

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TOYOTA MOTOR CORP. AND KIA CORPORATION,  
Petitioners,

v.

EMERGING AUTOMOTIVE LLC,  
Patent Owner.

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Case No. IPR2026-00059  
U.S. Patent No. 11,104,245

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**NOTICE OF PETITIONERS' *SOTERA* STIPULATION**

Pursuant to the Interim Processes for PTAB Workload Management, issued March 26, 2025,<sup>1</sup> and the Board’s guidance in the “Learn about the new interim processes relating to institution in AIA proceedings” presentation,<sup>2</sup> Petitioners Toyota Motor Corporation and Kia Corporation (collectively, “Petitioners”) stipulate as follows:

If the Patent Trial and Appeal Board (PTAB) institutes this *inter partes* review, unless institution is later vacated, reversed, or otherwise withdrawn, Petitioners will not pursue in *Emerging Automotive LLC v. Toyota Motor North America, Inc. et al*, No. 2:25-cv-00782 (E.D.Tex. Aug. 12, 2025) and *Emerging Automotive LLC v. Kia Corporation et al.*, No. 2:25-cv-00799 (E.D.Tex. Aug 15, 2025) against any claims challenged in this *inter partes* review:

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<sup>1</sup> Available at <https://www.uspto.gov/sites/default/files/documents/InterimProcessesPTABWorkloadMgmt-20250326.pdf>.

<sup>2</sup> Presentation, video, and FAQs available at <https://www.uspto.gov/about-us/events/learn-about-new-interim-processes-relating-institution-aia-proceedings>.

“[T]he specific grounds [asserted in IPR2026-00059], or on 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)” (see *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 13-14 (PTAB Dec. 1, 2020) (precedential as to § II.A)).<sup>3</sup>

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<sup>3</sup> 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.

Dated: November 25, 2025

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing paper was caused to be served on November 25, 2025, via electronic mail, upon the following counsel of record for the Patent Owner:

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