

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

HEADWATER RESEARCH LLC,

Patent Owner

IPR2026-00137

Patent No. 9,647,918

**PATENT OWNER'S REQUEST FOR DISCRETIONARY DENIAL OF
INSTITUTION**

TABLE OF CONTENTS

I.	Introduction	1
II.	Discretionary denial is appropriate.	1
	A. Settled expectations overwhelmingly support discretionary denial.....	2
	B. Despite receiving significant tax advantages under President Trump’s policies, Google does not manufacture the accused products in America and has committed to relatively low	5
	C. The <i>Fintiv</i> factors additionally weigh in favor of discretionary denial.....	8
	1. <i>Fintiv</i> Factor 1: The likelihood of a stay is neutral.	9
	2. <i>Fintiv</i> Factors 2-3: Time to trial and amount of work already completed are outweighed by other factors.	10
	3. <i>Fintiv</i> Factor 4: There is likely to be substantial overlap between this IPR and the district court proceeding.	10
	4. <i>Fintiv</i> Factor 5: Google is the defendant in the district court litigation.	13
	5. <i>Fintiv</i> Factor 6: Other considerations support discretionary denial.	13
III.	Conclusion	14

TABLE OF AUTHORITIES

Cases

<i>Apple Inc. v. Fintiv, Inc.</i> , IPR2020-00019, Paper No. 11 (PTAB Mar. 20, 2020).....	9, 10, 13
<i>Apple Inc. v. Fintiv, Inc.</i> , IPR2020-00019, Paper No. 15 (PTAB May 13, 2020)	9, 13
<i>In re Gesture Tech. Partners, LLC</i> , 160 F.4th 1317 (Fed. Cir. 2025).....	12
<i>Motorola v. Stellar</i> , IPR2024-01205, -01206, -01297, -01208, Paper 19 (March 28, 2025)	10
<i>Sand Revolution II, LLC v. Continental Intermodal Group-Trucking LLC</i> , IPR2019-01393, Paper 24 (Jun.16, 2020)	9

Statutes

35 U.S.C. § 314	1
-----------------------	---

PATENT OWNER'S EXHIBIT LIST

No.	Description
2001	Confidential License Agreement
2002	December 29, 2023 Complaint in <i>Headwater Research, LLC v. Samsung Electronics Co., Ltd. et al.</i> , No. 2:23-cv-00641 (E.D. Tex.)
2003	Exhibit 8 to Headwater' December 29, 2023 Complaint in <i>Headwater Research, LLC v. Samsung Electronics Co., Ltd. et al.</i> , No. 2:23-cv-00641 (E.D. Tex.)
2004	Excerpt of the January 23, 2024 deposition transcript of Jeff Sharkey in <i>Headwater Research, LLC v. Samsung Electronics Co., Ltd. et al.</i> , No. 2:22-CV-00422-JRG-RSP (E.D. Tex.) (redacted to remove any potential confidential information)
2005	Ben Schoon, <i>Google Pixel development reportedly moving almost entirely out of China</i> , 9TO5GOOGLE.COM, https://9to5google.com/2026/01/13/google-pixel-development-china-report/ , Jan. 13, 2026
2006	<i>TRUMP EFFECT: A Running List of New U.S. Investment in President Trump's Second Term</i> , THE WHITE HOUSE, https://www.whitehouse.gov/articles/2026/03/trump-effect-a-running-list-of-new-u-s-investment-in-president-trumps-second-term/ (Mar. 10, 2026)
2007	Matthew Gardner, <i>Four Big Tech Companies Avoid \$51 Billion in Taxes in Wake of One Big Beautiful Bill Act</i> , INSTITUTE OF TAXATION AND ECONOMIC POLICY, https://itep.org/trump-meta-tesla-alphabet-amazon-obbba-taxes/# (Feb. 6, 2026)
2008	<i>Investing in America 2025</i> , GOOGLE, available at https://blog.google/company-news/inside-google/company-announcements/investing-in-america-2025/ (last visited Mar. 23, 2026)
2009	<i>Apple and Corning Partner to Manufacture 100 Percent of iPhone and Apple Watch Cover Glass in Kentucky</i> , APPLE,

