**From:** Birbach, Naomi
**Sent:** Tuesday, June 17, 2025 10:30 AM
**To:** MDT-Samsung-BR; Rafatijo, Homayoon; Robinson, Erick; Partridge, Jayme; Piana, Jayne; Dunn, Patrick
**Cc:** DG-Samsung-MDT; Gordon, Lori A
**Subject:** IPR Nos. IPR2025-00535 – IP2025-00544 – Updated Sotera Stipulation

Dear Counsel,

As you know, Petitioners have filed five pairs of petitions (10 total). In view of recent Board decisions, Petitioners in the aforementioned pending proceedings are updating their *Sotera* stipulations as set forth below.

If the PTAB institutes an *inter partes* review in either or both of:

- IPR2025-00535 and IPR2025-00536 concerning U.S. Patent No. 9,032,039
- IPR2025-00537 and IPR2025-00538 concerning U.S. Patent No. 8,825,801
- IPR2025-00539 and IPR2025-00540 concerning U.S. Patent No. 8,793,336
- IPR2025-00541 and IPR2025-00542 concerning U.S. Patent No. 9,922,348
- IPR2025-00543 and IPR2025-00544 concerning U.S. Patent No. 9,619,578

then Samsung will not pursue in Texas district court litigation the grounds raised or any other grounds that could have reasonably been raised before the PTAB in the instituted proceeding(s) for that patent.

Petitioners additionally state that if IPR is instituted in either or both of the petitions on any pair, then they will not pursue in the related district court proceeding combinations of the prior art asserted in the corresponding IPR proceeding(s) with unpublished system prior art for the patent(s) on which IPR has been instituted. Moreover, Petitioners agree that if IPR is instituted in either or both of the petitions on any pair, they will not pursue in the related district court litigation any commercial prior art theory that is coextensive with prior art presented to the Board, including the Nokia 9210 System for the patent(s) on which IPR has been instituted.

Petitioners position will be reflected in their brief opposing Patent Owner's request for discretionary denial due today in IPR2025-00536. In our brief due today, and in our other briefs opposing Patent Owner's request for discretionary denial, we anticipate including a footnote stating that Petitioners would not oppose a request by Patent Owner for a three-page reply to address this more restrictive stipulation.

We recognize that Patent Owner's reply in IPR2025-00535 is due today. Petitioners would accordingly agree to join in a request to extend the deadlines for Patent Owner's reply and Petitioners' sur-reply in IPR2025-00535 and expand the page limits by three pages to provide Patent Owner an opportunity to respond to Petitioners' updated position. Alternatively, Petitioners would not oppose a request by Patent Owner to file an additional three page brief in IPR2025-00535 by June 20 to respond to Petitioners more restrictive stipulation provided that Petitioners be permitted to file a three page response by June 24.

Please let us know how you would like to proceed. We are available to discuss by phone.

Regards,
Naomi

**Naomi Birbach**

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