

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

APPLE INC., AMAZON.COM SERVICES LLC, and AMAZON WEB  
SERVICES, INC.,  
Petitioners

v.

HEADWATER RESEARCH LLC,  
Patent Owner

---

*Inter Partes* Review No. IPR2025-01571  
U.S. Patent No. 8,667,571

---

**MOTION TO DISMISS  
CO-PETITIONER APPLE INC.  
AS TO THE PETITION FOR *INTER PARTES* REVIEW**

## **I. INTRODUCTION**

Pursuant to 37 C.F.R. §§ 42.5 and 42.71(a) and the Board’s authorization by email dated November 6, 2025, Co-Petitioner Apple Inc. (“Co-Petitioner Apple”) moves to dismiss Co-Petitioner Apple as to the Petition for *Inter Partes* Review concerning U.S. Patent No. 8,667,571 (“the ’571 Patent”). Co-Petitioners Amazon.com Services LLC and Amazon Web Services, Inc. will remain as Petitioners in this IPR. Patent Owner Headwater Research LLC does not oppose this Motion.

## **II. STATEMENT OF FACTS**

On July 17, 2025, Headwater Research LLC asserted the ’571 Patent against Co-Petitioner Apple in an action entitled *Headwater Research LLC v. Apple Inc.*, No. 7:25-cv-00318 (W.D. Tex. July 17, 2025) (the “Litigation”). Petitioners subsequently filed the instant Petition for *Inter Partes* Review challenging Claims 1-30 of the ’571 Patent, which was accorded a filing date of October 14, 2025. *Apple Inc., et al. v. Headwater Research LLC*, IPR2025-01571, Paper 4 (PTAB Oct. 22, 2025). On October 30, 2025, the District Court for the W.D. Texas issued an Order Granting Joint Motion to Dismiss, thereby dismissing the Litigation. (Ex. 1050).

Co-Petitioner Apple has simultaneously filed a similar unopposed motion to withdraw and dismiss *Inter Partes* Review No. IPR2025-01572 for U.S. Patent No. 10,064,055, which is also an asserted patent in the Litigation.

Motion to Dismiss Apple Inc. from IPR Petition

For the Board’s reference, Patent Owner Headwater Research LLC has also asserted the ’571 Patent against Co-Petitioners Amazon.com Services LLC and Amazon Web Services, Inc. in an action entitled *Headwater Research LLC v. Amazon.com Services LLC and Amazon Web Services, Inc.*, No. 2-25-cv-00897 (E.D. Tex. Aug. 27, 2025), which is ongoing.

### III. ARGUMENT

Good cause exists to grant Co-Petitioner Apple’s Motion pursuant to 37 C.F.R. §§ 42.5 and 41.71(a). The Board has authority under 37 C.F.R. § 42.5(a) to “determine a proper course of conduct in a proceeding for any situation not specifically covered by this part ....” The Board previously has dismissed a party as co-petitioner without terminating the entire proceeding. *See, e.g., Google LLC, et al. v. Ericsson AB*, IPR2025-00003, Paper 20 (May 6, 2025); *BMW of North America, LLC v. Mich. Motor Techs. LLC*, IPR2023-01233, Paper 10 (PTAB Nov. 16, 2023). This IPR2025-01571 remains at the earliest procedural stage: Patent Owner has not submitted a Preliminary Response or any discretionary denial briefing, and the Board has not reached a decision on institution. Notably, Patent Owner does not oppose this Motion to Dismiss Co-Petitioner Apple from the Petition. Further, dismissal of Co-Petitioner Apple as to the IPR is appropriate because all pending disputes between Apple Inc. and Headwater Research LLC concerning the ’571 Patent have been resolved in the Litigation, which has been dismissed. (Ex. 1050).

Motion to Dismiss Apple Inc. from IPR Petition

Co-Petitioner Apple notes that Co-Petitioners Amazon.com Services LLC and Amazon Web Services, Inc. will remain as Petitioners in this IPR. This Motion to Dismiss is specific to Co-Petitioner Apple and no motion to dismiss is being made for the remaining co-petitioners.

**IV. CONCLUSION**

For at least these reasons, Co-Petitioner Apple respectfully requests that the Board grant this Motion to Dismiss Co-Petitioner Apple Inc. as to the above-captioned IPR petition.

Respectfully submitted,

/s/ Jennifer C. Bailey  
Jennifer C. Bailey, Reg. No. 52,583  
Erise IP, P.A.  
7015 College Boulevard, Suite 700  
Overland Park, KS 66211  
jennifer.bailey@eriseip.com

*Counsel for Petitioner Apple Inc.*

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(b), the undersigned certifies that on November 10, 2025, a complete and entire copy of this *Motion to Dismiss Co-Petitioner Apple Inc. as to the Petition for Inter Partes Review* and Exhibit were provided via Federal Express to the Patent Owner by serving the correspondence address of record for the '571 Patent:

Headwater Research LLC  
C/O Farjami & Farjami LLP  
26522 La Alameda Ave., Suite 360  
Mission Viejo, CA 92691

Further, a courtesy copy was sent via email to Patent Owner's litigation counsel:

Marc Fenster (mfenster@raklaw.com)  
Reza Mirzaie (rmirzaie@raklaw.com)  
Brian Ledahl (bledahl@raklaw.com)  
Dale Chang (dchang@raklaw.com)  
Kristopher Davis (kdavis@raklaw.com)  
James N. Pickens (jpickens@raklaw.com)  
James S. Tsuei (jtsuei@raklaw.com)  
Jason M. Wietholter (jwietholter@raklaw.com)

By: /s/ Jennifer C. Bailey  
Jennifer C. Bailey, Reg. No. 52,583

*COUNSEL FOR PETITIONER*