

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

T-MOBILE USA, INC., AT&T SERVICES, INC., CELLCO
PARTNERSHIP d/b/a VERIZON WIRELESS, ERICSSON INC.,
NOKIA OF AMERICA CORPORATION, and
SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

HEADWATER PARTNERS II LLC,
Patent Owner.

Case IPR2024-01468¹
U.S. Patent No. 9,094,868

**JOINT MOTION TO TERMINATE AS TO
PETITIONER SAMSUNG ELECTRONICS CO., LTD.**

¹ IPR2025-00426 has been joined with this proceeding.

UPDATED EXHIBIT LIST

Exhibit No.	Document
Ex. 2001	Headwater Partners II LLC v. T-Mobile USA, Inc. et al., No. 2:24-cv00015-JRG-RSP (lead case), First Amended Docket Control Order, Dkt. No. 70 (E.D. Tex. Jan. 27, 2025)
Ex. 2002	Federal Court Management Statistics for the Eastern District of Texas (Sept. 2024)
Ex. 2003	Headwater Partners II LLC v. Cellco Partnership, d/b/a Verizon Wireless et al., No. 2:24-cv-00007-JRG-RSP, Complaint for Patent Infringement, Dkt. No. 1 (E.D. Tex. Jan. 5, 2024)
Ex. 2004	Headwater Partners II LLC v. T-Mobile USA, Inc. et al., No. 2:24-cv00015-JRG-RSP, Complaint for Patent Infringement, Dkt. No. 1 (E.D. Tex. Jan. 10, 2024)
Ex. 2005	Headwater Partners II LLC v. AT&T Services, Inc. et al., No. 2:24-cv00016-JRG-RSP, Complaint for Patent Infringement, Dkt. No. 1 (E.D. Tex. Jan. 10, 2024)
Ex. 2006	Headwater Partners II LLC v. Cellco Partnership, d/b/a Verizon Wireless et al., No. 2:24-cv-00007-JRG-RSP, Proof of Service, Dkt. No. 17 (E.D. Tex. Jan. 16, 2024)
Ex. 2007	Headwater Partners II LLC v. T-Mobile USA, Inc. et al., No. 2:24-cv00015-JRG-RSP, Proof of Service, Dkt. No. 8 (E.D. Tex. Feb. 5, 2024)
Ex. 2008	Headwater Partners II LLC v. AT&T Services, Inc. et al., No. 2:24-cv00016-JRG-RSP, Proof of Service, Dkt. No. 7 (E.D. Tex. Feb. 5, 2024)
Ex. 2009	Headwater Partners II LLC v. Cellco Partnership, d/b/a Verizon Wireless et al., No. 2:24-cv-00007-JRG-RSP, Plaintiff Headwater Partners II LLC's Disclosure of Asserted Claims and Infringement Contentions (E.D. Tex., served Mar. 18, 2024)

Ex. 2010	Headwater Partners II LLC v. T-Mobile USA, Inc. et al., No. 2:24-cv00015-JRG-RSP, Plaintiff Headwater Partners II LLC's Disclosure of Asserted Claims and Infringement Contentions to T-Mobile (E.D. Tex., served Mar. 18, 2024)
Ex. 2011	Headwater Partners II LLC v. AT&T Services, Inc. et al., No. 2:24-cv00016-JRG-RSP, Plaintiff Headwater Partners II LLC's Disclosure of Asserted Claims and Infringement Contentions to AT&T (E.D. Tex., served Mar. 18, 2024)
Ex. 2012	Headwater Partners II LLC v. T-Mobile USA, Inc. et al., No. 2:24-cv00015-JRG-RSP (lead case), Defendants' Initial Invalidity Contentions (E.D. Tex., served May 20, 2024)
Ex. 2013	U.S. Patent No. 8,639,260 to Fox et al.
Ex. 2014	August 7, 2025 Deposition Transcript of Stanley McClellan, Ph.D.
Ex. 2015	Confidential Settlement Agreement (Samsung)

Petitioner Samsung Electronics Co. Ltd., (“Samsung” or “Petitioner Samsung”) and Patent Owner Headwater Partners II LLC (“Headwater” or “Patent Owner”) have entered into a settlement agreement that resolves all underlying disputes between the parties involving U.S. Patent No. 9,094,868 (“the ’868 Patent”), including the above-captioned *inter partes* review currently before the Board. The settlement agreement is the only agreement or understanding between Petitioner Samsung and Patent Owner made in connection with, or in contemplation of, the termination of this *inter partes* review with respect to Petitioner Samsung.

