

Fish & Richardson P.C.
1221 McKinney Street
Suite 2800
Houston, TX 77010

713 654 5300 main
713 652 0109 fax

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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 today with the Patent Trial and Appeal Board (PTAB) to address claims of U.S. Patent No. 10,259,020. 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 based on the petition being filed today in IPR2021-01289 and 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 |
|------------|----------------|----------------|---|
| 10,259,020 | IPR2021-01289 | 1-9, 11-15, 19 | Obvious (§ 103) over Kim |
| 10,259,020 | IPR2021-01289 | 10 | Obvious (§ 103) over Kim in view of Koh |
| 10,259,020 | IPR2021-01289 | 16-17 | Obvious (§ 103) over Kim in view of Lee |
| 10,259,020 | IPR2021-01289 | 18 | Obvious (§ 103) over Kim in view of Jiang |

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

based on the petition being filed today in IPR2021-01289, 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 |
|----------------|--|
| Kim | U.S. Patent Application Publication 2010/0227642 |
| Koh | Korean Patent Publication 10-2008-0093178 |
| Lee | U.S. Patent Application Publication 2010/0298032 |
| Jiang | U.S. Patent 5,946,121 |