

September 6, 2024

VIA E-MAIL

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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 an *inter partes* review (IPR) petition (IPR2024-01407) with the Patent Trial and Appeal Board (PTAB) to address the validity of claims 1-29 of U.S. Patent No. 9,179,359 (“**the ’359 Patent**”). The tables in attached Appendix A list all grounds, challenged claims, and references asserted in IPR2024-01407.

I write to inform you that Samsung hereby stipulates that, if the PTAB institutes IPR2024-01407, Samsung agrees not to pursue the same 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).

Sincerely,



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Appendix A – Grounds and Prior Art References Used in IPR2024-01407

Ground	Claim(s)	§103
1A	1, 4, 9-11, 13, 14, 18, 19, 21, 23, 26-28	Shell, Cole
1B	2, 16-18, 20, 27, 29	Shell, Cole, Araujo
1C	3-5	Shell, Cole, Freund
1D	6-8, 12, 15, 22, 24, 25	Shell, Cole, Montemurro

List of References

Reference Name	Details
Shell	U.S. Pat. App. Pub. No. 2004/0224668
Cole	U.S. Pat. App. Pub. No. 2008/0080458
Araujo	U.S. Pat. App. Pub. No. 2009/0217065
Freund	U.S. Pat. No. 5,987,611
Montemurro	U.S. Pat. App. Pub. No. 2009/0207817