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Via Email

Andrei Iancu
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Re: *Sec. First Innovs., LLC v. Int'l Bus. Mach. Corp.*,
Case No. 1:25-cv-00514-CMH-WEF (E.D.V.A.)

Dear Andrei:

On behalf of Defendant International Business Machine (“IBM”) in the above-referenced case (the “Litigation”), we write regarding a petition for *inter partes* review (“IPR”) that IBM filed with the Patent Trial and Appeal Board (“PTAB”) in IPR2025-01201, challenging validity of all claims 1-20 in U.S. Patent No. 8,904,194.

Consistent with *Sotera Wireless, Inc.*, IBM— the Petitioner and the sole real-party-in-interest in IPR2025-01201—hereby stipulates “that if the PTAB institutes *inter partes* review [and does not subsequently vacate institution], Petitioner ‘will not pursue in [the Litigation] the specific grounds [asserted in IPR2025-01201], or . . . any other ground . . . 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 patent or printed publications).’” *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 13-14 (PTAB Dec. 1, 2020) (precedential).

Very truly yours,

/s/ Tamir Packin

Tamir Packin

cc: Charles B. Molster, III (cmolster@molsterlaw.com)
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