

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

HEADWATER RESEARCH LLC,
Patent Owner

Case IPR2023-01250
Patent 9,277,433

JOINT MOTION TO TERMINATE

UPDATED EXHIBIT LIST

- SAMSUNG-1001 U.S. Patent No. 9,277,433 to Raleigh, et al. (“the ’433 Patent”)
- SAMSUNG-1002 Excerpts from the Prosecution History of the ’433 Patent (“the Prosecution History”)
- SAMSUNG-1003 Declaration and Curriculum Vitae of Dr. Patrick McDaniel
- SAMSUNG-1004 Complaint for Patent Infringement in *Headwater Research LLC v. Samsung Electronics Co., Ltd. et al.*, 2:22-cv-00467 (E.D. Tex. Dec. 6, 2022)
- SAMSUNG-1005 U.S. Pat. App. Pub. No. 2006/0039354 (“Rao”)
- SAMSUNG-1006 U.S. Pat. App. Pub. No. 2008/0080458 (“Cole”)
- SAMSUNG-1007 U.S. Pat. No. 5,987,611 (“Freund”)
- SAMSUNG-1008 U.S. Pat. No. 8,381,127 (“Singh”)
- SAMSUNG-1009 U.S. Pat. App. Pub. No. 2009/0207817 (“Montemurro”)
- SAMSUNG-1010 U.S. Pat. App. Pub. No. 2008/0146268 (“Gandhi”)
- SAMSUNG-1011 Excerpts, Stevens “TCP/IP Illustrated”, Volume 1, Addison-Wesley Publishing Company, 1994
- SAMSUNG-1012 U.S. Pat. No. 8,886,261 (“Aerrabotu”)
- SAMSUNG-1013 Excerpts, Computer Networks, Fourth Edition, by Andrew Tanenbaum, Prentice Hall, 2003
- SAMSUNG-1014 Excerpts from the Prosecution History of U.S. Patent No. 9,277,445 to Raleigh, et al. (“the Prosecution History of the ’445 Patent”)
- SAMSUNG-1015 Memorandum, Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation (USPTO June 21, 2022) (“Director’s Guidance”)

- SAMSUNG-1016 Samsung Stipulation letter regarding IPR grounds in District court litigation
- SAMSUNG-1017 First Amended Complaint, *Headwater Research LLC v. Samsung Electronics Co., Ltd. et al.*, 2:22-cv-00422, E.D. Tex., November 30, 2022
- SAMSUNG-1018 First Amended Docket Control Order, Headwater Research LLC v. Samsung Electronics Co., Ltd. et al., 2:22-cv-00422, E.D. Tex., April 21, 2023
- SAMSUNG-1019 U.S. Pat. No. 7,757,185 (“Paquette”)
- SAMSUNG-1020 Excerpts, Rosen, et al. “UNIX: The Complete Reference”, Second Edition, McGraw-Hill 2007
- SAMSUNG-1021 IETF RFC 791, Internet Protocol, September 1981, downloaded from the internet at <https://www.ietf.org/rfc/rfc791.txt> on July 28, 2023
- SAMSUNG-1022 Welsh, “Incorporating Memory Management into User-Level Network Interfaces.” IEEE Micro, 18(2), 1998, 10 pages (“Welsh”)
- SAMSUNG-1023 Westerinen, et al., IETF RFC 3198, Terminology for Policy-Based Management, November 2001, *available at* <https://www.ietf.org/rfc/rfc3198.txt>
- SAMSUNG-1024 USB720 Modem Hardware User Manual, 2006, downloaded from the internet at <http://s7.vzw.com/is/content/VerizonWireless/Devices/Verizon/Userguides/vzw-usb720-modem-um.pdf> on July 31, 2023
- SAMSUNG-1025 Blake, et al., IETF RFC 2475, “An Architecture for Differentiated Services,” December 1998, downloaded from the internet at <https://datatracker.ietf.org/doc/html/rfc2475> on July 29, 2023
- SAMSUNG-1026 Babiarz, et al., IETF RFC 4594, Configuration Guidelines for DiffServ Service Classes, August 2006, downloaded from the internet at <https://datatracker.ietf.org/doc/html/rfc4594> on July 29, 2023

