

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR CORP.,
Petitioner,

v.

EMERGING AUTOMOTIVE LLC,
Patent Owner.

Case No. IPR2026-00070
U.S. Patent No. 12,337,716

NOTICE OF PETITIONER'S *SOTERA* STIPULATION

Pursuant to the Interim Processes for PTAB Workload Management, issued March 26, 2025,¹ and the Board’s guidance in the “Learn about the new interim processes relating to institution in AIA proceedings” presentation,² Petitioner Toyota Motor Corporation (“Petitioner” or “Toyota”) stipulates as follows:

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Appeal Board (PTAB) institutes this *inter partes* review, unless institution is later vacated, reversed, or otherwise withdrawn, Petitioner will not pursue in *Emerging Automotive LLC v. Toyota Motor North America, Inc. et al*, No. 2:25-cv-00782 (E.D. Tex.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

“[T]he specific grounds [asserted in IPR2026-00070], 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.*,

¹ Available at www.uspto.gov/sites/default/files/documents/InterimProcesses-PTABWorkloadMgmt-20250326.pdf.

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

IPR2020-01019, Paper 12 at 13-14 (PTAB Dec. 1, 2020) (precedential as to § II.A)).³

³ 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

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that a copy of the foregoing paper was served on November 25, 2025 by electronic mail on the following counsel for Patent Owner:

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