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

CONCURRENT VENTURES, LLC AND XTREAMEDGE, INC., Plaintiffs, v. ADVANCED MICRO DEVICES, INC. AND PENSANDO SYSTEMS, INC., Defendants.	Civil Action No. 1:24-cv-335-ADA

Defendants' Stipulation Regarding Invalidity Contentions

Advanced Micro Devices, Inc. and Pensando Systems, Inc. ("Defendants") submit this stipulation regarding invalidity contentions.

On December 19, 2024, Defendants filed petition number IPR2025-00223 with the Patent Trial and Appeal Board ("Board") requesting *inter partes* review ("IPR") of U.S. Patent No. 10,985,943 (the "'943 patent"); on March 7, 2025, Defendants filed petition number IPR2025-00478 with the Board requesting IPR of U.S. Patent No. 8,924,596 (the "'596 patent"); on January 30, 2025, Defendants filed petition number IPR2025-00479 with the Board requesting IPR of U.S. Patent No. 10,944,634 (the "'634 patent"); on February 12, 2025, Defendants filed petition number IPR2025-00486 with the Board requesting IPR of U.S. Patent No. 10,873,753 (the "'753 patent").

The petitions assert the following grounds of invalidity:

IPR Petition No.	Patent No.	IPR Ground	Claims	Grounds of Unpatentability
IPR2025-00223	10,985,943	1	1–5, 10–14	Obvious under 35 U.S.C. § 103 over U.S. Patent No. 10,776,142 ("Seshadri")
		2	1–5, 9–14, 18	Obvious under 35 U.S.C. § 103 over Seshadri and U.S. Patent App. Pub. No. 2018/0191642 ("Biederman")
		3	1–5, 10–14	Obvious under 35 U.S.C. § 103 over U.S. Patent App. Pub. No. 2019/0095113 ("Atsatt-113")
		4	1–5, 9–14, 18	Obvious under 35 U.S.C. § 103 over Atsatt-113 and Biederman
		5	6, 15	Obvious under 35 U.S.C. § 103 over Grounds 1–4 and *Tarafdar et al., "Enabling Flexible Network FPGA Clusters in a Heterogeneous Cloud Data Center"* ("Tarafdar")
		6	7, 16	Obvious under 35 U.S.C. § 103 over Grounds 1–4 and U.S. Patent No. 8,015,386 ("Kulkarni")
		7	8, 17	Obvious under 35 U.S.C. § 103 over Grounds 1–4 and U.S. Patent App. Pub. No. 2019/0041923 ("Atsatt-923")
IPR2025-00478	8,924,596	1	1–2, 5–8, 11–14, 17–18	Obvious under 35 U.S.C. § 103 over U.S. Patent No. 8,559,439 ("Dongare") and U.S. Patent No. 8,051,227 ("Gewirtz")
		2	3–4, 9–10, 15–16	Obvious under 35 U.S.C. § 103 over Ground 1 and U.S. Patent No. 6,810,462 ("Matsunami")
		3	1–2, 6–8, 12–14, 18	Obvious under 35 U.S.C. § 103 over U.S. Patent No. 7,398,528 ("Khawand") and U.S. Patent No. 5,805,930 ("Rosenthal")
		4	1–2, 6–8, 12–14, 18	Obvious under 35 U.S.C. § 103 over Ground 3 and U.S. Patent No. 8,028,284 ("Ohkawa")
		5	3–4, 9–10, 15–16	Obvious under 35 U.S.C. § 103 over Ground 4 and Mastunami

IPR Petition No.	Patent No.	IPR Ground	Claims	Grounds of Unpatentability
IPR2025-00479	10,944,634	1	1–20	Obvious under 35 U.S.C. § 103 over U.S. Patent No. 7,742,499 ("Erskine")
		2	1–20	Obvious under 35 U.S.C. § 103 over U.S. Patent No. 8,000,276 ("Scherzer")
		3	1–20	Obvious under 35 U.S.C. § 103 over Scherzer in view of U.S. Patent No. 9,661,553 ("Gillett")
IPR2025-00486	10,873,753	1	1–3, 13, 14	Obvious under 35 U.S.C. § 103 over U.S. Patent App. Pub. No. 2013/0346667 ("Stroud") and U.S. Patent No. 9,148,389 ("DaSilva")
		2	7, 9–10	Obvious under 35 U.S.C. § 103 over Stroud and *Harvey G. Cragon, Memory Systems and Pipelined Processors* ("Cragon")
		3	7, 9–10	Obvious under 35 U.S.C. § 103 over Stroud, Cragon, and U.S. Patent App. Pub. No. 2002/0087821 ("Saulsbury")
		4	4, 8, 15	Obvious under 35 U.S.C. § 103 over Stroud, DaSilva, Cragon, and Saulsbury

Defendants hereby provide the following *Sotera*[1] stipulations:

- For the '943 patent, if the Board institutes IPR2025-00223, then Defendants will not pursue in this case the specific grounds identified above in connection with the '943 patent and the challenged claims for that patent as originally issued, or on any other ground for which the Board institutes, 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);

[1] *See Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18–19 (PTAB Dec. 1, 2020) (precedential).

- For the ’596 patent, if the Board institutes IPR2025-00478, then Defendants will not pursue in this case the specific grounds identified above in connection with the ’596 patent and the challenged claims for that patent as originally issued, or on any other ground for which the Board institutes, 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);
- For the ’634 patent, if the Board institutes IPR2025-00479, then Defendants will not pursue in this case the specific grounds identified above in connection with the ’634 patent and the challenged claims for that patent as originally issued, or on any other ground for which the Board institutes, 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); and
- For the ’753 patent, if the Board institutes IPR2025-00486, then Defendants will not pursue in this case the specific grounds identified above in connection with the ’753 patent and the challenged claims for that patent as originally issued, or on any other ground for which the Board institutes, 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).

Respectfully submitted,

DATED: April 22, 2025

By *\/s/ Christopher Ponder*

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Advanced Micro Devices, Inc.
and Pensando Systems, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2025, a true and correct copy of the foregoing was served on all counsel of record who have appeared in this case via the Court's CM/ECF system pursuant to Local Rule CV-5.

/s/ Christopher Ponder
Christopher Ponder