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**VIA E-MAIL**

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**Re:       *Constellation Designs, LLC v. LG Electronics Inc. et al., Case No. 2:21-cv-00448***  
**(E.D. Tex.)**

Dear Counsel:

LG Electronics Inc. (“LGE”) has filed an *inter partes* review (IPR) petition (IPR2023-00228) with the Patent Trial and Appeal Board (PTAB) to address the validity of claims 1, 4, 6-11, 14, 16-21, 24, and 26-30 of U.S. Patent No. 10,693,700 (“**the ’700 Patent**”). The tables in attached Appendix A list all the grounds, challenged claims, and references asserted in IPR2023-00228.

I write to inform you that LGE hereby stipulates that:

- if the PTAB institutes IPR2023-00228 based on the grounds and claims listed in the tables in Appendix A, LGE will not pursue, in the District Court proceedings with respect to claims 1, 4, 6-11, 14, 16-21, 24, and 26-30 of the ’700 Patent, the grounds asserted in this IPR petition or any other ground that was raised or could have been reasonably raised by LGE in an IPR. *Sotera Wireless, Inc. v. Masimo Corp.*, Case IPR2020-0109, Paper 12 (PTAB Dec. 1, 2020).

In so stipulating, LGE seeks to minimize the overlap of issues and avoid multiple proceedings addressing the validity of the challenged claims based on the same grounds. Rather, through this stipulation, LGE expresses its intention to have only the PTAB address any Instituted Grounds of invalidity of claims 1, 4, 6-11, 14, 16-21, 24, and 26-30 of the ’700 Patent. But, for the sake of clarity and to avoid any doubt, if the PTAB declines to institute any of the grounds identified herein, LGE reserves the right to assert the denied grounds and any other grounds that could have been reasonably raised in the District Court proceedings against the ’700 Patent.

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Sincerely,

A handwritten signature in blue ink that reads "Andrew Schwentker". The signature is written in a cursive, slightly slanted style.

R. Andrew Schwentker

Attorney for LG Electronics Inc.

**Appendix A – Grounds and Prior Art References Used in IPR2023-00228**

Ground	Claims	Prior Art Basis
1A	1, 8, 10-11, 18, 20-21, 28, 30	§103 – Eroz in view of DVB-T
1B	1, 6, 8, 10-11, 16, 18, 20-21, 26, 28, 30	§103 – Eroz in view of DVB-T and DeGaudenzi
2A	4, 14, 24,	§103 – Eroz in view of DVB-T and Sommer
2B	4, 14, 24,	§103 – Eroz in view of DVB-T and Sommer and DeGaudenzi
3A	7, 17, 27	§103 – Eroz in view of DVB-T and DVB-S2
3B	7, 17, 27	§103 – Eroz in view of DVB-T and DVB-S2 and DeGaudenzi
4A	9, 19, 29	§103 – Eroz in view of DVB-T and DVB-TS
4B	9, 19, 29	§103 – Eroz in view of DVB-T and DVB-TS and DeGaudenzi

**List of References**

Reference Name	Details
Eroz	U.S. Patent Pub. No. 2004/0054960 to Eroz et al.
Sommer	D. Sommer and G.P. Fettweis, <i>Signal Shaping by Non-Uniform QAM for AWGN Channels and Applications Using Turbo Coding</i> , January 2000
DVB-T	Digital Video Broadcasting (DVB) ETSI EN 300 744 V1.2.1 (1999-07)
De Gaudenzi	De Gaudenzi et al., <i>Turbo-coded APSK modulations design for satellite broadband communications</i> , Int. J. Satell. Commun. Network. 2006; 24:261–281, Published online 19 May 2006 in Wiley InterScience (“DeGaudenzi”)
DVB-TS	ETSI TS 102 006 V1.2.1, <i>Digital Video Broadcasting (DVB); Specifications for System Software Update in DVB Systems</i> , October 2002