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VIA E-MAIL

Bradley W. Caldwell, Jason D. Cassady, John Austin Curry,
Adrienne R. Dellinger
Caldwell Cassady Curry P.C.
2121 N. Pearl St., Suite 1200
Dallas, Texas 75201
Phone: (214) 888-4848

T. John Ward, Jr., Andrea L. Fair
Ward, Smith, & Hill PLLC
1507 Bill Owens Parkway
Longview, Texas 75604
Phone: (903) 757-6400

**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 (IPR2023-00319) with the Patent Trial and Appeal Board (PTAB) to address the validity of claims 2-3, 5, 12-13, 15, 22-23, and 25 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 IPR2023-00319.

I write to inform you that LGE hereby stipulates that:

- if the PTAB institutes IPR2023-00319 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 2-3, 5, 12-13, 15, 22-23, and 25 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 2-3, 5, 12-13, 15, 22-23, and 25 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.

Fish & Richardson P.C.
1000 Maine Avenue, S.W.
Suite 1000
Washington, DC 20024
202 783 5070 main
202 783 2331 fax

R. Andrew Schwentker
Principal
Schwentker@fr.com
+1 202 626 6357 direct

Sincerely,



R. Andrew Schwentker

Attorney for LG Electronics Inc.

Appendix A – Grounds and Prior Art References Used in IPR2023-00319

Ground	Claims	Prior Art Basis
1A	2-3, 12-13, and 22-23	§103 – ‘777 patent in view of ATSC322
1B	5, 15, 25	§103 – ‘777 patent in view of ATSC327

List of References

Reference Name	Details
‘777 patent	U.S. No. 7,978,777 to Barsoum et al.
ATSC322	ATSC 3.0 Standard: Physical Layer Protocol, Document no. A/322:2018
ATSC327	ATSC Recommended Practice: Guidelines for the Physical Layer Protocol, Document no. A/327:2018