

March 2, 2021

VIA E-MAIL AND U.S. MAIL

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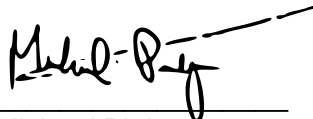
Re: *Koss Corporation v. Apple Inc.*, Case No. 6:20-cv-00665

Dear Ms. Ghavimi:

We write regarding the petition for *inter partes* review (IPR) filed against the patent in suit, U.S. Patent No. 10,469,934, in the above-captioned litigation. We write to inform you that Apple Inc. hereby stipulates that if the Patent Trial and Appeal Board (PTAB) institutes this petition on the grounds presented, then Defendant, Apple Inc. ("Apple"), will not seek resolution within this litigation of any ground of invalidity that utilizes, as a primary reference, PCT Application Publication No. WO 2006/042749 (or any translation thereof) ("Haupt"), which is the primary reference in the grounds asserted in the IPR petition.

In so stipulating, Apple seeks to avoid multiple proceedings addressing the validity of the patents in suit based on the same grounds. Rather, consistent with Congressional intent, Apple wishes the patentability of these patents over grounds in which Haupt is the primary reference to be addressed at the Board. But, for the sake of clarity and to avoid any doubt, if the PTAB declines institution of Apple's IPR petition relating to the '934 Patent, Apple reserves the right to pursue any such grounds in this litigation.

Sincerely,



Michael Pieja
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