Petitioner Samsung became a party in the above-captioned *inter partes* review on June 18, 2025, when the Board entered a Decision in *Inter Partes* Review No. IPR2024-01468 granting Petitioner Samsung’s motion for joinder with this *inter partes* review. Samsung Electronics Co., Ltd v. Headwater Partners II LLC, IPR2025-00426 Paper 12 (P.T.A.B. June 18, 2025). The other Petitioners in this proceeding, namely T-Mobile USA, Inc., AT&T Services, Inc., Cellco Partnership D/B/A Verizon Wireless, Ericsson Inc. and Nokia of America Corporation. (“the other Petitioners”) are not requesting termination. Therefore, granting this motion will not result in termination of the proceeding in its entirety.

In an email dated October 15, 2025, the Board authorized Petitioner Samsung and Patent Owner to file (a) a joint motion to terminate as to Petitioner Samsung and

(b) a joint request to treat the settlement agreement as business confidential information.

As authorized, Petitioner Samsung and Patent Owner jointly move that the Board terminate the above-captioned *inter partes* review as to Petitioner Samsung. Pursuant to 35 U.S.C. § 317(a), “[a]n *inter partes* review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” Here, termination as to Petitioner Samsung is appropriate because the Board has not yet decided the merits of this *inter partes* review. The Petitioners have not filed their reply to Patent Owner’s Response (due October 22, 2025), and the oral hearing is scheduled for February 11, 2026.

No other party’s rights would be prejudiced by the termination of this *inter partes* review as to Petitioner Samsung. The ’868 Patent is subject to the following pending lawsuits in which Petitioner Samsung is not a party: *Headwater Partners II LLC v. Verizon Wireless et al.*, 2:24-cv-00007-JRG-RSP; *Headwater Partners II LLC v. T-Mobile USA, Inc. et al.*, 2:24-cv-00015-JRG-RSP and *Headwater Partners II LLC v. AT&T Corp. et al.* 2:24-cv-00016-JRG-RSP. The other Petitioners (T-Mobile USA, Inc., AT&T Services, Inc., Cellco Partnership D/B/A Verizon

Wireless, Ericsson Inc. and Nokia of America Corporation) remain in this proceeding.

Aside from the proceedings identified above, Petitioner Samsung and Patent Owner are unaware of any other pending related proceeding regarding the involved patent before the Board, or any other matter before the USPTO (or any other tribunal) that would be affected by the requested termination of this proceeding.

Pursuant to 35 U.S.C. 317(b) and 37 C.F.R. § 42.74(b), Petitioner Samsung and Patent Owner are filing concurrently herewith, as Ex. 2015, a true copy of the settlement agreement. The parties request that the settlement agreement between them be treated as business confidential information and be kept separate from the file of the involved patent, pursuant to 35 U.S.C. 317(b) and 37 C.F.R. § 42.74(c).

The settlement agreement is being filed as “Available only to board” to preserve the confidentiality of the agreement so that, *inter alia*, the other Petitioners will not have access to the agreement.

In view of the above, Petitioner Samsung and Patent Owner respectfully request that the Board grant the parties' joint motion to terminate this *inter partes* review as to Petitioner Samsung. Petitioner Samsung and Patent Owner further request that the Board grant Petitioner Samsung and Patent Owner's joint request to treat the settlement agreement between the parties as business confidential information and keep it separate from the file of the involved patent.

Respectfully submitted,

Date: October 23, 2025

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on November 4, 2025, by filing this document through the Patent Trial and Appeal Case Tracking System as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioners:

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