Ramsey M. Al-Salam, CA Bar No. 109506
Jessica J. Delacenserie, *pro hac vice*
PERKINS COIE LLP
1201 Third Avenue, 49th Floor
Seattle, WA 98101
Tel: (206) 359-8000
Fax: (206) 359-9000
Email: RAlSalam@perkinscoie.com
JDelacenserie@perkinscoie.com

Daniel T. Shvodian, CA Bar No. 184576
PERKINS COIE LLP
3150 Porter Drive
Palo Alto, CA 94304
Tel: (650) 838-4300
Fax: (650) 737-5461
Email: DShvodian@perkinscoie.com

Attorneys for Defendant L'Oreal USA, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BRIGHTEX BIO-PHOTONICS, LLC, Plaintiff, v. L'OREAL USA, INC., Defendant.	Case No. 3:24-cv-07919-JCS **DEFENDANTS' STIPULATION REGARDING INVALIDITY CONTENTIONS AS TO U.S. PATENT NO. 9,542,595**

Defendant L'Oréal USA, Inc. ("L'Oréal USA") submits this stipulation regarding asserted U.S. Patent No. 9,542,595 ("the '595 patent"). Defendant is challenging the validity of certain claims of the '595 patent in *Inter Partes* Review Proceeding No. IPR2025-00971. The Petition asserts the following grounds of invalidity:

1. Claims 5, 6, and 11 are rendered obvious under 35 U.S.C. § 103 by Bandic (U.S. Patent U.S. Patent App. Pub. No. 2011/0301441).
2. Claims 5, 6, and 11 are rendered obvious under 35 U.S.C. § 103 by Rubinstenn '103 (U.S. Patent No. 7,634,103) in view of Bandic.
3. Claims 1, 2, 3, and 4 are rendered obvious under 35 U.S.C. § 103 by Rubinstenn '103 in view of Rubinstenn '300 (U.S. Patent App. Pub. No. 2003/0063300) and Bandic.
4. Claims 9, 13, 10, 15, 7, 12, 8 and 14 are rendered obvious under 35 U.S.C. § 103 by Rubinstenn '103 in view of Rubinstenn '300 and Bandic.

In this Petition, L'Oréal USA is a real party is interest, subject to 37 C.F.R. § 42.8(b).

In connection with IPR2025-00971, L'Oréal USA hereby stipulates that if the Patent Trial and Appeal Board institutes *inter partes* review on the grounds presented in L'Oréal USA's Petition (above), L'Oréal USA will not pursue an invalidity defense in this proceeding that the patent claims subject to the instituted *inter partes* review are invalid based on the same grounds as in the Petition or any grounds that could have reasonably been raised in the Petition.

This stipulation is limited to the grounds in the Petition. This stipulation is not intended, and should not be construed, to limit L'Oréal USA's ability to assert invalidity of any claims of the '595 patent on any other ground, regardless of whether *inter partes* review is instituted. Likewise, this stipulation is not intended, and should not be construed, to limit L'Oréal USA's ability to use the asserted prior art references for any purpose other than invalidity under §§ 102 or 103, regardless of whether *inter partes* review is instituted.

L'Oreal EX. 1016

Dated: May 12, 2025

By: */s/ Ramsey M. Al-Salam*

Ramsey M. Al-Salam, CA Bar No. 109506
Jessica J. Delacenserie, *pro hac vice*
PERKINS COIE LLP
1201 Third Avenue, 49th Floor
Seattle, WA 98101
Tel: (206) 359-8000
Fax: (206) 359-9000
Email: RAlSalam@perkinscoie.com
JDelacenserie@perkinscoie.com

Daniel T. Shvodian, CA Bar No. 184576
PERKINS COIE LLP
3150 Porter Drive
Palo Alto, CA 94304
Tel: (650) 838-4300
Fax: (650) 737-5461
Email: DShvodian@perkinscoie.com

Attorneys for Defendant L'Oreal USA, Inc.

L'Oreal EX. 1016

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2025, I caused the foregoing document to be filed with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to the email addresses indicated on the Court's Electronic Mail Notice List.

/s/ *Ramsey M. Al-Salam*
Ramsey M. Al-Salam

L'Oreal EX. 1016