

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS AMERICA, INC.,

SAMSUNG ELECTRONICS CO., LTD.,

Petitioners,

v.

MASSIVELY BROADBAND LLC,

Patent Owner.

Case IPR2026-00103

Patent No. 8,224,794

PETITIONERS' STIPULATION

Petitioners hereby stipulate that, if the Board institutes *inter partes* review in this proceeding, IPR2026-00103, Petitioners will not pursue in the parallel litigation, *Massively Broadband LLC v. Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.*, Case No. 2:25-cv-00608-JRG (E.D. Tex.), (1) any grounds of invalidity arising under U.S.C. § 102 or § 103 involving only patent or printed publication prior art that could have reasonably been raised before the Board with respect to U.S. Pat. No. 8,224,794 (the '794 patent), including the same grounds in the Petition (Paper 1); or (2) any grounds of invalidity arising under U.S.C. § 102 or § 103 with respect to the '794 patent that include U.S. Patent Publication No. 2007/0207800 A1 ("Daley"), U.S. Patent Publication No. 2008/0305747 A1 ("Aaron"), U.S. Patent Publication No. 2008/0186882 A1 ("Scherzer"), U.S. Patent Publication No. 2006/0253453 A1 ("Chmaytelli"), U.S. Patent Publication No. 2003/0216953 A1 ("Dawson"), or U.S. Patent Publication No. 2004/0002871 A1 ("Geranio").¹

¹ On October 17, 2025, the United States Patent and Trademark Office issued a Notice of Proposed Rulemaking proposing that "*inter partes* review shall not be instituted or maintained unless each petitioner files a stipulation with the Board and any other tribunal where it is litigating, or later litigates regarding the challenged patent, stating that if a trial is instituted, the petitioner and any real party in interest or privy of the petitioner will not raise grounds of invalidity or unpatentability with respect to the challenged patent under 35 U.S.C. 102 or 103 in any other proceeding." 90 Fed. Reg. 48341, <https://www.govinfo.gov/content/pkg/FR-2025-10-17/pdf/2025-19580.pdf>. In the event these proposed rule changes are implemented, Petitioners reserve the right to modify its stipulation to conform to the regulations as ultimately implemented.

Date: November 4, 2025

/s/ James M. Glass

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on November 4, 2025 the foregoing document was served via email on the following counsel of record:

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