

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ACQIS LLC,
a Texas limited liability company,

Plaintiff,

v.

LENOVO GROUP LTD., a China corporation,
LENOVO PC HK LIMITED, a China
corporation, LCFC (HEFEI) ELECTRONICS
TECHNOLOGY CO., LTD., a China
corporation, LENOVO INFORMATION
PRODUCTS (SHENZHEN) CO. LTD., a
China corporation, LENOVO (BEIJING)
INFORMATION TECHNOLOGY LTD., a
China corporation, LENOVO CENTRO
TECNOLOGICO S DE R.L. DE CV, a Mexico
corporation,

Defendants.

No: 6:20-CV-00967-ADA

JURY TRIAL REQUESTED

DEFENDANTS' STIPULATION OF INVALIDITY CONTENTIONS

Defendants Lenovo Group Ltd., Lenovo PC HK Limited, LCFC (Hefei) Electronics Technology Co., Ltd., Lenovo Information Products (Shenzhen) Co. Ltd., and Lenovo Centro Tecnológico S. de R.L. de C.V. (collectively, "Defendants") submit this stipulation of invalidity contentions.

In June and July 2021, Intel Corporation filed a number of petitions (listed below) with the Patent Trial and Appeal Board requesting *inter partes* review of patents asserted in this litigation. In each petition, Intel identified Defendants as real parties-in-interest. The petitions assert the following grounds of invalidity:

Petition	Patent	Ground	Claims	Ground of Unpatentability
IPR2021-01093	8,626,977	1	1-17	Obvious under 35 U.S.C. § 103 over U.S. Patent No. 6,345,330 to Chu (“Chu330”) and U.S. Pat. Publ. No. 2003/0135771 to Cupps (“Cupps”)
IPR2021-01094	8,756,359	1	1-9, 17-21	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps
IPR2021-01095	8,756,359	1	10-16, 22-27	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps
IPR2021-01099	9,529,769	1	1-22	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps
IPR2021-01102	RE44,739	1	14-36	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps
IPR2021-01103	RE45,140	1	14-38	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps
IPR2021-01104	8,977,797	1	4-5, 14, 16, 27-36	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps
		2	38	Obvious under 35 U.S.C. § 103 over Chu330, Cupps, and U.S. Pat. No. 7,146,510 to Helms (“Helms”)
		3	6, 15, 17, 37	Obvious under 35 U.S.C. § 103 over Chu330, Cupps, and U.S. Pat. No. 6,643,777 to Chu (“Chu777”)
IPR2021-01105	8,977,797	1	7-8, 18-20	Obvious under 35 U.S.C. § 103 over Chu330, U.S. Pat. No. 6,557,065 to Peleg (“Peleg”), and Helms
		2	1-3, 9-13	Obvious under 35 U.S.C. § 103 over Chu330, Peleg, Helms, and Chu777
IPR2021-01107	9,529,768	1	4-6	Obvious under 35 U.S.C. § 103 over Chu330, Peleg, and Helms
		2	10-12	Obvious under 35 U.S.C. § 103 over Chu330, Peleg, Helms, and U.S. Pat. No. 6,718,415 to Chu (“Chu8415”)
IPR2021-01108	9,529,768	1	13-16, 33-34	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps

Petition	Patent	Ground	Claims	Ground of Unpatentability
		2	1-3, 7-9, 17, 19-20, 25, 35	Obvious under 35 U.S.C. § 103 over Chu330, Cupps, and Helms
IPR2021-01109	9,529,768	1	18, 21-24, 26-32, 36-40	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps
IPR2021-01110	9,703,750	1	1, 21, 24, 31, 34, 44, 48-50	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps
		2	2, 4, 45	Obvious under 35 U.S.C. § 103 over Chu330, Cupps, and Helms
IPR2021-01111	9,703,750	1	5-13, 18-20, 25-28, 35-38, 46-47	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps
IPR2021-01112	9,703,750	1	29-30	Obvious under 35 U.S.C. § 103 over Chu330, Peleg, Helms, and Chu8415
		2	14-17, 42-43	Obvious under 35 U.S.C. § 103 over Chu330, Peleg, and Helms
IPR2021-01113	RE44,654	1	14-16, 23-24	Obvious under 35 U.S.C. § 103 over Chu330, Peleg, and Helms
		2	25	Obvious under 35 U.S.C. § 103 over Chu330, Peleg, Helms, and Chu777
		3	20-21	Obvious under 35 U.S.C. § 103 over Chu330 and Cupps
		4	22	Obvious under 35 U.S.C. § 103 over Chu330, Cupps, and Chu777
IPR2021-01114	RE44,654	1	17-19, 26, 35	Obvious under 35 U.S.C. § 103 over Chu330, Peleg, and Helms
		2	27-31, 36	Obvious under 35 U.S.C. § 103 over Chu330, Peleg, Helms, and Chu777

Defendants hereby stipulate that if the Patent Trial and Appeal Board institutes IPR on IPR2021-01093; IPR2021-01094; IPR2021-01095; IPR2021-01099; IPR2021-01102; IPR2021-01103; IPR2021-01104; IPR2021-01105; IPR2021-01107; IPR2021-01108; IPR2021-01109; IPR2021-01110; IPR2021-01111; IPR2021-01112; IPR2021-01113; and/or IPR2021-01114, then

Defendants will not pursue in this case the specific grounds identified above in connection with the referenced patent claim(s) (as presently issued) on the instituted *inter partes* review petition, or on any other ground for a given patent claim for which the Board institutes, that was raised or could have been reasonably raised in an IPR (i.e., any ground that could be raised under §§ 102 or 103 on the basis of prior art patents or printed publications).

This stipulation does not limit Defendants' ability to assert invalidity of the asserted claims of the asserted patents in this case on any other ground (e.g., invalidity under 35 U.S.C. §§ 102 or 103 on the basis of prior invention, derivation, or prior art systems or products, invalidity under 35 U.S.C. §§ 101, 112, or invalidity for obviousness-type double patenting), regardless of whether *inter partes* review is instituted. This stipulation also does not limit Defendants' use of prior art patents and printed publications for any purpose other than showing invalidity under 35 U.S.C. §§ 102 or 103 (e.g., to show non-infringing alternatives, to show the state of the art, in connection with a reasonable royalty or lost profits analysis, to show inequitable conduct, or to cross-examine witnesses), regardless of whether *inter partes* review is instituted. Furthermore, this stipulation does not apply to any claim on which the Board does not institute *inter partes* review.

Dated: September 28, 2021

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record on September 28, 2021.

/s/ Jeffrey S. Seddon, II /s/
Jeffrey S. Seddon, II