	https://www.apple.com/newsroom/2025/08/apple-corning-to-manufacture-all-iphone-apple-watch-cover-glass-in-kentucky/ (Aug. 6, 2025)
2010	Scheduling Order in <i>Headwater Research LLC v. Google LLC</i> , No. 7:25-CV-00374-DC-DTG (W.D. Tex.)
2011	<i>What is an Android Phone?</i> , SAMSUNG, available at https://www.samsung.com/uk/mobile-phone-buying-guide/why-android/ (last visited Mar. 23, 2026)
2012	Notice of Appearance for Lance Yang as counsel for Samsung in <i>Headwater Research, LLC v. Samsung Electronics Co., Ltd. et al.</i> , No. 2:22-CV-00422-JRG-RSP (E.D. Tex.)
2013	Headwater's December 17, 2025 Preliminary Infringement Contentions in <i>Headwater Research LLC v. Google LLC</i> , No. 7:25-CV-00374-DC-DTG (W.D. Tex.)
2014	Google's March 4, 2026 Preliminary Invalidity Contentions in <i>Headwater Research LLC v. Google LLC</i> , No. 7:25-CV-00374-DC-DTG (W.D. Tex.)

I. Introduction

The '918 patent issued on May 9, 2017 such that it has been in effect for approximately nine years by the time Google files its response to this brief, and the '918 patent is subject to significant licensing activity.

Furthermore, Google was aware of the fact that Headwater had asserted claims for infringement of the '918 patent against Samsung, based on Google's Android operating system (i.e., the same operating system that is used by the Google's Pixel and other accused products) as of approximately 2023. Instead of challenging the '918 patent before the Board when Samsung did so in September 2024 (and despite never attempting to join with Samsung's IPR anytime thereafter), Google only now seeks to bring its own independent challenge to the '918 patent. Google's gamesmanship in allowing itself two bites at the apple (first hoping that Samsung's IPR would invalidate the '918 patent, and now bringing its own independent challenge after Samsung resolved Headwater's claims via a settlement) should not be rewarded, and the Board should uphold the parties' settled expectations that Google would not be challenging the '918 patent before the Board.

II. Discretionary denial is appropriate.

35 U.S.C. § 314(a) gives the Director discretion to deny institution of an *inter partes* review. The March 26, 2025 Memorandum regarding Interim Processes for PTAB Workload Management sets forth various relevant considerations that may

weigh in favor of discretionary denial, including the settled expectations of the parties and compelling economic or national security interests. As explained below, these considerations weigh heavily in favor of discretionary denial.

A. Settled expectations overwhelmingly support discretionary denial.

The '918 patent issued on May 9, 2017 (*see* Ex. 1001), and as such will have been in effect for approximately nine years by the time any decision regarding institution is reached. Headwater's settled expectations are further supported by the fact that Headwater has invested significant amounts of money in litigating its patent portfolio (including the '918 patent), and has achieved significant licensing success. *See* Ex. 2001 at 4 (confidential license fee), 35 (identification of patent).¹

These settled expectations are further confirmed by the fact that Google knew (or at very least, should have known) of Headwater's '918 patent allegations of infringement against Samsung related to Google's Android operating system. Specifically, on December 29, 2023, Headwater publicly accused Samsung phones running the Android operating system of infringing the '918 patent, accompanied by a claim chart relying heavily on aspects of the Android operating system.² *See* Exs.

¹ Ex. 2001 is just one of several licenses to the Headwater portfolio. Although Headwater has received special authorization to file Exhibit 2001 with the Board, other agreements cannot be produced due to confidentiality restrictions which require another party's waiver of rights or a pending discovery request or court order prior to disclosure. *Cf.* Ex. 2001 at 11.

² As Google is aware, all (or at least the overwhelming majority) of Samsung

2002–2003. And despite Google being aware of Headwater’s litigation campaign against Samsung (including Google attorney Lance Yang representing Samsung in litigation involving Samsung—*see* Exs. 2004 & 2012), Google waited years to file an IPR petition on the ’918 patent.

Consistent with the Board’s policy of encouraging early challenges to patent validity, Google should not be rewarded for sitting on its hands and waiting to see the results of the validity challenges brought by *other* parties such as Samsung before bringing Google’s own validity challenge. Instead, given Google’s election not to join the prior Samsung IPR challenging the ’918 patent (IPR2024-01396), it is eminently reasonable for Google to be limited to bringing its validity challenges before an Article III court.

