

February 5, 2021

**Benjamin C. Elacqua**  
Principal  
Elacqua@fr.com  
713 654 5324 direct

**VIA E-MAIL**

John J. Edmonds  
jedmonds@ip-lit.com  
Edmonds & Schlather PLLC  
2501 Saltus Street  
Houston, TX 77003

**Re: GUI Global Products, Ltd D/B/A Gwee v. Apple Inc., Civil Action No. 4:20-cv-02652 (S.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. 10,259,021. The table below lists grounds asserted by Apple Inc. (“Apple”) in an IPR petition challenging claims of this patent, along with the implicated claims against which the grounds are asserted. We write to inform you that Apple hereby stipulates that in the event the PTAB institutes an *inter partes* review including the grounds listed in the table against the corresponding claims listed in the table for those grounds (“Instituted Grounds”), Apple will not assert the Instituted Grounds against the corresponding claims listed in the table for those grounds in the above-captioned litigation (4:20-cv-02652).

Patent No.	Proceeding No.	Claims	Ground
10,259,021	IPR2021-00471	1, 4-7, 10, 14-16, 19	Obvious (§ 103) over Gundlach in view of Lee
10,259,021	IPR2021-00471	4, 14	Obvious (§ 103) over Gundlach in view of Lee and Nishikawa
10,259,021	IPR2021-00471	10	Obvious (§ 103) over Gundlach in view of Lee and Rosener
10,259,021	IPR2021-00471	2, 12	Obvious (§ 103) over Gundlach in view of Lee and Brown
10,259,021	IPR2021-00471	8, 9, 17	Obvious (§ 103) over Gundlach in view of Lee and Mak-Fan

February 5, 2021  
Page 2

In so stipulating, Apple seeks to avoid multiple proceedings addressing the validity of these claims based on the Instituted Grounds. Rather, through this stipulation, Apple expresses its intention to have only the PTAB address the Instituted Grounds of invalidity of these claims. But, for the sake of clarity and to avoid any doubt, if the PTAB declines to institute any of the grounds identified herein, Apple reserves the right to assert such grounds in the above-captioned litigation (4:20-cv-02652). Additionally, even in the event of institution, Apple reserves its rights to continue to assert all grounds other than the Instituted Grounds.

Sincerely,



---

Benjamin C. Elacqua  
Fish & Richardson P.C.

cc: Counsel of record

**Appendix – Prior Art References Used in the Listed Grounds**

Reference Name	Details
Gundlach	U.S. Patent Application Publication No. 2008/0132293 to Gundlach, et al.
Lee	U.S. Patent No. 7,548,040 to Lee, et al.
Nishikawa	U.S. Patent Application Publication No. 2007/0145255 to Nishikawa, et al.
Rosener	U.S. Patent Application Publication No. 2008/0076489 to Rosener, et al.
Brown	U.S. Patent No. 7,631,811 to Brown
Mak-Fan	U.S. Patent Application Publication No. 2008/0012706 to Mak-Fan, et al.