UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC
Petitioner

v.

HEADWATER RESEARCH LLC
Patent Owner

Case No. IPR2026-00439
Patent 11,096,055

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, IPR2026-00439, Petitioner will not pursue in the related litigation, *Headwater Research LLC v. Google LLC*, No. 5:26-cv-07551 (N.D. Cal.), 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 the claims of U.S. Patent No. 11,096,055 challenged in this *inter partes* review. 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 IPR2026-00439, 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 IPR2026-00439 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.

Respectfully submitted,

Date: September 24, 2026

/Patrick C. Keane/

Patrick C. Keane, Esq.
Registration No. 32,858
BUCHANAN INGERSOLL & ROONEY PC
1700 K Street, N.W., Suite 300
Washington, DC 20006
Telephone (703) 838-6522
Facsimile (202) 452-7989
patrick.keane@bipc.com
Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 24th day of September, 2026, a true and correct copy of the foregoing **PETITIONER'S *SOTERA* STIPULATION** is being served upon the Patent Owner at the following correspondence address of record via FedEx:

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

and courtesy copies are being served on litigation counsel for Patent Owner via electronic mail to:

RUSS AUGUST & KABAT
Marc Fenster (mfenster@raklaw.com)
Reza Mirzaie (rmirzaie@raklaw.com)
Brian Ledahl (bledahl@raklaw.com)
Ben Wang (bwang@raklaw.com)
Dale Chang (dchang@raklaw.com)
Kristopher Davis (kdavis@raklaw.com)
Paul Kroeger (pkroeger@raklaw.com)
James S. Tsuei (jtsuei@raklaw.com)
Philip Wang (pwang@raklaw.com)
James Pickens (jpickens@raklaw.com)
Jason Wietholter (jwietholter@raklaw.com)
Qi (Peter) Tong (ptong@raklaw.com)
Minna Jay (mjay@raklaw.com)

Date: September 24, 2026

/Patrick C. Keane/

Patrick C. Keane, Esq.
Registration No. 32,858
BUCHANAN INGERSOLL & ROONEY PC
1700 K Street, N.W., Suite 300
Washington, DC 20006
Telephone (703) 838-6522
Facsimile (202) 452-7989
patrick.keane@bipc.com
Counsel for Petitioner