Veliz, Jareth

From: Greene, Bert A. <BGreene@duanemorris.com>
Sent: Thursday, June 18, 2026 7:31 PM
To: Sorden, Gary; Carpenter, Brian; Saltman, Jeffrey; King, Brian; Nair, Arjun
Cc: CS_Zinser_Vivint; Thompson, Brad; Powers, Joseph A.; McPherson, Patrick D.; Muldoon, Patrick C.; Connors, Charles; Veliz, Jareth
Subject: Zinser v. Vivint (EDTX Case No. 4:25-cv-01030-ALM)

Counsel:

As you are aware, Vivint recently filed a Petition for IPR against Claims 5, 7, and 15-18 of the '191 Patent (IPR2026-00375), and previously filed a Petition for IPR against Claims 21-47 of the '191 Patent (IPR2026-00300).

I write to inform you that, given Director Squires' new guidance in his decisions that he designated as informative on May 13, 2026, Vivint hereby stipulates that it will not pursue in the district court litigation any indefiniteness ground under 35 U.S.C. § 112 against any claim of the '191 Patent.

Vivint also hereby stipulates that, if the PTAB institutes either IPR2026-00300 or IPR2026-00375, Vivint will not pursue in the district court litigation the specific invalidity grounds that it raised in the IPR petitions against the '191 Patent, nor any other invalidity ground that Vivint raised or could have reasonably raised in the IPR petitions under §§ 102 or 103 against the asserted claims of the '191 Patent. *Sotera Wireless, Inc. v. Masimo Corp.*, Case IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020) (precedential). Moreover, Vivint stipulates that, if the PTAB institutes either IPR2026-00300 or IPR2026-00375, Vivint will not pursue in the district court litigation any invalidity ground based on system prior art corresponding to the printed publication asserted in the specific invalidity grounds that it raised in the IPR petitions.

In so stipulating, Vivint seeks to avoid a situation in which multiple proceedings address the validity of the asserted claims of the '191 Patent based on the same or overlapping prior-art grounds, and to minimize the potential for inconsistent outcomes in the parallel IPR and district court proceedings. Instead, through this stipulation, Vivint expresses its preference that only the PTAB address the grounds of §§ 102 or 103 invalidity raised or that could have reasonably been raised in the IPR petitions for the challenged claims of the '191 Patent.

Regards,

Bert

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Exhibit 1018
Vivint LLC v. Duke W. Zinser