

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

ADVANCED CLUSTER SYSTEMS, INC.,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.

Case No. 7:24-cv-00245-ADA

JURY TRIAL DEMANDED

INTEL’S NOTICE OF SOTERA STIPULATIONS FOR THE ’768 PATENT

Defendant Intel Corporation intends to file petitions for Inter Partes Review (“IPR”) with the Patent Trial and Appeal Board of the United States Patent and Trademark Office (the “PTAB”) challenging all the claims of asserted U.S. Patent No. 10,333,768 (the “’768 patent”). Specifically, Intel plans to file the following petitions:

IPR No.	Challenged Claims of the ’768 Patent
IPR2025-00794	Claims 1–25 and 30–34
IPR2025-00795	Claims 26–29 and 35–39

Intel hereby notifies the Court and Plaintiff that Intel is submitting the following “*Sotera* stipulations” in support of its petitions in IPR2025-00794 and IPR2025-00795. *See Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18–19 (PTAB Dec. 1, 2020) (“*Sotera*”).

1. Intel hereby stipulates that, if the PTAB institutes an IPR proceeding on the grounds presented for claims 1–25 and 30–34 of the ’768 patent in Intel’s Petition in IPR2025-00794, Intel will not pursue an invalidity defense in the above-captioned district court litigation that the patent

claims subject to the instituted IPR are invalid based on grounds that were raised or reasonably could have been raised during the IPR (i.e., any ground that could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications).

2. Intel further stipulates that, if the PTAB institutes an IPR proceeding on the grounds presented for claims 26–29 and 35–39 of the '768 patent in Intel's Petition in IPR2025-00795, Intel will not pursue an invalidity defense in the above-captioned district court litigation that the patent claims subject to the instituted IPR are invalid based on grounds that were raised or reasonably could have been raised during the IPR (i.e., any ground that could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications).

Intel's *Sotera* stipulations above are not intended and should not be construed to limit Intel's ability to assert invalidity of any claims of the asserted patents in this litigation based on any other ground.

Respectfully submitted,

DATED: March 28, 2025

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record are being served with a copy of the foregoing document via the Court's CM/ECF system on March 28, 2025.

/s/ Heather E. Takahashi

Heather E. Takahashi