

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS AMERICA, INC.,

SAMSUNG ELECTRONICS CO., LTD.,

Petitioners,

v.

MASSIVELY BROADBAND LLC,

Patent Owner.

Case IPR2025-01595

Patent No. 8,923,754

PETITIONERS' STIPULATION

Petitioners hereby stipulate that, if the Board institutes *inter partes* review in this proceeding, IPR2025-01565, Petitioners will not pursue in the parallel litigation, *Massively Broadband LLC v. Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.*, Case No. 2:25-cv-00608-JRG (E.D. Tex.), (1) any grounds of invalidity arising under U.S.C. § 102 or § 103 involving only patent or printed publication prior art that could have reasonably been raised before the Board with respect to U.S. Pat. No. 8,923,754 (the '754 patent), including the same grounds in the Petition (Paper 1); or (2) any grounds of invalidity arising under U.S.C. § 102 or § 103 with respect to the '754 patent that include U.S. Pat. No. 6,584,080 (“Ganz”), U.S. Pat. No. 7,209,523 (“Larrick”), WO 03/058850 (“Engels”), or U.S. Pat. App. Pub. No. 2004/0160928 (“Perlman”).¹

¹ On October 17, 2025, the United States Patent and Trademark Office issued a Notice of Proposed Rulemaking proposing that “*inter partes* review shall not be instituted or maintained unless each petitioner files a stipulation with the Board and any other tribunal where it is litigating, or later litigates regarding the challenged patent, stating that if a trial is instituted, the petitioner and any real party in interest or privy of the petitioner will not raise grounds of invalidity or unpatentability with respect to the challenged patent under 35 U.S.C. 102 or 103 in any other proceeding.” 90 Fed. Reg. 48341, <https://www.govinfo.gov/content/pkg/FR-2025-10-17/pdf/2025-19580.pdf>. In the event these proposed rule changes are implemented, Petitioners reserve the right to modify its stipulation to conform to the regulations as ultimately implemented.

Date: October 29, 2025

/s/ James M. Glass

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on October 29, 2025 the foregoing document was served via email on the following counsel of record:

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