FISH.

David Hoffman
Principal
hoffman@fr.com
T: 512 226 8154

Fish & Richardson P.C.
111 Congress Avenue
Suite 2000
Austin, TX 78701

T: 512 472 5070
F: 512 320 8935

October 31, 2025

VIA ELECTRONIC MAIL

Vincent J. Rubino III
Fabricant LLP
411 Theodore Fremd Avenue, Suite 206S
Rye, NY 10580

Re: *Valtrus Innovations, Ltd. et al. v. FedEx Office and Print Services, Inc*.
Case No. 2:25-cv-00516-JRG (Lead Case) (E.D. Tex)
IPR2026-00039, U.S. Patent No. 7,640,332

Counsel:

FedEx Corporation and FedEx Office and Print Services, Inc. ("FedEx") filed a petition for inter partes review against claims of U.S. Patent No. 7,640,332 (the "'332 patent") on October 9, 2025, and that proceeding has been assigned AIA Review No. IPR2026-00039. If inter partes review is instituted in IPR2026-00039, unless institution is later vacated, reversed or otherwise withdrawn by rehearing or Director Review, FedEx stipulates that it will not pursue in Civil Action No. 2:25-cv-00516 (E.D. Tex.), against the '332 patent, (i) the specific grounds raised in IPR2026-00039; (ii) any other ground that could have been reasonably raised in IPR2026-00039 under §§ 102 or 103 on the basis of prior art patents or printed publications; (iii) any ground based on a combination of system prior art (i.e., prior art that is neither a patent or printed publication) and the references that form the basis of any ground raised in IPR2026-00039 or references that form the basis of any ground of any other post-grant request or petition filed on or before October 9, 2025 that challenges the '332 patent, or (iv) any ground under §§ 102 or 103 on the basis of system art corresponding to the references that form the basis of any ground raised in IPR2026-00039.

For the sake of clarity and to avoid any doubt, if the PTAB declines to institute IPR2026-00039, or if institution is later vacated, reversed or otherwise withdrawn by rehearing or Director Review, FedEx reserves the right to assert any grounds of invalidity in the above-captioned District Court proceeding against U.S. Patent 7,640,332.

Regards,

David M. Hoffman

cc: Counsel of Record