IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

AUDIO POD IP, LLC, Plaintiff, v. AMAZON.COM, INC.; AMAZON.COM SERVICES LLC; AMAZON WEB SERVICES, INC. Defendants.	Lead Civil Action No. 3:24-cv-00406-RCY **JURY TRIAL DEMANDED**

DEFENDANTS' MOTION TO TRANSFER OR, IN THE ALTERNATIVE, TO STAY

In accordance with the first-to-file rule and pursuant to 28 U.S.C. § 1404, Defendants Amazon.com, Inc., Amazon.com Services LLC, and Amazon Web Services, Inc., (collectively "Defendants") respectfully move this Court for an Order transferring this case (including both the Lead Civil Action 3:24cv406 and the underlying case 3:24cv407 that has been consolidated with it) to the United States District Court for the District of New Jersey. Alternatively, Defendants respectfully move this Court for an Order staying this case pending resolution of *Audio Pod IP, LLC v. Audible Inc*., No. 2:25-cv-02198 (D.N.J.), or resolution of *inter partes* review proceedings at the Patent Office that challenge all patents asserted in this case.

Pursuant to Eastern District of Virginia Local Civil Rule 7(F)(1), the grounds for this motion are more fully set forth in the accompanying Memorandum in Support of Defendants' Motion to Transfer Venue or, in the Alternative, to Stay.

Audio Pod EX2023
Amazon v. Audio Pod
IPR2025-01041

Respectfully submitted,

By: */s/ William Rueger Poynter*

Dated: August 4, 2025

William Rueger Poynter (VSB No. 48672)
KALEO LEGAL
4456 Corporation Lane, Ste. 135
Virginia Beach, VA 23462
Tel: (757) 238-6383
Fax: (757) 304-6175
wpoynter@kaleolegal.com

Andrea L. Cheek
Virginia State Bar No. 80331
KNOBBE, MARTENS, OLSON & BEAR, LLP
1717 Pennsylvania Ave. N.W., Ste. 900
Washington D.C. 20006
andrea.cheek@knobbe.com
Tel: (202) 640-6400
Fax: (202) 640-6401

Counsel for Defendants Amazon.com, Inc., Amazon.com Services LLC, Amazon Web Services, Inc.

Of Counsel:

Joseph R. Re (Pro Hac Vice Pending)
Jeremy A. Anapol (Pro Hac Vice)
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, 14th Floor
Irvine, CA 92614
Tel: (949) 760-0404
Fax: (949) 760-9502
joe.re@knobbe.com
jeremy.anapol@knobbe.com

Colin B. Heidman (Pro Hac Vice)
Christie R.W. Matthaei (Pro Hac Vice)
KNOBBE, MARTENS, OLSON & BEAR, LLP
925 4th Ave, Ste 2500
Seattle, WA 98104
Tel: (206) 405-2000
Fax: (206) 405-2001
colin.heideman@knobbe.com
christie.matthaei@knobbe.com

CERTIFICATE OF SERVICE

I certify that on August 4, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send notification of such filing (NEF) to all counsel of record.

By: */s/ William Rueger Poynter*

William Rueger Poynter (VSB No. 48672)
KALEO LEGAL
4456 Corporation Lane, Ste. 135
Virginia Beach, VA 23462
Tel: (757) 238-6383
Fax: (757) 304-6175
wpoynter@kaleolegal.com