

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.

IPR2024-01468¹
Patent 9,094,868 B2

JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW

¹ IPR2025-00426 has been joined with this proceeding.

PATENT OWNER'S EXHIBIT LIST

No.	Description
Ex. 2001	<i>Headwater Partners II LLC v. T-Mobile USA, Inc. et al.</i> , No. 2:24-cv-00015-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	<i>Headwater Partners II LLC v. Cellco Partnership, d/b/a Verizon Wireless et al.</i> , No. 2:24-cv-00007-JRG-RSP, Complaint for Patent Infringement, Dkt. No. 1 (E.D. Tex. Jan. 5, 2024)
Ex. 2004	<i>Headwater Partners II LLC v. T-Mobile USA, Inc. et al.</i> , No. 2:24-cv-00015-JRG-RSP, Complaint for Patent Infringement, Dkt. No. 1 (E.D. Tex. Jan. 10, 2024)
Ex. 2005	<i>Headwater Partners II LLC v. AT&T Services, Inc. et al.</i> , No. 2:24-cv-00016-JRG-RSP, Complaint for Patent Infringement, Dkt. No. 1 (E.D. Tex. Jan. 10, 2024)
Ex. 2006	<i>Headwater Partners II LLC v. Cellco Partnership, d/b/a Verizon Wireless et al.</i> , No. 2:24-cv-00007-JRG-RSP, Proof of Service, Dkt. No. 17 (E.D. Tex. Jan. 16, 2024)
Ex. 2007	<i>Headwater Partners II LLC v. T-Mobile USA, Inc. et al.</i> , No. 2:24-cv-00015-JRG-RSP, Proof of Service, Dkt. No. 8 (E.D. Tex. Feb. 5, 2024)
Ex. 2008	<i>Headwater Partners II LLC v. AT&T Services, Inc. et al.</i> , No. 2:24-cv-00016-JRG-RSP, Proof of Service, Dkt. No. 7 (E.D. Tex. Feb. 5, 2024)
Ex. 2009	<i>Headwater Partners II LLC v. Cellco Partnership, d/b/a Verizon Wireless et al.</i> , 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	<i>Headwater Partners II LLC v. T-Mobile USA, Inc. et al.</i> , No. 2:24-cv-00015-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)

No.	Description
Ex. 2011	<i>Headwater Partners II LLC v. AT&T Services, Inc. et al.</i> , No. 2:24-cv-00016-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	<i>Headwater Partners II LLC v. T-Mobile USA, Inc. et al.</i> , No. 2:24-cv-00015-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	EXPUNGED
Ex. 2016	Confidential Verizon License Agreement
Ex. 2017	Confidential T-Mobile License Agreement
Ex. 2018	Confidential AT&T License Agreement
Ex. 2019	Confidential Samsung License Agreement
Ex. 2020	Confidential License Agreement Referenced in Petitioner Agreements
Ex. 2021	Confidential Covenant Not To Sue

I. STATEMENT OF THE PRECISE RELIEF REQUESTED

Patent Owner Headwater Partners II LLC (“Headwater”) has entered into a separate release agreement with each of Petitioners Cellco Partnership d/b/a Verizon Wireless, Verizon Corporate Services Group Inc. (“Verizon”), T-Mobile USA, Inc. (“T-Mobile”), and AT&T Services, Inc. (“AT&T”), and Samsung Electronics Co. Ltd (“Samsung”), as well as a covenant not to sue with respect to Petitioners Ericsson Inc. (“Ericsson”), Nokia of America Corporation (“Nokia”), Verizon, T-Mobile, and AT&T. These release agreements and covenant not to sue resolve the disputes in the above-captioned *inter partes* review relating to U.S. Patent No. 9,094,868 (“Patent-in-Suit”). Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74, the parties jointly request termination of this proceeding. As set forth in an e-mail dated January 14, 2026, the Board authorized the filing of the requested Joint Motion to Terminate this *inter partes* review.

As required under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), a true copy of the agreements that resolve the disputes in the above-captioned *inter partes* review relating to the Patent-in-Suit as between Petitioners and Headwater is filed herewith as exhibits 2016-2021. There are no other collateral agreements between the parties made in connection with, or in contemplation of, the termination sought.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioners and Headwater are concurrently filing a Joint Request to Keep Separate, which asks the

Board to treat each agreement and covenant not to sue as business confidential information, and to keep it separate from the files of this proceeding and the files of the Patent-in-Suit.

II. Statement of Precise Relief Requested

The parties jointly request that the Board terminate the *inter partes* review of the Patent-in-Suit, IPR2024-01468.

III. Termination is Appropriate

Termination of this proceeding is proper. Under 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.” Because all parties request termination and the Board has not yet decided the merits of the proceeding, the Board should terminate the proceeding.

When there are no petitioners remaining in an *inter partes* review, the Board may terminate the proceeding entirely. 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. As noted above, all parties support termination of this proceeding. With no petitioners remaining in the proceeding and no final written decision on the merits, termination of this proceeding in its entirety is appropriate.

Headwater's claims against Petitioners involving the Patent-in-Suit have been dismissed, and Headwater and Petitioners do not contemplate any litigation or proceeding involving the Patent-in-Suit in the foreseeable future.

IV. Conclusion

Headwater and Petitioners have settled all disputes relating to the Patent-in-Suit, and the Board has not issued a final written decision deciding the merits of this proceeding. Accordingly, the parties respectfully request that the Board terminate this proceeding.

Dated: February 3, 2026

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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 February 3, 2026, by filing this document through the PTACTS system as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioners:

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Case IPR2024-01468

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