

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REVELYST SALES LLC
Petitioner

v.

BRAINGUARD TECHNOLOGIES INC.
Patent Owner

IPR2025-01032
U.S. Patent No. 9,414,635

NOTICE OF PETITIONER'S *SOTERA* STIPULATION

In accordance with the Board’s precedential decision in *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12, 18-19 (PTAB Dec. 1, 2020), Revelyst Sales LLC (“Petitioner”) hereby stipulates that, if the Board institutes *inter partes* review in this proceeding, IPR2025-01032, Petitioner will not pursue in the district court proceeding, *BrainGuard Technologies, Inc. v. Revelyst Sales LLC*, No. 8:24-cv-2652-JWH-ADS (C.D. Cal.) (the “District Court Action”), (1) the specific grounds asserted in the Petition (Paper 3), or (2) any other ground that could reasonably have been raised before the Board in that instituted proceeding with respect to U.S. Patent No. 9,414,635 (i.e., any other ground that could have reasonably been raised under 35 U.S.C. §§102 or 103 on the basis of prior art patents or printed publications).

This stipulation is not intended, and should not be construed, to limit Petitioner’s ability to assert unenforceability or invalidity of any claim of the ’635 patent in the District Court Action on any other ground that was not raised or could not reasonably have been raised in IPR2025-01032, regardless of whether *inter partes* review is instituted.

Respectfully Submitted,

Dated: August 13, 2025

/David L. Cavanaugh/
David Cavanaugh
Registration No. 36,476

CERTIFICATE OF SERVICE

I hereby certify that on August 13, 2025, I caused a true and correct copy of the foregoing materials:

- Ex.1051
- Exhibit List

to be served on Patent Owner via electronic mail to:

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DATED: August 13, 2025

/Patrick E. Nyman/
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