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SENT VIA E-MAIL

May 19, 2022

Reza Mirzaie, Paul A. Kroeger, Philip X. Wang, James N. Pickens, Minna Chan, Christian Conkle
Russ August & Kabat
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Re: *XR Communications, LLC v. Apple Inc.*, Case No. 6:21-cv-00620 (W.D. Tex.)

Dear Counsel:

Apple Inc. ("**Apple**") has filed an *inter partes* review (IPR) petition (IPR2022-00367) with the Patent Trial and Appeal Board (PTAB) to address the validity of claims 8-14 of U.S. Patent No. 10,715,235. The tables in attached Appendix A list all the grounds, challenged claims, and references asserted in IPR2022-00367.

I write to inform you that Apple hereby stipulates that:

- if the PTAB institutes IPR2022-00367 based on the grounds and claims listed in the tables in Appendix A, Apple will not pursue in the District Court the specific grounds raised in IPR2022-00367 against claims 8-14.

In so stipulating, Apple seeks to avoid multiple proceedings addressing the validity of the challenged claims based on the same 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, Apple reserves the right to assert the denied grounds in the litigation. Apple also reserves its rights to continue to assert grounds other than the Instituted Grounds.

Sincerely,

Michael Pieja

Michael Pieja
Attorney for Apple Inc.

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Appendix A – Grounds and Prior Art References Used in IPR2022-00367

Ground	Claim(s)	35 U.S.C. § 103
1	**8-12**	Burke
2	**13, 14**	Burke in view of Shull

List of References

Reference Name	Details
Burke	U.S. Patent No. 7,155,231
Shull	U.S. Patent No. 6,006,077

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