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AND AFFILIATED PARTNERSHIPS

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January 29, 2021

Via E-mail

Theodore Stevenson, III
tstevenson@mckoolsmith.com
McKool Smith, P.C.
300 Crescent Court, Suite 1500
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Re: *Ericsson Inc. et al. v. Samsung Electronics Co., Ltd., et. al.*, Civil Action
No. 2:20-cv-00380-JRG (E.D. Tex.)

Dear Counsel:

We write regarding a petition for *inter partes* review (IPR) being filed with the Patent Trial and Appeal Board (PTAB) to address claims of U.S. Patent No. 10,454,655. We write to inform you that Samsung Electronics Co., Ltd. (“Samsung”) hereby stipulates that, if the PTAB institutes the IPR petition on the grounds presented (a table of which is reproduced below), then Samsung and its Samsung co-defendants will not pursue those same instituted grounds or grounds based on the same primary reference in the above-captioned litigation, 2:20-cv-00380-JRG (E.D. Tex.).

Ground	Claims	Prior Art Basis of Ground ¹
1A	1-40	Bao
1B	1-40	Bao in view of Feuersanger
2	1-40	Kwon

In so stipulating, Samsung seeks to avoid multiple proceedings addressing the validity of the challenged claims of the patent based on the same grounds. Rather, consistent with Congressional intent, Samsung wishes the patentability of this patent over those grounds to be addressed at the

¹ See Appendix for abbreviations.

KIRKLAND & ELLIS LLP

Theodore Stevenson, III
January 29, 2021
Page 2

Board. But, for the sake of clarity and to avoid any doubt, if the PTAB declines institution, Samsung reserves the right to pursue the grounds of the IPR in this litigation.

Sincerely,

/s/ Greg Arovas, P.C.

Greg Arovas, P.C.
Kirkland & Ellis LLP

cc: Counsel of record

KIRKLAND & ELLIS LLP

Theodore Stevenson, III
January 29, 2021
Page 3

Appendix – Prior Art References Used in the Listed Grounds

Reference Name	Details
Bao	U.S. Patent Application Publication No. 2012/0113811 to Bao et al.
Feuersanger	U.S. Patent Application Publication No. 2013/0039202 to Feuersanger et al.
Kwon	U.S. Patent No. 8,538,411 to Kwon et al.