

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

MOSKOWITZ FAMILY LLC,

Plaintiff,

v.

MEDTRONIC, INC., MEDTRONIC
SOFAMOR DANEK, INC., MEDTRONIC
SOFAMOR DANEK USA, INC.,
WARSAW ORTHOPEDIC, INC., and
TITAN SPINE, INC.,

Defendants.

Case No. 25-cv-00769-PJS-DLM

NOTICE OF DEFENDANTS' SOTERA STIPULATION

On September 29, 2025, Defendant Medtronic, Inc. filed a Petition for *Inter Partes* Review (“IPR”) of Claim 43 of U.S. Patent No. 9,005,293. The Patent Trial and Appeal Board of the United States Patent and Trademark Office assigned the Petition AIA Review Number IPR2025-01598.

Defendants Medtronic, Inc., Medtronic Sofamor Danek, Inc., Medtronic Sofamor Danek USA, Inc., Warsaw Orthopedic, Inc., and Titan Spine, Inc. (“Defendants”) hereby notify the Court and the Plaintiff that Defendants are submitting the following *Sotera* stipulation in connection with IPR2025-01598. *See Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18-19 (PTAB Dec. 1, 2020) (“Sotera”) (describing the nature and purpose of a *Sotera* stipulation).

Stipulation for U.S. Patent No. 9,005,293 (IPR2025-01598)

Defendants hereby stipulate that if IPR2025-01598 is instituted (and is not subsequently dismissed or terminated), Defendants will not pursue in this litigation a counterclaim or defense that claim 43 (the only claim challenged in IPR2025-01598) is invalid on any ground that Petitioner Medtronic, Inc. raised or reasonably could have raised in IPR2025-01598.

Dated: December 1, 2025

/s/ X. Kevin Zhao

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