KEKER
VAN NEST
& PETERS

Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415 391 5400
keker.com

Sharif E. Jacob
(415) 676-2237
sjacob@keker.com

August 27, 2025

VIA ELECTRONIC MAIL

Justin Constant
justin@bluepeak.law
Garland Stephens
garland@bluepeak.law
Richard Koehl
richard@bluepeak.law
Kate M. Falkenstein
kate@bluepeak.law
Heng Gong
heng@bluepeak.law
Robert S. Magee
robert@bluepeak.law
Mark D. Siegmund
msiegmund@cjsjlaw.com

Re: ***Dialect, LLC v. Meta Platforms, Inc.*, No. 7:25-cv-0060-DC-DTG (W.D. Tx.)**

Dear Counsel:

We write regarding Meta Platforms, Inc.'s ("Petitioner") recently filed *inter partes* review petitions filed before the Patent Trial and Appeal Board ("PTAB"). Petitioner stipulates as follows:

- With respect to U.S. Patent No. 8,447,607, Petitioner hereby stipulates that if the PTAB institutes an *inter partes* review on IPR2025-1332 ("IPR-1332"), then Petitioner (i) will not pursue in the pending district court litigation the specific grounds of invalidity that were raised or grounds that reasonably could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications in IPR-1332, and (ii) will not pursue in the pending district court litigation grounds of invalidity under 35 U.S.C. §§ 102 or 103 that cite to any of the prior art references listed in the grounds for IPR-1332 with respect to any challenged claim (*see* Grounds 1-2, in Part IV.B of the IPR-1332 Petition), including in combination with any other prior art that could not have been raised in IPR-1332 (e.g., system art) for grounds of invalidity under 35 U.S.C. § 103. To avoid any doubt, if the PTAB declines institution or rescinds institution of IPR-1332,

then Petitioner reserves the right to pursue any grounds of invalidity, including but not limited to the grounds in (i) and (ii), in the pending district court litigation.

- With respect to U.S. Patent No. 9,263,039, Petitioner hereby stipulates that if the PTAB institutes an *inter partes* review on IPR2025-1333 ("IPR-1333"), then Petitioner (i) will not pursue in the pending district court litigation the specific grounds of invalidity that were raised or grounds that reasonably could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications in IPR-1333, and (ii) will not pursue in the pending district court litigation grounds of invalidity under 35 U.S.C. §§ 102 or 103 that cite to any of the prior art references listed in the grounds for IPR-1333 with respect to any challenged claim (*see* Grounds 1-2, in Part IV.B of the IPR-1333 Petition), including in combination with any other prior art that could not have been raised in IPR-1333 (e.g., system art) for grounds of invalidity under 35 U.S.C. § 103. To avoid any doubt, if the PTAB declines institution or rescinds institution of IPR-1333, then Petitioner reserves the right to pursue any grounds of invalidity, including but not limited to the grounds in (i) and (ii), in the pending district court litigation.

- With respect to U.S. Patent No. 7,398,209, Petitioner hereby stipulates that if the PTAB institutes an *inter partes* review on IPR2025-1334 ("IPR-1334"), then Petitioner (i) will not pursue in the pending district court litigation the specific grounds of invalidity that were raised or grounds that reasonably could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications in IPR-1334, and (ii) will not pursue in the pending district court litigation grounds of invalidity under 35 U.S.C. §§ 102 or 103 that cite to any of the prior art references listed in the grounds for IPR-1334 with respect to any challenged claim (*see* Grounds 1-5, in Part II of the IPR-1334 Petition), including in combination with any other prior art that could not have been raised in IPR-1334 (e.g., system art) for grounds of invalidity under 35 U.S.C. § 103. To avoid any doubt, if the PTAB declines institution or rescinds institution of IPR-1334, then Petitioner reserves the right to pursue any grounds of invalidity, including but not limited to the grounds in (i) and (ii), in the pending district court litigation.

- With respect to U.S. Patent No. 8,015,006, Petitioner hereby stipulates that if the PTAB institutes an *inter partes* review on IPR2025-1335 ("IPR-1335"), then Petitioner (i) will not pursue in the pending district court litigation the specific grounds of invalidity that were raised or grounds that reasonably could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications in IPR-1335, and (ii) will not pursue in the pending district court litigation grounds of invalidity under 35 U.S.C. §§ 102 or 103 that cite to any of the prior art references listed in the grounds for IPR-1335 with respect to any challenged claim (*see* Grounds 1-4, in Part II of the IPR-1335 Petition), including in combination with any other prior art that could not have been raised in IPR-1335 (e.g., system art) for grounds of invalidity under 35 U.S.C. § 103. To avoid any doubt, if the PTAB declines institution or rescinds institution of IPR-1335, then Petitioner reserves the right to pursue any grounds of invalidity, including but not limited to the grounds in (i) and (ii), in the pending district court litigation.

- With respect to U.S. Patent No. 9,734,825, Petitioner hereby stipulates that if the PTAB institutes an *inter partes* review on IPR2025-1336 ("IPR-1336"), then Petitioner (i) will not pursue in the pending district court litigation the specific grounds of invalidity that were raised or grounds that reasonably could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications in IPR-1336, and (ii) will not pursue in the pending district court litigation grounds of invalidity under 35 U.S.C. §§ 102 or 103 that cite to any of the prior art references listed in the grounds for IPR-1336 with respect to any challenged claim (*see* Grounds 1-4, in Part II of the IPR-1336 Petition), including in combination with any other prior art that could not have been raised in IPR-1336 (e.g., system art) for grounds of invalidity under 35 U.S.C. § 103. To avoid any doubt, if the PTAB declines institution or rescinds institution of IPR-1336, then Petitioner reserves the right to pursue any grounds of invalidity, including but not limited to the grounds in (i) and (ii), in the pending district court litigation.

Regards,

KEKER, VAN NEST & PETERS LLP

Sharif E. Jacob
Counsel for Meta Platforms, Inc.