

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

AUDIO POD IP, LLC,

Plaintiff,

v.

AMAZON.COM, INC.;
AMAZON.COM SERVICES LLC;
AMAZON WEB SERVICES, INC.

Defendants.

Lead Civil Action No. 3:24-cv-00406-RCY

JURY TRIAL DEMANDED

DEFENDANTS' MOTION TO TRANSFER OR, IN THE ALTERNATIVE, TO STAY

In accordance with the first-to-file rule and pursuant to 28 U.S.C. § 1404, Defendants Amazon.com, Inc., Amazon.com Services LLC, and Amazon Web Services, Inc., (collectively “Defendants”) respectfully move this Court for an Order transferring this case (including both the Lead Civil Action 3:24cv406 and the underlying case 3:24cv407 that has been consolidated with it) to the United States District Court for the District of New Jersey. Alternatively, Defendants respectfully move this Court for an Order staying this case pending resolution of *Audio Pod IP, LLC v. Audible Inc.*, No. 2:25-cv-02198 (D.N.J.), or resolution of *inter partes* review proceedings at the Patent Office that challenge all patents asserted in this case.

Pursuant to Eastern District of Virginia Local Civil Rule 7(F)(1), the grounds for this motion are more fully set forth in the accompanying Memorandum in Support of Defendants’ Motion to Transfer Venue or, in the Alternative, to Stay.

Respectfully submitted,

By: /s/ William Rueger Poynter

Dated: August 4, 2025

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CERTIFICATE OF SERVICE

I certify that on August 4, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send notification of such filing (NEF) to all counsel of record.

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