

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

MOSKOWITZ FAMILY LLC,

Plaintiff,

v.

MEDTRONIC, INC., MEDTRONIC
SOFAMOR DANEK, INC., MEDTRONIC
SOFAMOR DANEK USA, INC., WARSAW
ORTHOPEDIC, INC., and TITAN SPINE,
INC.,

Defendants.

Case No. 25-cv-00769-PJS-DLM

NOTICE OF DEFENDANTS' SOTERA STIPULATION

On November 10, 2025, Defendant Medtronic, Inc. filed a Petition for *Inter Partes* Review (“IPR”) of Claims 1-6, 8-12 and 17-20 of U.S. Patent No. 11,864,755. The Patent Trial and Appeal Board of the United States Patent and Trademark Office assigned the Petition AIA Review Number IPR2026-00121.

On November 10, 2025, Defendant Medtronic, Inc. filed a Petition for *Inter Partes* Review (“IPR”) of Claims 16 and 19 of U.S. Patent No. 11,096,797. The Patent Trial and Appeal Board of the United States Patent and Trademark Office assigned the Petition AIA Review Number IPR2026-00124.

Defendants Medtronic, Inc., Medtronic Sofamor Danek, Inc., Medtronic Sofamor Danek USA, Inc., Warsaw Orthopedic, Inc., and Titan Spine, Inc. (“Defendants”) hereby notify the Court and the Plaintiff that Defendants are submitting the following *Sotera* stipulation in connection with IPR2026-00121 and IPR2026-0012. *See Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 18-19 (PTAB Dec. 1, 2020) (“Sotera”) (describing the nature and

purpose of a *Sotera* stipulation).

U.S. Patent No. 11,864,755 (IPR2026-00121)

Defendants hereby stipulate that if IPR2026-00121 is instituted (and is not subsequently dismissed or terminated), Defendants will not pursue in this litigation a counterclaim or defense that Claims 1-6, 8-12 and 17-20, which are the only Claims challenged in IPR2026-00121, are invalid on any ground that Petitioner Medtronic, Inc. raised or reasonably could have raised in IPR2026-00121.

Stipulation for U.S. Patent No. 11,096,797 (IPR2026-00124)

Defendants hereby stipulate that if IPR2026-00124 is instituted (and is not subsequently dismissed or terminated), Defendants will not pursue in this litigation a counterclaim or defense that Claims 16 and 19, which are the only Claims challenged in IPR2026-00124, are invalid on any ground that Petitioner Medtronic, Inc. raised or reasonably could have raised in IPR2026-00124.

Dated: January 6, 2026

/s/ X. Kevin Zhao

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