FISH.
FISH & RICHARDSON

Fish & Richardson P.C.
12860 El Camino Real, Ste. 400
San Diego, CA 92130
858 678 5070 main
858 678 5099 fax

VIA EMAIL

Christopher S. Marchese
Principal
marchese@fr.com
858 678 4314 direct

October 21, 2021

Gavin Snyder
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
gavinsnyder@quinnemanuel.com

Re: *Taction Technology, Inc. v. Apple Inc.*
Case No. 21-cv-00812-TWR-JLB

Dear Counsel:

I write regarding the petitions for *inter partes* review (IPR) that are being filed today against U.S. Patent Nos. 10,659,885 ("the '885 patent") and 10,820,117 ("the '117 patent") in the above-captioned litigation. I write to inform you that Apple Inc. hereby stipulates that if the Patent Trial and Appeal Board institutes any of these petitions, then Apple will not seek resolution in the district court of any ground of invalidity pursued in the instituted petition.

In so stipulating, Apple seeks to avoid multiple proceedings addressing the validity of the '885 patent or the '117 patent based on the same grounds. Rather, consistent with Congressional intent, Apple wishes the patentability of these patents over the grounds presented in the IPR petitions to be addressed at the PTAB. For the sake of clarity and to avoid any doubt, if the PTAB denies institution of any of Apple's IPR petitions relating to the '885 patent or the '117 patent for any reason, Apple reserves the right to pursue the non-instituted grounds from any such denied petition in this litigation.

Very truly yours,

Christopher S. Marchese