Stipulation for U.S. Patent No. 9,706,500

Defendant hereby stipulates, broader than the stipulation made by the Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to Defendant's petition against Plaintiff's U.S. Patent No. 9,706,500 (IPR2025-00219), Defendant will not pursue in this litigation against the claims challenged in IPR2025-00219, (i) the specific grounds raised in IPR2025-00219, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on a combination of system prior art and the references asserted as part of a ground raised in IPR2025-00219, as reflected in the table summarizing the Statutory Grounds for Challenges on page 15 of the Petition.

Stipulation for U.S. Patent No. 11,206,670

Defendant hereby stipulates, broader than the stipulation made by the Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to Defendant's petition against Plaintiff's U.S. Patent No. 11,206,670 (IPR2025-00220), Defendant will not pursue in this litigation against the claims challenged in IPR2025-00220, (i) the specific grounds raised in IPR2025-00220, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on a combination of system prior art and the references asserted as part of a ground raised in IPR2025-00220, as reflected in the table summarizing the Statutory Grounds for Challenges on page 16 of the Petition.

Stipulation for U.S. Patent No. 11,664,889

Defendant hereby stipulates, broader than the stipulation made by the Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to Defendant's petition against Plaintiff's U.S. Patent No. 11,664,889 (IPR2025-00221), Defendant will not pursue in this litigation against the claims challenged in IPR2025-00221, (i) the specific grounds raised in IPR2025-00221, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on a combination of system prior art and the references asserted as part of a ground raised in IPR2025-00221, as reflected in the table summarizing the Statutory Grounds for Challenges on page 20 of the Petition.

Stipulation for U.S. Patent No. 9,232,158

Defendant hereby stipulates, broader than the stipulation made by the Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to Defendant's petition against Plaintiff's U.S. Patent No. 9,232,158 (IPR2025-00222), Defendant will not pursue in this litigation against the claims challenged in IPR2025-00222, (i) the specific grounds raised in IPR2025-00222, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on a combination of system prior art and the references asserted as part of a ground raised in IPR2025-00222, as reflected in the table summarizing the Statutory Grounds for Challenges on page 11 of the Petition.

Stipulation for U.S. Patent No. 7,181,743

Defendant hereby stipulates, broader than the stipulation made by the Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to Defendant's petition against Plaintiff's U.S. Patent No. 7,181,743 (IPR2025-00341), Defendant will not pursue in this litigation against the claims challenged in IPR2025-00341, (i) the specific grounds raised in IPR2025-00341, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on a combination of system prior art and the references asserted as part of a ground raised in IPR2025-00341, as reflected in the table summarizing the Statutory Grounds for Challenges on page 18 of the Petition.

Stipulation for U.S. Patent No. 10,292,138

Defendant hereby stipulates, broader than the stipulation made by the Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to Defendant's petition against Plaintiff's U.S. Patent No. 10,292,138 (IPR2025-00343), Defendant will not pursue in this litigation against the claims challenged in IPR2025-00343, (i) the specific grounds raised in IPR2025-00343, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on a combination of system prior art and the references asserted as part of a ground raised in IPR2025-00343, as reflected in the table summarizing the Statutory Grounds for Challenges on page 13 of the Petition.

Defendant's *Sotera* Plus stipulations above are not intended and should not be construed to limit Defendant's ability to assert invalidity of any claims of the patents-at-issue in this lawsuit based on any other ground.

Dated: May 27, 2025

Respectfully Submitted,

FISH & RICHARDSON P.C.

By: */s/ Matt Colvin*

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COUNSEL FOR DEFENDANT,
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) on May 27, 2025, and was served via CM/ECF on all counsel of record.

/s/ Matt Colvin
Matt Colvin