Additionally, Google has made no allegation of examiner error. *See generally* Petition. For instance, Google provides no allegation that the examiner failed in his consideration of any reference of record. *See generally id.* Google also provides no allegation that the examiner should have found any of the prior art references Google relies upon. *See generally id.* To the extent Google alleges that the examiner erred

phones use the Android operating system. *See* Ex. 2011 (Samsung webpage: “Quick check: if your phone isn’t an iPhone, it’s likely an Android.”). And although Samsung uses a “forked” version of the Android operating system, the core functionality relied upon appears to be the same as between Samsung and Google, such that Google should have known Headwater’s infringement theories would apply equally to Google.

by simply not finding the same references Google chose for its IPR (which are actually the references that Samsung chose for its IPR years earlier)—it is unclear what the basis for any such allegation should be. However, such a hindsight-based approach should not be used to infer examiner error. Once a particular reference has been identified by a petitioner, it will almost always be possible, *with hindsight knowledge of that reference*, to create a seemingly straightforward search strategy which will return that reference. However, using a prior art reference to generate a search strategy in hindsight is irrelevant to whether it would have been apparent *to an examiner without knowledge of that specific reference* to conduct that exact search. What is far more difficult is constructing the appropriate search strategy ***without*** knowing what the landscape of prior art looks like in its entirety, which is what United States patent examiners are tasked with doing. And distilling examiner error to search strategy assumes that the examiner did not have independent knowledge of the types of teachings relied upon by the patent challenger.

Furthermore, even to the extent Google ultimately ***does*** allege examiner error, that should not impact Headwater or Google’s settled expectations. Settled expectations relate to settled expectations of the ***parties***, not the settled expectations of the examiner who allowed the patent. Headwater had no reason to suspect that the examiner committed any error. *See* March 26, 2025 Memorandum Regarding Interim Processes for PTAB Workload Management at 2 (discussing “[s]ettled

expectations *of the parties*”). And to the extent Google had reason to suspect that the examiner committed material error when it was developing and utilizing the products accused of infringing the ’918 patent, Google should not have waited to bring the instant patent challenge. As noted above, Google knew (or at the very least should have known) that Headwater had asserted infringement based on Android operating system functionality since approximately 2023. To the extent Google was aware of examiner error regarding the ’918 patent (something that Google has not alleged and of which there is no evidence of) yet *still* waited to challenge the validity of that patent and correct that error, Google should not be entitled to claim it *now* has settled expectations in correcting that error before the Board.

In sum, the settled expectations of the parties (including the duration of time the ’918 patent has been in effect, substantial licensing activity relating to the ’918 patent, and Google’s own prior knowledge of and inaction regarding the ’918 patent) weigh heavily in favor of discretionary denial.

B. Despite receiving significant tax advantages under President Trump’s policies, Google does not manufacture the accused products in America and has committed to relatively low

On March 11, 2026, the Director issued a memorandum titled “Additional Discretionary Institution Considerations—U.S. Manufacturing and Small Business Use of AIA Proceedings.” *See*

https://www.uspto.gov/sites/default/files/documents/Additional_Discretionary_Inst

[itution Considerations US Manufacturing and Small Business Use of AIA Proceedings.pdf](#).

Despite having a market capitalization of over three trillion dollars as of March 23, 2026, Google does not provide manufacturing capabilities for *any* of the accused Google Pixel phones in the United States. *See* Ex. 2005 (<https://9to5google.com/2026/01/13/google-pixel-development-china-report/>) (discussing Google moving its manufacturing capabilities for Pixel phones from China to Vietnam).³

Notably, even as investments pertain to non-manufacturing activities, Google lags far behind other technology companies of comparable size that have pledged new investments in manufacturing under President Trump’s initiative “to revitaliz[e] America industry”; for instance, Apple, Meta, and NVIDIA have *each* pledged more than \$500B in investments, and Amazon invested \$340B in 2025 alone (plus an additional \$34B for projects in Pennsylvania, North Carolina, and small towns across America). *See* Ex. 2006

³ In contrast, Apple, which took a worldwide license to Headwater’s patents, manufactures at least some iPhone components in the United States. *See, e.g.*, Ex. 2009 at 2 (August 6, 2025 press release: “Apple is making a new \$2.5 billion commitment to produce all of the cover glass for iPhone and Apple Watch in Corning’s Harrodsburg, Kentucky, manufacturing facility. This means that 100 percent of the cover glass on iPhone and Apple Watch units sold worldwide will be made in the U.S. for the first time.”).

