



October 27, 2015

VIA EMAIL ONLY

Aaron L. Parker
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
901 New York Avenue, NW
Washington, DC 20001-4413

Re: SSJR File 03739-L0103A
Advanced Drainage Systems, Inc. v. Cultec, Inc., Case No. 2:15-cv-02877-ALM-EPD

Dear Aaron:

We have reviewed the Complaint and U.S. Patent No. 8,672,583 ("the '583 patent"). We have also reviewed the proceedings thus far in the U.S. Patent Office with respect to StormTech's two pending applications that claim priority to the application that led to the '583 patent: U.S. Patent Application Ser. Nos. 14/175,477 and 14/165,503 ("the '477 application" and "the '503 application" respectively).

Our conclusion is that the claims of the '583 patent are invalid at least in view of U.S. Pat. Appl. Pub. No. 2009/0220302 of Cobb et al. ("Cobb"), either by itself or in combination with other prior art references such as Fouss et al, US Patent No. 4,360,042 and/or Brochu, U.S. Pat. Appl. Pub. No. 2007/0172314. The Examiner of the '477 and '503 applications has recently applied Cobb in his most recent action in the '477 application to reject all of the pending claims. (Office Action dated September 17, 2015 in the '477 application). We believe that the claims in StormTech's '503 application should be rejected on substantially the same basis.

We therefore request that ADS/Stormtech withdraw its complaint. If ADS/Stormtech proceed with service of the complaint on Cultec, Inc., we will file a request for reexamination and/or inter partes review with respect to the '583 patent and request a stay of litigation. Further, if litigation proceeds, the issues will metastasize once Contech Engineered Solutions becomes involved in the case. Thus, to avoid unnecessary costs for both of our clients, we believe that ADS/Stormtech should withdraw the complaint.

We look forward to your comments regarding the above.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Stephen P. McNamara", written over a blue line.

Stephen P. McNamara
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STORMTECH EXHIBIT 2001
CULTEC v. STORMTECH
IPR2017-00526