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LATHAM & WATKINS LLP

July 10, 2025

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VIA EMAIL ONLY

Peter Lambrianakos
Fabricant LLP
411 Theodore Fremd Avenue,
Suite 206 South
Rye, New York 10580
plambrianakos@fabricantllp.com

Re: *Advanced Coding Technologies LLC v. Google LLC*, No. 2:24-cv-00353-JRG

Dear Mr. Lambrianakos:

As you know, Google has filed IPR petitions challenging all claims of asserted U.S. Patent Nos. 8,090,025 (“’025 Patent”) (IPR2025-00998), 9,986,303 (“’303 Patent”) (IPR2025-00999), and 10,218,995 (“’995 Patent”) (IPR2025-01000). Google offers the following *Sotera* stipulation in support of its petitions. See *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18–19 (PTAB Dec. 1, 2020).

Google hereby stipulates that, if the PTAB institutes an IPR proceeding on the grounds presented in Google’s petitions challenging the claims of the ’025 Patent, ’303 Patent, and/or ’995 Patent, Google will not pursue in this district court litigation the same grounds in the petition or any grounds that reasonably could have been raised during the IPR with respect to the patent claims subjected to the instituted IPR (i.e., any ground that reasonably could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications).

Google
Exhibit 1046
Google v. Advanced Coding
IPR2025-00998
Ex. 1046-001

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

Best regards,

/s/ Patricia Young

Patricia Young

Cc: All Counsel of Record