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VIA EMAIL (Paul.Andre@hsfkramer.com)

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Re: *ToutVirtual, Inc. v. Microsoft Corporation*, Case No. 2-25-cv-00943 (E.D. Tex.)

Counsel:

Microsoft Corporation (“Petitioner”) has filed a petition for inter partes review (IPR2026-00296) with the Patent Trial and Appeal Board (PTAB) to address the patentability of claims 1-16 of US. Patent No. 10,810,050.

Microsoft hereby stipulates that, if the PTAB institutes review in this proceeding, and said institution is not later vacated, reversed, or otherwise withdrawn by rehearing or Director Review, in *ToutVirtual, Inc. v. Microsoft Corporation*, Case No. 2-25-cv-00943 (“the Texas Litigation”), Microsoft will not pursue the specific grounds asserted in *inter partes* review in this proceeding (as reproduced in the table below), or any other ground that could have been reasonably raised in this proceeding (i.e., any ground that could have been raised under §§ 102 or 103 on the basis of prior art patents or printed publications). *See Sotera Wireless, Inc. v. Masimo Corporation*, IPR202001019, Paper 12 (PTAB Dec. 1, 2020).

Proceeding No.	Claims	Ground
IPR2026-00296	1, 3-4, 6-8	§102: Khandekar
	9, 11, 12, 14, 16	§103: Khandekar
	2, 5, 10, 13	§103: Khandekar, Vasilevsky
	7, 15	§103: Khandekar, Tremain
	1, 3	§103: Hirschfeld
	2, 5	§103: Hirschfeld, Vasilevsky
	6, 7	§103: Hirschfeld, Tremain
	9-16	§103: Pabari, Bonazzola

Microsoft also stipulates that, if the PTAB institutes review in this proceeding, and said institution is not later vacated, reversed, or otherwise withdrawn by rehearing or Director Review, Microsoft will not pursue in the Texas Litigation combinations of prior art asserted in this proceeding (as reproduced in the

Appendix below) with any other type of prior art, including unpublished system prior art, nor will it pursue any unpublished system art corresponding to the prior art asserted in this proceeding. *See Motorola Solutions, Inc. v. Stellar, LLC*, IPR2024-01205, IPR2024-01206, IPR2024-01207 & IPR2024-01208, Paper 19 (PTAB Mar. 28, 2025).

For the sake of clarity and to avoid any doubt, if the PTAB declines to institute (or withdraws, vacates, or reverses institution of IPR2026-00296), the conditions supporting the above stipulation will be unmet and the stipulation null and void.

Sincerely,



Ahmed J. Davis

Attorney for Microsoft Corporation

Appendix – Prior Art References Used in Listed Grounds

Reference Name	Details
Khandekar	U.S. Patent No. 7,577,722
Bandhole	U.S. Pat. App. No. 2002/0049803
Vasilevsky	U.S. Pat. App. No. 2005/0044301
Fujino	U.S. Patent No. 7,457,925
Smith	Smith, James E. & Ravi Nair, “Virtual Machines: Versatile Platforms for Systems and Processes,” Morgan Kaufmann, 2005, ScienceDirect
Hirschfeld	U.S. Patent No. 6,880,002
Tremain	Int. Pat. Pub. No. WO 02/03220
Bonazzola	U.S. Pat. App. Pub. No. 2015/0347167