

Lenovo.com

8001 Development Drive
Morrisville, NC 27560



VIA FEDEX AND EMAIL

February 17, 2021

Microsoft Corporation
One Microsoft Way
Redmond, Washington 98052

Re: *LiTL LLC v. Lenovo (United States) Inc. et. al., No. 1:20-cv-689 (D. Del.)*

To Whom it May Concern:

Lenovo (United States) Inc. and its affiliate Lenovo Beijing Ltd. were named as defendants in the above-referenced lawsuit filed by LiTL LLC in the United States District Court for the District of Delaware. On December 30, 2020, LiTL filed a First Amended Complaint, which is attached for your review. LiTL asserts infringement of claims of one of the asserted patents—U.S. Patent No. 8,577,957—based on Microsoft Products. For example, LiTL alleges infringement of at least Claim 19 of the '957 patent based on Microsoft Photos. See, e.g., First Amended Compl. ¶¶ 316-17 (“For example, the 3rd Generation ThinkPad X1 Yoga and the Yoga A940 include the Microsoft Photos app, which is configured to provide access to digital media albums stored [sic] OneDrive by clicking on a OneDrive link. . . . For example, clicking on a OneDrive album link in the Microsoft Photos app in the Accused Products (e.g., the 3rd Generation ThinkPad X1 Yoga, Yoga A940) accesses OneDrive user profile information in order to access content on a user’s OneDrive album.”) (screenshots omitted).

Accordingly, this letter serves as notice of Lenovo’s request for indemnification under at least Section 8.2(a) of the Device Partner Terms of the Global Partner Agreement between Lenovo and Microsoft. Specifically, under Section 8.4 of the Device Partner Terms of the Agreement, Lenovo requests that Microsoft defend Lenovo from LiTL’s claims directed to the '957 patent “alleging that the Product alone, without modification, either (1) directly infringes an asserted patent claim; or (2) embodies all the essential inventive elements of an asserted patent claim.”

Please confirm receipt of this notice and accept Microsoft’s indemnification obligation. I am responsible for the day-to-day management of the matter for Lenovo and would be happy to discuss next steps with you at your convenience. I look forward to working with you on the resolution of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Anup M. Shah".

Anup M. Shah
Senior IP Litigation Counsel
Lenovo (United States) Inc.