UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DELL TECHNOLOGIES INC. AND DELL INC.,
Petitioners

v.

CLOUD BYTE LLC,
Patent Owner

_____

Case IPR2025-01285
Patent No. 9,560,177

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NOTICE OF STIPULATION BY PETITIONERS

Petitioners Dell Technologies Inc. and Dell Inc. ("Petitioners") provide notice of the following stipulation with regard to the related litigation in *Cloud Byte LLC v. Dell Technologies Inc. and Dell Inc.*, Case No. 2:24-cv-00637-JRG (E.D. Tex.) (the "Related Lawsuit").

Petitioners hereby stipulate that if the Board institutes review in this proceeding, Petitioners will not pursue in the Related Lawsuit any argument that the challenged claims are invalid for anticipation under 35 U.S.C. § 102 or obviousness under 35 U.S.C. § 103.

For the avoidance of doubt, this stipulation does not limit Petitioners' ability to pursue and rely on any evidence in support of the invalidity grounds based on 35 U.S.C. § 102(f) or (g) that are the subject of Petitioners' pending Motion to Supplement Invalidity Contentions in the Related Lawsuit (Dtk. No. 103).

Respectfully submitted,

/*James L. Day*/

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