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September 16, 2021

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Re: *Neo Wireless LLC v. Dell Technologies Inc. and Dell Inc.*, Case No. 6:21-cv-0024 (WDTX)

Dear Counsel:

We write regarding a petition for *inter partes* review (IPR) being filed with the Patent Trial and Appeal Board (PTAB) to address the claims of U.S. Patent No. 8,467,366 (“**366 Patent**”). The table below lists grounds asserted by Dell Technologies Inc. and Dell Inc. (“**Dell**”) in an IPR petition (IPR2021-01480) challenging the ’366 Patent, along with the implicated claims against which the grounds are asserted. I write to inform you that Dell hereby stipulates that *if the PTAB institutes an IPR based on Petitioner’s IPR Petition (IPR2021-01480) for the ’366 Patent, Petitioner will not assert any 35 U.S.C. § 102 or § 103 invalidity ground in this co-pending litigation (6:21-cv-0024) based on any of the primary or secondary references asserted in Petitioner’s IPR Petition.* The *primary or secondary* references are listed in the second table below.

Ground	Claims	35 U.S.C. § 103 Combination
A1	1-4, 6-12, 14-20, 22-24	Ma and TR
A2	5, 21	Ma, TR and Soliman
A3	13	Ma, TR and Li
B1	1-4, 6-12, 14-20, 22-24	Ma and Jung
B2	5, 21	Ma, Jung and Soliman

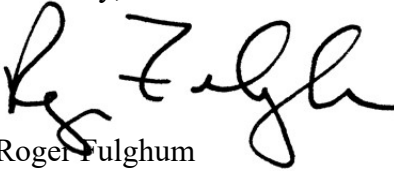
Ground	Claims	35 U.S.C. § 103 Combination
B3	13	Ma, Jung and Li

Reference	Date	Prior Art At least Under
Ma (US20040001429)	Published 2004-01-01, filed 2003-04-04, claiming priority to U.S. provisional application No. 60/391,624 filed 2002-06-27	102(a)&(e)
TR (ETSI TR 101 146 V3.0.0 entitled “Universal Mobile Telecommunications System UMTS); UMTS Terrestrial Radio Access (UTRA); Concept evaluation (UMTS 30.06 version 3.0.0)” (1997-12))	Published 1997-12	102(b)
Li (US20020159422)	Published 2002-10-31	102(b)
Jung (US20040114504)	Filed 2003-10-23	102(e)
Soliman (US6101179)	Issued 2000-08-08	102(b)

For the sake of clarity and to avoid any doubt, if the PTAB declines to institute any of the grounds identified herein, Dell reserves the right to assert such grounds in the litigation. Dell also reserves its rights to continue to assert all grounds other than the Instituted Grounds in the event of institution.

Through this stipulation, Dell seeks to avoid multiple proceedings addressing the validity of the challenged claims based on the same primary or secondary references as listed above. Rather, through this stipulation, Dell expresses its intention to have only the PTAB address the Instituted Grounds of invalidity of these claims.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Fulghum". The signature is fluid and cursive, with the first letter "R" being particularly large and stylized.

Roger Fulghum