(<https://www.whitehouse.gov/articles/2026/03/trump-effect-a-running-list-of-new-u-s-investment-in-president-trumps-second-term/>) at 1. In contrast, Google has pledged a comparatively sparse \$25B investment over two years. *Id.* at 3. This puts Google far behind not only the other mega-cap companies discussed above, but also significantly behind much smaller companies AT&T, Micron, IBM, and Anthropic, and on par with relatively unknown Vantage Data Centers. *Id.* at 1–3. Google’s investment also lags behind numerous smaller *non*-U.S. companies including Taiwan Semiconductor Manufacturing Company, AstraZeneca, Roche, GSK, and Hyundai.⁴ *Id.* at 1–2.

Google’s commitment to United States investment is particularly low in light of Google’s \$18.4B *reduction* in tax payments in 2025 alone that resulted from President Trump’s One Big Beautiful Bill Act. *See* Ex. 2007(<https://itep.org/trump-meta-tesla-alphabet-amazon-obbba-taxes/>). This reduction in tax payments is the reduction for 2025 alone (*see id.*)—presumably, Google’s reduced payments will be similar (if not greater) in the coming years. Both Amazon and Meta received less of

⁴ Google may point to announcements regarding other investments. *See* Ex. 2008 (<https://blog.google/company-news/inside-google/company-announcements/investing-in-america-2025/>). However, even Google’s own blog regarding a “Collection” of announcements regarding “Investing in America” highlights well under \$100B in investments (*see id.*), which is far less than other technology companies of comparable size (*see* Ex. 2006).

a tax discount under the One Big Beautiful Bill Act (*see id.*), yet pledged *far* more in United States investments (*see* Ex. 2006 at 1, 3).

To be clear, only *manufacturing* should be considered under the March 11, 2026 memorandum. However, the extent Google attempts to argue that non-manufacturing investments should weigh in favor of discretionary denial, Headwater believes that such investments should (1) not be considered, but (2) even if considered, should weigh *against* discretionary denial given the limited scope of such investments relative to Google's size (one of only three companies *in the world* to have a market capitalization of over three *trillion* dollars as of March 23, 2026).

C. The *Fintiv* factors additionally weigh in favor of discretionary denial.

In addition to the factors discussed above, the Board has set forth six factors for determining whether discretionary denial in light of parallel litigation is appropriate:

1. whether the court granted a stay or evidence exists that one may be granted if a proceeding is instituted;
2. proximity of the court's trial date to the Board's projected statutory deadline for a final written decision;
3. investment in the parallel proceeding by the court and the parties;
4. overlap between issues raised in the petition and in the parallel proceeding;
5. whether the petitioner and the defendant in the parallel proceeding are the same party;

6. other circumstances that impact the Board's exercise of discretion, including the merits.

Apple Inc. v. Fintiv, Inc., IPR2020-00019, Paper 11 at 5-6 (PTAB Mar. 20, 2020) (precedential) (“*Fintiv I*”). In evaluating these factors, the Board “takes a holistic view of whether efficiency and integrity of the system are best served by denying or instituting review.” *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 15 at 7-17 (PTAB May 13, 2020) (informative) (“*Fintiv II*”).

As explained below, many of the *Fintiv* factors weigh in favor of discretionary denial in light of the related district court litigation of *Headwater Research LLC v. Google LLC*, 7:25-cv-00374-DC-DTG (W.D. Tex.).

1. *Fintiv* Factor 1: The likelihood of a stay is neutral.

Fintiv Factor 1 looks to “whether the court granted a stay or evidence exists that one may be granted if a proceeding is instituted.” *Fintiv I* at 5-6.

The Board ordinarily “will not attempt to predict” how a district court will proceed if a stay has not been granted. *See Sand Revolution II, LLC v. Cont’l Intermodal Group-Trucking LLC*, IPR2019-01393, Paper 24 at 7 (June 16, 2020) (informative). Here, not only has a stay not been granted, but Google has not even ***requested*** a stay. Therefore, this factor is neutral, if not weighing in favor of discretionary denial.

2. *Fintiv* Factors 2-3: Time to trial and amount of work already completed are outweighed by other factors.

Fintiv Factor 2 looks to “proximity of the court's trial date to the Board's projected statutory deadline for a final written decision.” *Fintiv I* at 5-6. *Fintiv* Factor 3 looks to “amount and type of work already completed in the parallel litigation by the court and the parties at the time of the institution decision.” *Fintiv I* at 9.

