

August 25, 2025

VIA E-MAIL

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**Re: *AlmondNet, Inc. v. LiveIntent, Inc.*, Case No. 1:24-cv-00831 (D. Del.) and
 AlmondNet, Inc. v. Viant Technology Inc., Case No. 1:23-cv-00174 (D. Del.)**

Dear Counsel:

LiveIntent, Inc. and Viant Technology LLC (Petitioners) have filed an *inter partes* review (IPR) petition with the Patent Trial and Appeal Board (PTAB) to address the patentability of claims 1-2, 5-9, 15-18, and 21-22 (Challenged Claims) of U.S. Patent No. 8,959,146 ('146 Patent). This proceeding has been assigned AIA Review No. IPR2025-01163. The tables in Appendix A below list the references and grounds asserted in IPR2025-01163 against the Challenged Claims.

I write to inform you that Petitioners stipulate that, if IPR is instituted in IPR2025-01163 and unless institution is later vacated, reversed, or otherwise withdrawn by rehearing or Director Review, Petitioners will not pursue in related District Court Case No. 1:24-cv-00831 (D. Del.) and related District Court Case No. 1:23-cv-00174 (D. Del.) against the Challenged Claims (i) the specific grounds raised in IPR2025-01163, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on a combination of system prior art and the references asserted as part of a ground raised in IPR2025-01163. This stipulation is broader than the estoppel provisions of 35 U.S.C. § 315(e).

Best regards,

/s/ Aamir A. Kazi

Aamir Kazi
Attorney for Petitioners

Appendix A – Prior Art References and Grounds Used in IPR2025-01163

Reference	Filing Date	Publication Date
U.S. Patent Publication No. 2007/0260514 (Burdick)	May 2, 2006	Nov. 8, 2007
U.S. Patent Publication No. 2007/0244750 (Grannan)	Apr. 18, 2006	Oct. 18, 2007

Ground	Claims	Pre-AIA 35 U.S.C. §103
1	1, 2, 5-9, 16-18, 21-22	Burdick
2	1, 2, 5, 8-9, 15-18, 21-22	Burdick in view of Grannan (Burdick-Grannan)