

IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF TEXAS
 MIDLAND-ODESSA DIVISION

ADVANCED CLUSTER SYSTEMS, INC.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Case No.: 7:24-cv-00244
	§	
ADVANCED MICRO DEVICES, INC.,	§	
	§	
<i>Defendant.</i>	§	
	§	

**DEFENDANT ADVANCED MICRO DEVICES, INC.’S NOTICE OF SOTERA
 STIPULATIONS FOR THE ’768 PATENT**

Defendant Advanced Micro Devices, Inc. (“AMD”) intends to file petitions for *Inter Partes* Review (“IPR”) with the Patent Trial and Appeal Board of the United States Patent and Trademark Office (the “PTAB”) challenging all claims of asserted U.S. Patent No 10,333,768 (the “’768 Patent”). Specifically, AMD plans to file the following petitions:

IPR No.	Challenged Claims of the ’768 Patent
IPR2025-00862	Claims 1–25 and 30–34
IPR2025-00863	Claims 26–29 and 35–39

AMD also plans to concurrently file a contingent motion to join the IPRs in *Intel Corporation v. Advanced Cluster Systems, Inc.*, Case Nos. IPR2025-00794 and IPR2025-00795 (“the Intel IPRs”), in which Intel is challenging the same claims on the same grounds.

AMD hereby notifies the Court and Plaintiff that AMD is submitting the following “*Sotera* stipulations” in support of its petitions in IPR2025-00862 and IPR2025-00863. *See*

Sotera Wireless, Inc. v. Masimo Corp., IPR2020-01019, Paper 12 at 18-19 (PTAB Dec. 1, 2020) (“*Sotera*”).

1. AMD hereby stipulates that, if the PTAB institutes an IPR proceeding on the grounds presented for claims 1–25 and 30–34 of the ’768 patent in AMD’s Petition in IPR2025-00862, AMD will not pursue an invalidity defense in the above-captioned district court litigation that the patent claims subject to the instituted IPR are invalid based on grounds that were raised or reasonably could have been raised during the IPR (i.e., any ground that could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications).

2. AMD further stipulates that, if the PTAB institutes an IPR proceeding on the grounds presented for claims 26–29 and 35–39 of the ’768 patent on AMD’s Petition in IPR2025-00863, AMD will not pursue an invalidity defense in the above-captioned district court litigation that the patent claims subject to the instituted IPR are invalid based on grounds that were raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications).

AMD’s *Sotera* stipulations above are not intended and should not be construed to limit AMD’s ability to assert invalidity of any claims of the asserted patents in this litigation based on any other ground.

Dated: April 16, 2025

Respectfully submitted,

WINSTON & STRAWN LLP

/s/ Thomas M. Melsheimer

Thomas M. Melsheimer
Texas State Bar Number 13922550
TMelsheimer@winston.com
Rex A. Mann
Texas State Bar Number 24075509
rmann@winston.com
Chaoxuan Charles Liu
Texas State Bar Number 24100410
(Admitted by Pro Hac Vice)
CCLiu@winston.com
2121 North Pearl Street, Suite 900
Dallas, TX 75201
214-453-6500 Telephone
214-453-6400 Facsimile

Brian E. Ferguson
Admitted by Pro Hac Vice
BEFerguson@winston.com
1901 L Street, N.W.
Washington, D.C. 20036
202-282-5276 Telephone
202-282-5100 Facsimile

Counsel for Advanced Micro Devices, Inc.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document has been on counsel of record who are deemed to have consented to electronic service on April 16, 2025 via electronic filing using the Court's CM/ECF system.

/s/ Thomas M. Melsheimer

Thomas M. Melsheimer