

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DRAFTKINGS INC.
Petitioner

v.

WINVIEW IP HOLDINGS, LLC
Patent Owner

IPR2026-00175
U.S. Patent No. 11,338,189

NOTICE OF PETITIONER'S *SOTERA* STIPULATION

IPR2026-00175
DRAFTKINGS v. WINVIEW
DRAFTKINGS 1019

In accordance with the Board’s precedential decision in *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12, 18-19 (PTAB Dec. 1, 2020), DraftKings Inc. (“Petitioner”) hereby stipulates that, if the Board institutes *inter partes* review in this proceeding, IPR2026-00175, Petitioner will not pursue in the district court proceeding, *WinView IP Holdings, LLC v. DraftKings Inc.*, No. 3:25-cv-01143 (D.N.J.) (the “District Court Action”), (1) the specific grounds asserted in the Petition (Paper 5), or (2) any other ground that could reasonably have been raised before the Board in that instituted proceeding with respect to U.S. Patent No. 11,338,189 (*i.e.*, any other ground that could have reasonably been raised under 35 U.S.C. §§102 or 103 on the basis of prior art patents or printed publications).

This stipulation is not intended, and should not be construed, to limit Petitioner’s ability to assert unenforceability or invalidity of any claim of the ’189 patent in the District Court Action on any other ground that was not raised or could not reasonably have been raised in IPR2026-00175, regardless of whether *inter partes* review is instituted.

Respectfully Submitted,

Dated: March 10, 2026

/John V. Hobgood/
John Hobgood
Registration No. 61,540