

**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 STIPULATION FOR THE ’034 PATENT

Defendant Intel Corporation intends to file a petition 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. 11,570,034 (the “’034 patent”). Specifically, Intel plans to file the following petitions:

IPR No.	Challenged Claims of the ’034 Patent
IPR2025-00913	Claims 1–30

Intel hereby notifies the Court and Plaintiff that Intel is submitting the following “*Sotera* stipulation” in support of its petitions in IPR2025-00913. *See Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18–19 (PTAB Dec. 1, 2020) (“*Sotera*”).

Intel hereby stipulates that, if the PTAB institutes an IPR proceeding on the grounds presented for claims 1–30 of the ’034 patent in Intel’s Petition in IPR2025-00913 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* stipulation above is 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: April 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 April 28, 2025.

/s/ Heather E. Takahashi

Heather E. Takahashi