Here, the Court has set a trial date for December 6, 2027 (*see* Ex. 2010) and the case is set for a *Markman* hearing on July 9, 2026, such that substantial progress will have been made by the time any institution decision has reached (i.e., the parties will have either completed the *Markman* process or be nearing completion of that process). Furthermore, numerous other factors discussed above and below weigh even more heavily in favor of discretionary denial.

3. *Fintiv* Factor 4: There is likely to be substantial overlap between this IPR and the district court proceeding.

Fintiv Factor 4 evaluates “concerns of inefficiency and the possibility of conflicting decisions” when substantially identical prior art is submitted in both the district court and the IPR proceeding. *Fintiv I* at 12. Here, the Petition challenges claims 1–19, which are the same claims challenged in Headwater’s infringement contentions. *See* Ex. 2013 at 2.

Furthermore, while Google filed a *Sotera* stipulation that it would not raise a district court “invalidity defense based on any ground that was raised or reasonably

could have been raised in this inter partes review” (Paper 6 at 2), the scope of Google’s stipulation is not sufficient to ensure that IPR proceedings would be a “true alternative” to the District Court litigation. *See Motorola v. Stellar*, IPR2024-01205, Paper 19 at 3–4 (March 28, 2025) (Director vacating decision granting institution in part because the petitioner’s *Sotera* “stipulation does not ensure that these [inter partes review] proceedings would be a ‘true alternative’ to the district court proceeding”).

Here, Google’s stipulation only warrants that it will not pursue the same grounds as those raised in this IPR proceeding (or that could have been reasonably raised in this IPR proceeding). This stipulation would allow Google to rely on any combinations of system art with any or all of the art asserted in its petition, and also to rely on system art in combination with any other art that “reasonably could have been raised in this inter partes review.” Thus, the stipulation leaves open the potential that Google’s district court invalidity theories and evidence would have significant overlap with the theories and evidence presented in this proceeding, rendering Google’s stipulation insufficient to ensure the IPR proceedings are a “true alternative” to the District Court proceedings.⁵

⁵ To be clear, Patent Owner is not suggesting that petitioners must give up *every* validity defense in the parallel District Court proceedings in order for a stipulation to be sufficient. But here, Google falls *far* short of a stipulation that would allow this proceeding to be a “true alternative” to district court invalidity proceedings, by

Additionally, Google's stipulation also would allow Google to seek *ex parte* review of the '918 patent before a final written decision is reached, causing further duplication. *See In re Gesture Tech. Partners, LLC*, 160 F.4th 1317, 1321 (Fed. Cir. 2025) (upholding USPTO's decision not to terminate a reexamination requested by a petitioner in an IPR in which a final written decision had issued because "the estoppel provision of 35 U.S.C. § 315(e)(1) is inapplicable against the Patent Office to ongoing *ex parte* reexamination proceedings").

In short, if the Board were to grant institution in this proceeding, it would be considering the same claim of the '918 patent that will be considered by the district court, and the same claim of the '918 patent whose validity may subsequently be challenged again during any potential *ex parte* reexamination process. Furthermore, Google has declined to stipulate that it will not rely even on the exact same prior art (or art that reasonably could have been) raised in this proceeding before the District Court, so long as Google combines such art in some manner with system art. This leaves open the possibility of duplicative proceedings across several different forums, at odds with the purpose of the IPR process to streamline invalidity

leaving open the possibility that Google will raise the exact art raised in this proceeding before the district court (or any other art that could have been raised in this proceeding), only with some combination of system art. Google's *Sotera* stipulation thus provides no meaningful protection against multiple validity challenges across multiple tribunals, each challenge involving art that was raised or reasonably could have been raised in this proceeding.

challenges. For instance, Google reserves the right to rely on *each* reference relied upon in this IPR in combination with any of a large number of alleged prior art systems. *See* Ex. 2014 at 16–17, 18–20.

Thus, *Fintiv* Factor 4 weighs strongly in favor of discretionary denial.

4. *Fintiv* Factor 5: Google is the defendant in the district court litigation.

Fintiv Factor 5 looks to “whether the petitioner and the defendant in the parallel proceeding are the same party.” *Fintiv I* at 5-6. Specifically, when “the petitioner and the defendant in the parallel proceeding are the same party, this factor weighs in favor of discretionary denial.” *Fintiv II* at 15. Here, Google is the defendant in the parallel litigation.

