Filed: December 8, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

HEADWATER RESEARCH LLC,

Patent Owner.

Case No. IPR2026-00049
U.S. Patent No. 9,179,359

PETITIONER'S *SOTERA* STIPULATION

Consistent with *Sotera Wireless, Inc. v. Masimo Corp*., IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020), Petitioner hereby stipulates that, if the Board institutes *inter partes* review in this proceeding, IPR2026-00049, Petitioner will not pursue in the related litigation, *Headwater Research LLC v. Google LLC*, No. 7-25-cv-00518 (W.D. Tex.), an invalidity defense based on any ground that was raised or reasonably could have been raised in this inter partes review before the Board with respect to U.S. Patent No. 9,179,359. Thus, there will be no "overlap between issues raised in the petition and in the parallel proceeding." *Apple v. Fintiv*, IPR2020-00019, Paper 11 at 6 (PTAB Mar. 20, 2020).

To be clear, this stipulation does not extend to scenarios where the USPTO institutes but later vacates institution of IPR2026-00049, or otherwise terminates the IPR proceeding without issuing an appealable Final Written Decision, as those scenarios would no longer involve an instituted *inter partes* review. Thus, if IPR2026-00049 is not instituted, is instituted but later de-instituted, or otherwise terminates without an appealable Final Written Decision, Petitioner reserves the right to pursue in the *Headwater Research LLC v. Google LLC* Litigation any ground that was raised or reasonably could have been raised in the IPR.

Dated: December 8, 2025 By: /Erika H. Arner/
Erika H. Arner Lead Counsel
Reg. No. 57,540

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Petitioner's *Sotera* Stipulation** was served on December 8, 2025, by FedEx Priority Overnight on the correspondence address of record indicated in the Patent Office's Patent Center website for U.S. Patent No. 9,179,359:

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

Dated: December 8, 2025

By: /Daniel E. Doku/
Daniel E. Doku
Senior Litigation Paralegal

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.