

EXHIBIT 1

Subject: Invalidity Grounds, IPR Proceedings Issue and Wilfullness

Date: Saturday, April 22, 2023 at 8:18:48 AM Eastern Daylight Time

From: Unikel, Robert <robertunikel@paulhastings.com>

To: John Lahad <jlahad@SusmanGodfrey.com>, Failla, Melissa J. <melissafailla@paulhastings.com>, Kalpana Srinivasan <ksrinivasan@SusmanGodfrey.com>, Max Straus <MStraus@susmangodfrey.com>, Seth Ard <sard@susmangodfrey.com>, Rachel Solis <RSolis@susmangodfrey.com>, Kemper Diehl <KDiehl@susmangodfrey.com>, Richard Wojtczak <rwojtczak@susmangodfrey.com>, dtaylor@skjlaw.com <dtaylor@skjlaw.com>, nbelgam@skjlaw.com <nbelgam@skjlaw.com>, smb@skjlaw.com <smb@skjlaw.com>

CC: shamlin@Potteranderson.com <shamlin@Potteranderson.com>, vinny.ling@mto.com <vinny.ling@mto.com>, bpalapura@potteranderson.com <bpalapura@potteranderson.com>, dmoore@potteranderson.com <dmoore@potteranderson.com>, ginger.anders@mto.com <ginger.anders@mto.com>, Google-Arendi <Google-Arendi@paulhastings.com>, Susan M. Betts <smb@skjlaw.com>, Neal C. Belgam <NCB@skjlaw.com>

EXTERNAL Email

Arendi team,

As per the Court's directive, and based and conditioned on the assumption that we are able to present the CyberDesk System at trial (as preliminarily indicated by the Judge), then we disclose the following invalidity grounds that Google will present at trial.

Anticipation based on CyberDesk

Obviousness based on CyberDesk + Apple Data Detectors; CyberDesk + Microsoft Word 97; Apple Data Detectors + Word 97; and Pandit + CyberDesk and Pandit + Apple data detectors (subject to proposal below).

We are willing to remove, and not present at trial, the two obviousness combinations based on Pandit – Pandit + CyberDesk and Pandit + Apple Data Detectors – if, and only if, the parties agree that no evidence, argument or testimony will be presented to the jury concerning the IPR proceedings (including any and all aspects of those proceedings and the related appeals). Please advise by noon today, Saturday, whether we have an agreement on this; or we will need to find another path to provide the Court (either together or separately) with potential options for addressing the juror confusion and potential error that is likely to result if the IPR proceedings are introduced at trial.

[REDACTED]

Rob

From: John Lahad <jlahad@SusmanGodfrey.com>

Sent: Friday, April 21, 2023 10:53 PM

To: Unikel, Robert <robertunikel@paulhastings.com>; Failla, Melissa J. <melissafailla@paulhastings.com>; Kalpana Srinivasan <ksrinivasan@SusmanGodfrey.com>; Max Straus <MStraus@susmangodfrey.com>; Seth Ard <sard@susmangodfrey.com>; Rachel Solis <RSolis@susmangodfrey.com>; Kemper Diehl

<KDiehl@susmangodfrey.com>; Richard Wojtczak <rwojtczak@susmangodfrey.com>; dtaylor@skjlaw.com; nbelgam@skjlaw.com; smb@skjlaw.com
Cc: shamlin@Potteranderson.com; vinny.ling@mto.com; bpalapura@potteranderson.com; dmoore@potteranderson.com; ginger.anders@mto.com; Google-Arendi <Google-Arendi@paulhastings.com>; Susan M. Betts <SMB@skjlaw.com>; Neal C. Belgam <NCB@skjlaw.com>
Subject: [EXT] RE: Meet and Confer Concerning IPR Proceedings Issue

--- External Email ---

[REDACTED]

Thank you.

John P. Lahad

Partner | Susman Godfrey LLP

Houston | New York | Los Angeles | Seattle

713.653.7859 (o) 713.725.3557 (m)

From: Unikel, Robert <robertunikel@paulhastings.com>

Sent: Friday, April 21, 2023 8:03 PM

To: John Lahad <jlahad@SusmanGodfrey.com>; Failla, Melissa J. <melissafailla@paulhastings.com>; Kalpana Srinivasan <ksrinivasan@SusmanGodfrey.com>; Max Straus <MStraus@susmangodfrey.com>; Seth Ard <sard@susmangodfrey.com>; Rachel Solis <RSolis@susmangodfrey.com>; Kemper Diehl <KDiehl@susmangodfrey.com>; Richard Wojtczak <rwojtczak@susmangodfrey.com>; dtaylor@skjlaw.com; nbelgam@skjlaw.com; smb@skjlaw.com

Cc: shamlin@Potteranderson.com; vinny.ling@mto.com; bpalapura@potteranderson.com; dmoore@potteranderson.com; ginger.anders@mto.com; Google-Arendi <Google-Arendi@paulhastings.com>; Susan M. Betts <SMB@skjlaw.com>; Neal C. Belgam <NCB@skjlaw.com>

Subject: RE: Meet and Confer Concerning IPR Proceedings Issue

EXTERNAL Email

John.

[REDACTED]

[REDACTED]

Rob

From: John Lahad <jlahad@SusmanGodfrey.com>
Sent: Friday, April 21, 2023 6:33 PM
To: Unikel, Robert <robertunikel@paulhastings.com>; Failla, Melissa J. <melissafailla@paulhastings.com>; Kalpana Srinivasan <ksrinivasan@SusmanGodfrey.com>; Max Straus <MStraus@susmangodfrey.com>; Seth Ard <sard@susmangodfrey.com>; Rachel Solis <RSolis@susmangodfrey.com>; Kemper Diehl <KDiehl@susmangodfrey.com>; Richard Wojtczak <rwojtczak@susmangodfrey.com>; dtaylor@skjlaw.com; nbelgam@skjlaw.com; smb@skjlaw.com
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Subject: [EXT] RE: Meet and Confer Concerning IPR Proceedings Issue

--- External Email ---

How about 8 pm eastern? Can you circulate a dial-in please?

John P. Lahad

Partner | Susman Godfrey LLP

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From: Unikel, Robert <robertunikel@paulhastings.com>
Sent: Friday, April 21, 2023 4:42 PM
To: John Lahad <jlahad@SusmanGodfrey.com>; Failla, Melissa J. <melissafailla@paulhastings.com>; Kalpana Srinivasan <ksrinivasan@SusmanGodfrey.com>; Max Straus <MStraus@susmangodfrey.com>; Seth Ard <sard@susmangodfrey.com>; Rachel Solis <RSolis@susmangodfrey.com>; Kemper Diehl <KDiehl@susmangodfrey.com>; Richard Wojtczak <rwojtczak@susmangodfrey.com>; dtaylor@skjlaw.com; nbelgam@skjlaw.com; smb@skjlaw.com
Cc: shamlin@Potteranderson.com; vinny.ling@mto.com; bpalapura@potteranderson.com; dmoore@potteranderson.com; ginger.anders@mto.com; Google-Arendi <Google-Arendi@paulhastings.com>; Susan M. Betts <SMB@skjlaw.com>; Neal C. Belgam <NCB@skjlaw.com>
Subject: Meet and Confer Concerning IPR Proceedings Issue

EXTERNAL Email

Arendi team,

Per the Court's instruction, we would like to schedule a meet and confer call with you tonight to discuss potential paths to resolve the IPR proceedings issue. Please let us know when you are available.

Thanks,

Rob

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