Thus, *Fintiv* Factor 5 weighs in favor of discretionary denial.

5. *Fintiv* Factor 6: Other considerations support discretionary denial.

Fintiv Factor 6 looks to “other circumstances that impact the Board's exercise of discretion, including the merits.” *Fintiv I* at 5-6. This factor also weighs heavily against institution for at least two reasons.

First, contrary to Google’s assertions, the Petition fails to present any compelling merits of unpatentability. The Petition does not allege anticipation under §102, and instead relies solely on obviousness under §103. *See generally* Petition. Patent Owner reserves the right to highlight specific deficiencies in its POPR merit-

based briefing.

Second, as discussed above, the factors discussed in the Director's March 26, 2025 Memorandum regarding Interim Processes for PTAB Workload Management weigh ***strongly*** in favor of discretionary denial, including the length of time the challenged patent has been in effect, Google's own knowledge of Headwater's prior allegations of infringement of systems utilizing the Android operating system, and Headwater's significant licensing activity.

Thus, *Fintiv* Factor 6 weighs strongly in favor of discretionary denial.

III. Conclusion

Patent Owner respectfully requests that the Director exercise discretion under Section 314(a) to deny institution.

Date: March 23, 2026

Respectfully submitted,

/James A. Milkey/
James A. Milkey, Reg. No. 79,503
RUSS, AUGUST & KABAT
12424 Wilshire Blvd., 12th Fl.
Los Angeles, CA 90025

Counsel for Patent Owner

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

The undersigned hereby certifies that the above document was served on March 23, 2026, by filing this document through the Patent Trial and Appeal Case Tracking System (P-TACTS) as well as delivering a copy via electronic mail upon the following attorneys of record for Petitioner:

Erika H. Arner, Reg. No. 57,540
Daniel C. Tucker, Reg. No. 62,781
Elliot Cook, Reg. No. 61,769
Michael V. Young, Reg. No. 61,180
Alexander M. Boyer, Reg. No. 66,599
Bradford C. Schulz, Reg. No. 75,006
Christopher B. Anderson, Reg. No. 77,898
Umbra Aggarwal, Reg. No. 76,098
Abhay A. Watwe, Reg. No. 59,461
Kathleen C. Galleher, Reg. No. 80,837
Finnegan, Henderson, Farabow, Garrett, & Dunner LLP
1875 Explorer Street, Suite 800
Reston, VA 20190-6023
erika.arner@finnegan.com
daniel.tucker@finnegan.com
elliott.cook@finnegan.com
michael.young@finnegan.com
alexander.boyer@finnegan.com
bradford.schulz@finnegan.com
christopher.anderson@finnegan.com
umbra.aggarwal@finnegan.com
abhay.watwe@finnegan.com
kathleen.galleher@finnegan.com

Joshua L. Goldberg, Reg. No. 59,369
Daniel F. Klodowski, Reg. No. 72,693
Pier D. DeRoo, Reg. No. 69,340
Christopher C. Johns, Reg. No. 68,664
Kassandra M. Officer, Reg. No. 74,083

William C. Neer, Reg. No. 78,874
Kai Rajan, Reg. No. 70,110
Connor M. McGregor, Reg. No. 79,634
Heather J. Ren, Reg. No. 82,089
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
901 New York Avenue NW
Washington, DC 20001-4413
joshua.goldberg@finnegan.com
daniel.klodowski@finnegan.com
pier.deroo@finnegan.com
Christopher.Johns@finnegan.com
Kassandra.Officer@finnegan.com
william.neer@finnegan.com
kai.rajan@finnegan.com
connor.mcgregor@finnegan.com
heather.ren@finnegan.com

Benjamin A. Saidman, Reg. No. 69,325
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
271 17th Street NW, Suite 1400
Atlanta, GA 30363-6209
benjamin.saidman@finnegan.com

Yi Yang, pro hac vice to be filed
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
2 Seaport Lane, 6th Floor
Boston, MA 02210
yi.yang@finnegan.com

HeadwaterIPRTeam@finnegan.com

Date: March 23, 2026
RUSS AUGUST & KABAT
12424 Wilshire Blvd., 12th Fl.
Los Angeles, CA 90025
Phone: (310) 826-7474

/James A. Milkey/
James A. Milkey
Reg. No. 79,503
Attorney for Patent Owner