UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORP.,
Petitioner

v.

VIRTAMOVE, CORP.,
Patent Owner

Inter Partes Review No.: IPR2025-00855
Patent No. 7,784,058

NOTICE OF PETITIONER'S *SOTERA* STIPULATION

In accordance with the Board's precedential decision in *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18-19 (PTAB Dec. 1, 2020), Microsoft Corp. ("Petitioner" or "Microsoft") stipulates that if the Board institutes *inter partes* review (and that institution is not subsequently vacated) in this proceeding, IPR2025-00855, Petitioner will not pursue in the district court proceeding, *VirtaMove, Corp. v. Microsoft, Corp.*, Case No. 1:25-cv-00794-ADA (W.D. Tex.) ("District Court Action") (i) the specific grounds raised in IPR2025-00855, (ii) any other ground that could have reasonably been raised before the Board in that instituted proceeding (i.e. any other ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications). Microsoft further stipulates not to rely on in the District Court Action on any system art corresponding (*i.e.*, materially identical) to a reference describing that same system art asserted as a part of a specific ground raised in IPR2025-00855, as reflected in Section II summarizing the Statutory Grounds for Challenges on page 4 of the Petition filed in IPR2025-00855, to assert that any claim of the '058 patent is invalid under 35 U.S.C. §§ 102 or 103. For the avoidance of doubt, none of the following systems identified in Microsoft's Preliminary Invalidity Contentions (served May 23, 2025) correspond to a reference asserted as part of a specific ground raised in IPR2025-00855: FreeBSD system developed and released by The FreeBSD Project, Virtuozzo system

developed and released by SWSoft, Solaris system developed and released by Sun Microsystems, Thinstall system developed and released by Jitit Inc., VServer system developed and released by Jacques Gélinas, or User Mode Linux developed and released by Intel.

Date: June 24, 2025

Respectfully submitted,

/s/ James M. Heintz

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CERTIFICATE OF SERVICE

The undersigned herby certifies that a copy of the foregoing document has been served via electronic mail upon the following on June 24, 2025:

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