

Filed: February 23, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

HEADWATER RESEARCH LLC,

Patent Owner.

Case No. IPR2026-00138
U.S. Patent No. 9,609,544

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, IPR2026-00138, 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. 9,609,544. 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 IPR2026-00138, 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 IPR2026-00138 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: February 23, 2026

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 February 23, 2026, via email on counsel of
record for Patent Owner at the following:

Reza Mirzaie
rmirzaie@raklaw.com
rak_headwater@raklaw.com

Marc A. Fenster
mfenster@raklaw.com

Dale Chang
dchang@raklaw.com

James A. Milkey
jmilkey@raklaw.com

Neil Rubin
nrubin@raklaw.com

Philip X. Wang
pwang@raklaw.com

Dated: February 23, 2026

By: /Lisa C. Hines/
Lisa C. Hines
Case Manager

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