

as explained in Elysium's stay briefing, an appellate ruling invalidating claim 2 would render the claims of the '807 invalid as well.

Importantly, the PTAB's ruling in the '086 IPR has no bearing on Elysium's request that this case be stayed pending resolution of Elysium's patent misuse counterclaim in the California Litigation, which was an independent ground for Elysium's stay motion, and Plaintiffs' Notice does not attempt to suggest otherwise. Elysium's patent misuse counterclaim is still scheduled for trial in July.

Plaintiffs previously requested oral argument on the pending stay motion. Elysium has no objection to Plaintiffs' request if the Court believes a hearing would be helpful.

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