Filed: October 2, 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. IPR2026-00465
U.S. Patent No. 8,023,425

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, IPR2026-00465, Petitioner will not pursue in the related litigation, *Headwater Research LLC v. Google LLC*, No. 3:26-cv-06230 (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. 8,023,425 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 IPR2026-00465, 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 IPR2026-00465 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: October 2, 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 October 2, 2026, by FedEx Priority Overnight on the correspondence address of record indicated in the Patent Office's Patent Center website for U.S. Patent No. 8,023,425:

James Harris
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UNITED STATES

Dated: October 2, 2026

By: /Daniel E. Doku/
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