

January 14, 2022

VIA E-MAIL (BRIAN.MICHALEK@SAUL.COM)

Saul Ewing Arnstein & Lehr LLP
Brian R. Michalek
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Chicago, IL 60601

Re: *BillJCo LLC v. Cisco Systems Inc.*, Case No. 2:21-cv-00181-JRG (E.D. Tex.) (Lead Case);
BillJCo, LLC v. Hewlett Packard Enterprise Company et al.,
Case No. 2:21-cv-002183-JRG (E.D. Tex.) (Member Case);
BillJCo, LLC v. Apple Inc., Case No. 6:21-cv-00528 (W.D. Tex.)

Dear Counsel:

On behalf of Defendants Cisco Systems, Inc., Hewlett Packard Enterprise Company, Aruba Networks, LLC, , and Apple Inc. (collectively “Defendants”) in the above-referenced cases (“the Litigation”), we write regarding a petition for *inter partes* review (“IPR”) that Defendants intend to file with the Patent Trial and Appeal Board (“PTAB”) to address claims 1, 10, 11, and 12 of U.S. Patent No. 8,761,804 (the “Petition”).

We write to inform you that Defendants, as real parties-in-interest (“RPIs”) in the Petition, hereby stipulate that in the event the PTAB institutes an IPR based on the Petition, Defendants will not seek resolution in the Litigation of any ground of invalidity pursued in the instituted Petition.

By so stipulating, Defendants seek to avoid multiple proceedings addressing the validity of claims 1, 10, 11, and 12 of U.S. Patent No. 8,761,804 based on the instituted grounds in the Petition. Defendants request that the patentability of these claims over the grounds presented in the Petition to be addressed at the PTAB. For the sake of clarity and to avoid any doubt, if the PTAB declines to institute an IPR based on the Petition, Defendants reserve the right to pursue the non-instituted grounds from the denied Petition in the Litigation. Additionally, even in the event of institution, each Defendant reserves its right in the Litigation to rely on any prior art and prior art combinations other than the instituted grounds in the Petition.

Very truly yours,



Krishnan Padmanabhan