UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACCELIGHT TECHNOLOGIES, INC.,
Petitioner,

v.

APPLIED OPTOELECTRONICS, INC.
Patent Owner.

IPR2026-00093
U.S. Patent No. 9,523,826

PETITIONER'S STIPULATION

In view of the United States Patent and Trademark Office's (USPTO) Notice of Proposed Rulemaking, dated October 17, 2025, Petitioner Accelight Technologies, Inc. hereby stipulates that if the Board institutes *inter partes* review (IPR) in this proceeding, IPR2026-00093, and neither the institution nor the final written decision resulting from this proceeding is later vacated, withdrawn, or reversed by the Board, the Director, or the USPTO, then Petitioner will not pursue in the parallel district court litigation (Case No. 4:24-cv-09041-HSG (N.D. Cal.)) any invalidity challenges under 35 U.S.C. §§ 102 or 103.

This stipulation is broader than and supersedes Petitioner's prior stipulation presented in the Petition at Section II.B.

To be clear, the parallel district court litigation (Case No. 4:24-cv-09041-HSG (N.D. Cal.)) is currently stayed pending institution decisions on Petitioner's IPR petitions challenging patentability of five (out of six) asserted patents in the case. The stipulation stated above will apply if and when the stay is lifted in the district court case.

Dated: November 20, 2025

Respectfully submitted,

/*Arpita Bhattacharyya*/
Arpita Bhattacharyya, Reg. No. 63,681
Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on November 20, 2025 a complete and entire copy of this Petitioner's Stipulation was provided by email, to the Patent Owner by serving the email correspondence addresses of record as follows:

Jo Dale Carothers - jcarothers@weintraub.com
Eric Caligiuri - ecaligiuri@weintraub.com

Dated: November 20, 2025

Respectfully submitted,

/*Arpita Bhattacharyya*/
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