

Fish & Richardson P.C.
1180 Peachtree Street, NE
21st Floor
Atlanta, GA 30309
404 892 5005 main
404 892 5002 fax

January 28, 2025

VIA E-MAIL

Russ August & Kabat
12424 Wilshire Boulevard
12th Floor
Los Angeles, CA 90025
Phone: 310-826-7474

Thad C. Kodish
Managing Principal
TKodish@fr.com
404 724 2792 direct

Parker Bunt & Ainsworth
100 E Ferguson
Suite 418
Tyler, TX 75702
Phone: 903-531-3535

Re: *Headwater Research LLC v. Samsung Electronics Co., Ltd. et al., Case No. 2:23-cv-00103 (E.D. Tex.)*

Dear Counsel:

Samsung Electronics Co., Ltd. (“**Samsung**”) has filed petition for *inter partes* review (IPR) petition (IPR2025-00482) with the Patent Trial and Appeal Board (PTAB) to address the validity of claims 1-12 of U.S. Patent No. 11,405,429 (“**the ’429 Patent**”). The tables in attached Appendix A list all grounds, challenged claims, and references asserted in IPR2025-00482.

I write to inform you that Samsung hereby stipulates that, if the PTAB institutes IPR2025-00482, Samsung agrees not to pursue the same grounds (listed in Appendix A below) for the currently asserted claims in the district court litigation. *Apple, Inc. v. SEVEN Networks, LLC*, IPR2020-00156, Paper 10 at 19 (PTAB June 15, 2020); *see Sand Revolution II, LLC v. Continental Intermodal Group-Trucking LLC*, IPR2019-01393, Paper 24 at 12 (PTAB June 16, 2020).

Sincerely,



Thad Kodish

Attorney for Samsung Electronics Co., Ltd.

Appendix A – Grounds and Prior Art References Used in IPR2025-00482

Ground	Claim(s)	35 U.S.C. §103
1A	1-3, 8-12	Schmidt and De Beer
1B	4-7	Schmidt, De Beer, and Bittman
1C	10-12	Schmidt, De Beer, and Smith

List of References

Reference Name	Details
Schmidt	U.S. Patent Pub. No. 2009/0077643
De Beer	U.S. Patent Pub. No. 2005/0101323
Bittmann	U.S. Patent Pub. No. 2004/0148237
Smith	(Excerpts) “Virtual Machines: Versatile Platforms for Systems and Processes,” Elsevier, Inc, 2005, ISBN 1-55860-910-5