

October 29, 2021

VIA E-MAIL

Erick S. Robinson
Texas Bar No. 24039142
Porter Hedges LLP
1000 Main St., 36th Floor
Houston, TX 77002

Thad Kodish
Principal
TKodish@fr.com
404-724-2792 direct

Re: *Ward Participations B.V. v. Samsung Electronics Co., Ltd. et al.*, Case No. 6:21-cv-00806 (W.D. Tx.)

Dear Counsel:

I write regarding petitions for *inter partes* review (IPR) having control number IPR2022-00113 and post grant review (PGR) having control number PGR2022-00007 that are being filed with the Patent Trial and Appeal Board (PTAB) to address claims of U.S. Patent No. 10,992,480 (“**480 Patent**”). The table below lists the 35 U.S.C § 103 (obviousness) grounds asserted by Samsung Electronics Co., Ltd. (“Samsung”) in the IPR and PGR petitions, along with the implicated claims against which the grounds are asserted. I write to inform you that Samsung hereby stipulates that, in the event the PTAB institutes an IPR in IPR2022-00113 and/or PGR in PGR2022-00007 including the obviousness grounds (“Instituted 35 U.S.C § 103 Grounds”) and corresponding claims listed in the table below, Samsung will not assert the Instituted 35 U.S.C § 103 Grounds against the corresponding claims listed in the table for those grounds in the above-captioned litigation (6:21-cv-00806).

| Ground | Claims | Invalidity Basis |
|--------|------------------------|--|
| B1 | 1, 3, 6, 11, and 14-19 | 35 U.S.C. § 103: Ellison in view of Muir |
| B2 | 7, 9, 13 | 35 U.S.C. § 103: Ellison in view of Muir and Al-Salqan |
| B3 | 8, 10, 12 | 35 U.S.C. § 103: Ellison in view of Muir and Searle |

In so stipulating, Samsung seeks to avoid multiple proceedings addressing the validity of these claims based on the Instituted 35 U.S.C § 103 Grounds. Rather, through this stipulation,

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Samsung expresses its intention to have only the PTAB address the Instituted 35 U.S.C § 103 Grounds of invalidity of these claims. But, for the sake of clarity and to avoid any doubt, if the PTAB declines to institute any of the grounds identified herein, Samsung reserves the right to assert such grounds in the above-captioned litigation (6:21-cv-00806). Additionally, even in the event of institution, Samsung reserves its rights to continue to assert all grounds other than the Instituted 35 U.S.C § 103 Grounds.

Sincerely,

A handwritten signature in black ink, appearing to read "Thad Kodish", written in a cursive style.

Thad Kodish

Attorney for Defendant

cc: Counsel of record

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Appendix – Prior Art References Used in the Listed Grounds

| Reference Name | Details |
|-----------------------|---------------------------------|
| Ellison | U.S. Patent No. 7,082,615 |
| Muir | PCT Publication No. WO 01/93212 |
| Al-Salqan | U.S. Patent No. 6,549,626 |
| Searle | U.S. Patent No. 6,683,954 |