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VIA E-MAIL

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Re: Cogmedia LLC v. Meta Platforms, Inc., CA No. 1:25-cv-12127 (D. Mass.)

Counsel:

We write regarding Meta Platforms, Inc.'s ("Petitioner") *inter partes* review petitions filed before the Patent Trial and Appeal Board ("PTAB"). Petitioner stipulates as follows:

- With respect to U.S. Patent No. 9,817,562, Petitioner hereby stipulates that if the Patent Trial and Appeal Board ("PTAB") institutes an *inter partes* review on IPR2026-00247 ("IPR"), then Petitioner (i) will not pursue in the pending district court litigation the specific grounds of invalidity that were raised or grounds that reasonably could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications in the IPR, and (ii) will not pursue in the pending district court litigation grounds of invalidity under 35 U.S.C. §§ 102 or 103 that cite to any of the prior art references listed in the grounds for the IPR with respect to any challenged claim (see Grounds 1-7 of the IPR Petition), including in combination with any other prior art that could not have been raised in the IPR (e.g., system art) for grounds of invalidity under 35 U.S.C. § 103. To avoid any doubt, if the PTAB declines institution or rescinds institution of the IPR, then Petitioner reserves the right to pursue any grounds of invalidity, including but not limited to the grounds in (i) and (ii), in the pending district court litigation.
- With respect to U.S. Patent No. 10,664,141, Petitioner hereby stipulates that if the Patent Trial and Appeal Board ("PTAB") institutes an *inter partes* review on IPR2026-00248

(“IPR”), then Petitioner (i) will not pursue in the pending district court litigation the specific grounds of invalidity that were raised or grounds that reasonably could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications in the IPR, and (ii) will not pursue in the pending district court litigation grounds of invalidity under 35 U.S.C. §§ 102 or 103 that cite to any of the prior art references listed in the grounds for the IPR with respect to any challenged claim (see Grounds 1-5 of the IPR Petition), including in combination with any other prior art that could not have been raised in the IPR (e.g., system art) for grounds of invalidity under 35 U.S.C. § 103. To avoid any doubt, if the PTAB declines institution or rescinds institution of the IPR, then Petitioner reserves the right to pursue any grounds of invalidity, including but not limited to the grounds in (i) and (ii), in the pending district court litigation.

- With respect to U.S. Patent No. 11,036,371, Petitioner hereby stipulates that if the Patent Trial and Appeal Board (“PTAB”) institutes an *inter partes* review on IPR2026-00249 (“IPR”), then Petitioner (i) will not pursue in the pending district court litigation the specific grounds of invalidity that were raised or grounds that reasonably could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications in the IPR, and (ii) will not pursue in the pending district court litigation grounds of invalidity under 35 U.S.C. §§ 102 or 103 that cite to any of the prior art references listed in the grounds for the IPR with respect to any challenged claim (see Grounds 1-5 of the IPR Petition), including in combination with any other prior art that could not have been raised in the IPR (e.g., system art) for grounds of invalidity under 35 U.S.C. § 103. To avoid any doubt, if the PTAB declines institution or rescinds institution of the IPR, then Petitioner reserves the right to pursue any grounds of invalidity, including but not limited to the grounds in (i) and (ii), in the pending district court litigation.

Sincerely,



Lisa K. Nguyen
for PAUL HASTINGS LLP