- SAMSUNG-1027 Burt, “Competition in Mobile Chips to Grow in 2009: In-Stat,” *eWEEK*, August 18, 2009, downloaded from the internet at <https://www.eweek.com/pc-hardware/competition-in-mobile-chips-to-grow-in-2009-in-stat/> on July 29, 2023
- SAMSUNG-1028 Enck, et. al., Understanding Android Security, IEEE Security & Privacy Magazine, Vol.7, No.1, 78 pages, January/February 2009 (“Enck”)
- SAMSUNG-1029 Model-View-Controller”, Microsoft Patterns & Practices, March 17, 2014, 9 pages, downloaded from the internet at <http://msdn2.microsoft.com/en-us/library/ms978748.aspx> on July 29, 2023
- SAMSUNG-1030 Bray, et. al., Extensible Markup Language (XML) 1.1 (Second Edition), W3C, 2006, August 16, 2006, 41 pages, downloaded from the internet at <https://www.w3.org/TR/2006/REC-xml11-20060816/> on July 29, 2023
- SAMSUNG-1031 Schulzrinne, et. al., IETF RFC 4745, “Common Policy: A Document Format for Expressing Privacy Preferences,” February 2007, downloaded from the internet at <https://datatracker.ietf.org/doc/html/rfc4745> on July 29, 2023
- SAMSUNG-1032 Want, “When Cell Phones Become Computers”, IEEE Pervasive Computing, Vol. 8, April-June 2009, pp. 2-5
- SAMSUNG-1033 Overview of the IEEE 802.11 Standard, December 6, 2001, downloaded from the internet at <https://www.informit.com/articles/article.aspx?p=24411&seqNum=5> on July 29, 2023
- SAMSUNG-1034 Shuler, “How Does the Internet Work?”, downloaded from the internet at <https://web.stanford.edu/class/msande91si/www-spr04/readings/week1/InternetWhitepaper.htm> on July 29, 2023
- SAMSUNG-1035 Nichols, et. al., IETF RFC 2474, “Definition of the Differentiated Services Field (DS Field) in the IPv4 and IPv6 Headers,” December 1998, downloaded from the internet at <https://datatracker.ietf.org/doc/html/rfc2474> on July 29, 2023

SAMSUNG-1036 Durham, et. al., IETF RFC 2748, “The COPS (Common Open Policy Service) Protocol,” January 2000, downloaded from the internet at <https://www.rfc-editor.org/rfc/rfc2748.html> on August 1, 2023

SAMSUNG-1037 Banchs, et. al., Distributed weighted fair queuing in 802.11 wireless LAN, 2002 IEEE International Conference on Communications, Conference Proceedings. ICC 2002 pp. 3121-3127), 2002

SAMSUNG-1038 U.S. Pat. App. Pub. No. 2007/0038763 (“Oestvall”)

SAMSUNG-1039 CONFIDENTIAL Settlement Agreement

The Parties in this case have reached a settlement that addresses this proceeding. The Parties therefore contacted the Board on July 24, 2024, to inform the Board of the settlement and request instructions regarding termination of this proceeding. In accordance with the Board's email instructions received on July 25, 2024, the Parties hereby jointly submit this motion to terminate. The Parties respectfully request that the Board terminate IPR2023-01250.

Pursuant to 35 U.S.C. § 317(b), 37 C.F.R. § 42.74, and the Board's e-mail, the Parties have concurrently filed the Settlement Agreement as Exhibit 1039. The Parties state that there are no other agreements, oral or written, between the Parties made in connection with, or in contemplation of, the termination of the proceeding. The Parties have concurrently filed a joint request to treat the Settlement Agreement as confidential business information pursuant to 37 C.F.R. § 42.74(c), consistent with the provisions of the Agreement.

Respectfully submitted,

Dated July 29, 2024

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e), the undersigned certifies that on July 29, 2024, a complete and entire copy of this Joint Motion to Terminate and Exhibit 1039 were provided by email, to the Patent Owner, by serving the correspondence addresses of record as follows:

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