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Counterclaim-Defendant WESTERN DIGITAL CORPORATION

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SANDISK CORPORATION,

13 Plaintiff,

14 v.

15 IPVALUE MANAGEMENT, INC. and
16 LONGITUDE FLASH MEMORY
17 SOLUTIONS, LTD.,

18 Defendants.

19 AND RELATED COUNTERCLAIM.
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Case No. 5:25-CV-02389-PCP

**PLAINTIFF'S STIPULATION
REGARDING INVALIDITY
CONTENTIONS**

Date Filed: March 7, 2025

Trial Date:

Plaintiff's Stipulation Regarding Invalidity Contentions

SanDisk Corporation ("Plaintiff") submits this stipulation regarding invalidity contentions.

On September 3, 2025, Plaintiff filed petition number IPR2025-01281 with the Patent Trial and Appeal Board ("Board") requesting *inter partes* review ("IPR") of U.S. Patent No. 11,456,365 (the "'365 patent"); on October 14, 2025, Defendants filed petition number IPR2025-01283 with the Board requesting IPR of U.S. Patent No. 9,929,240 (the "'240 patent").

The petition asserts the following grounds of invalidity:

IPR Petition No.	Patent No.	IPR Ground	Claims	Grounds of Unpatentability
IPR2025-01281	11,456,365	1	1-3, 5, 9-12, 14-23, 28-33, 35-37, and 42-45	Obvious under 35 U.S.C. § 103 over U.S. Patent App. Pub. No. 2012/0068255 ("Lee '255") and Korean Patent Publication No. 2011-0118961 and Certified English Translation of Korean Patent Publication No. 2011-011896. ("Lee '961")
		2	6-8, 25-27, 34, 38-41	Obvious under 35 U.S.C. § 103 over Lee '255, Lee '961 and U.S. Patent App. Pub. No. 2006/0065919 ("Fujiwara")
IPR2025-01283	9,929,240	1	1, 3-7, 9, 11	Obvious under 35 U.S.C. § 103 over Lee '255, Lee '961 and Fujiwara
		2	12-18	Obvious under 35 U.S.C. § 103 over Lee '255, Lee '961, Fujiwara, and U.S. Patent App. Pub. No. 2012/0061744 ("Hwang")

Defendants hereby provide the following *Sotera*¹ stipulations:

- For the '365 patent, if the Board institutes IPR2025-01281, Plaintiff will not pursue in this case the specific grounds identified above in connection with the '365 patent and the challenged claims for that patent as originally issued, or on any

¹ See *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18–19 (PTAB Dec. 1, 2020) (precedential).

other ground for which the Board institutes, that was raised or could have been reasonably raised in an IPR (i.e., any ground that could be raised under §§ 102 or 103 on the basis of prior art patents or printed publications).

- For the '240 patent, if the Board institutes IPR2025-01283, Plaintiff will not pursue in this case the specific grounds identified above in connection with the '240 patent and the challenged claims for that patent as originally issued, or on any other ground for which the Board institutes, that was raised or could have been reasonably raised in an IPR (i.e., any ground that could be raised under §§ 102 or 103 on the basis of prior art patents or printed publications).

Dated: October 29, 2025

KEKER, VAN NEST & PETERS LLP

By: /s/ Ryan K. Wong

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