

September 9, 2024

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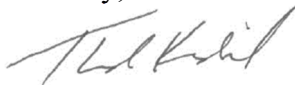
Re: *Headwater Research LLC v. Samsung Electronics Co., Ltd. et al., Case No. 2:23-cv-00641 (E.D. Tex.)*

Dear Counsel:

Samsung Electronics Co., Ltd. (“**Samsung**”) has filed *inter partes* review (IPR) petitions (IPR2024-01396 and IPR2024-01397) with the Patent Trial and Appeal Board (PTAB) to address the validity of claims 1-19 of U.S. Patent No. 9,647,918 (“**the ’918 Patent**”). The tables in attached Appendix A list all grounds, challenged claims, and references asserted in IPR2024-01396 and IPR2024-01397.

I write to inform you that Samsung hereby stipulates that, if the PTAB institutes IPR2024-01396 and/or IPR2024-01397, Samsung agrees not to pursue the same instituted grounds (listed in Appendix A below) in the district court litigation. *Apple, Inc. v. SEVEN Networks, LLC*, IPR2020-00156, Paper 10 at 19 (June 15, 2020); *see also Sand Revolution II, LLC v. Continental Intermodal Group-Trucking LLC*, IPR2019-01393, Paper 24 at 12 (June 16, 2020). For clarity and to remove all doubt, if the PTAB denies institution of either one or both of IPR2024-01396 and IPR2024-01397, Samsung reserves the right to assert grounds presented in the denied petition(s).

Sincerely,



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Appendix A – Grounds/Prior Art References Used in IPR2024-01396/IPR2024-01397

IPR2024-01396		
Ground	Claim(s)	§103
1A	1-3, 8-9, 13-14, 19	Bennett-Vadde
1B	4-6, 11, 15-17	Bennett-Vadde-Riggs
1C	7, 12, 18	Bennett-Vadde-Riggs-Hendrickson
1D	10	Bennett-Vadde-Riggs-Srikantan
IPR2024-01397		
Ground	Claim(s)	§103
1A	1, 9, 13-14	Bennett-Rakoshitz-Rybak
1B	2-6, 8, 11, 15-17, 19	Bennett-Rakoshitz-Rybak-Riggs
1C	7, 12, 18	Bennett-Rakoshitz-Rybak-Riggs-Hendrickson
1D	10	Bennett-Rakoshitz-Rybak-Riggs-Srikantan

List of References

Reference Name	Details
Bennett	U.S. Pat. App. Pub. No. 2006/0149811
Vadde	U.S. Pat. App. Pub. No. 2012/0117478
Rakoshitz	U.S. Pat. No. 6,578,077
Rybak	EP Pat. Pub. No. 1 850 575 A1
Riggs	U.S. Pat. No. 8,429,516
Hendrickson	U.S. Pat. No. 6,754,470
Srikantan	U.S. Pat. App. Pub. No. 2002/0056126