From: Nicholas Stephens
Sent: Wednesday, November 26, 2025 11:37 AM
To: Timothy Devlin; Neil Benchell; DLF- Lit Paras
Cc: IPR50095-0262IP1
Subject: Petitioner Stipulation - IPR2026-00104

Follow Up Flag: Follow up
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Counsel,

Petitioner Apple Inc. filed a petition for *inter partes* review (IPR) with the Patent Trial and Appeal Board (PTAB) in the subject proceeding (IPR2026-00104).

Apple hereby stipulates that, if IPR is instituted in this proceeding (IPR2026-00104), then in *HBCU Messaging US LP v. Apple Inc.*, Case No. 1:24-cv-01199-ADA ("the Texas Litigation"), Apple will not advance against the claims challenged in the instituted IPR: (i) the specific grounds asserted in the instituted IPR, (ii) any ground that could have been reasonably raised in the instituted IPR (i.e., any ground that could have been reasonably raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any other ground based on a combination of any prior art reference asserted as the basis of a ground in the instituted IPR with any system prior art. *See Sotera Wireless, Inc. v. Masimo Corporation*, IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020); *Motorola Solutions, Inc. v. Stellar, LLC*, IPR2024-01205, IPR2024-01206, IPR2024-01207 & IPR2024-01208, Paper 19 (PTAB Mar. 28, 2025).

In so stipulating, Apple seeks to avoid multiple proceedings in different forums addressing the validity of the claims challenged in the instituted IPR based on the same grounds or prior art. For avoidance of doubt, this stipulation shall only apply to the extent IPR is instituted in this proceeding and institution is not later vacated, reversed, or otherwise withdrawn including by rehearing or Director Review.

Respectfully,
Nicholas Stephens

Nicholas Stephens
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Apple Inc. v. HBCU
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