EXHIBIT 1

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October 24, 2013

(Via E-mail psauer@cooley.com)

Peter Sauer
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Broomfield, CO 80021-8023

Re: *B.E. Technology, L.L.C.* v. *Facebook, Inc.*
Civil Action No. 2:12-cv-02769-JPM-tmp

Dear Peter:

I write in response to your email of October 23 regarding B.E.'s doctrine of equivalents contentions and the parties' discussions regarding a stay of the litigation.

Consistent with our prior discussions, B.E. hereby withdraws its contention that Facebook infringes U.S. Patent No. 6,628,314 under the doctrine of equivalents and such contention may be deemed withdrawn from B.E.'s January 7, 2013 initial infringement contentions. Should further discovery or events reveal a basis to contend infringement under the doctrine of equivalents, B.E. will take all necessary steps to amend its infringement contentions accordingly.

If the other B.E. defendants join Facebook's request to stay litigation concerning the patents subject to the IPR petitions, B.E. consents to the stay. You wrote that "the stay cannot subject defendants who did not file an IPR to IPR estoppel." The estoppel provisions apply to any requesting party and its privies. B.E. does not waive its rights under the statute. We think certain non-requesting parties are in privity with the requesting parties, including the two Samsung entities, the three Sony entities, and Google and Motorola. To be clear, however, B.E. does not contend that consent to the stay establishes privity.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Daniel Weinberg

Daniel Weinberg