

December 23, 2025

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**Re: *Headwater Research LLC v. Amazon.com Services LLC*, Case No. 7-25-cv-00286
(W.D. Tex.); *Amazon.com Services LLC v. Headwater Research LLC*, IPR2026-00088**

Counsel:

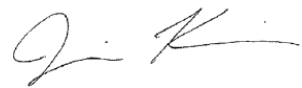
Amazon.com Services LLC, Amazon Web Services, Inc. (collectively, “Petitioners”), and Amazon.com, Inc. hereby stipulate that, if IPR2026-00088 is instituted, Petitioners and Amazon.com, Inc. will be bound by the full scope of estoppel under 35 U.S.C. § 315(e)(2) in *Headwater Research LLC v. Amazon.com Services LLC*, No. 7-25-cv-00286 (W.D. Tex.) as of the institution decision date for the patent at issue in the instituted IPR (i.e., Petitioners and Amazon.com, Inc. will forgo invalidity in district court based on “any ground that the petitioner raised or reasonably could have raised during that inter partes review”). *See also Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12, 18-19 (PTAB Dec. 1, 2020) (precedential as to § II.A).

Accordingly, this stipulation ensures that IPR2026-00088 would be a “true alternative” to the district court proceeding (*Sotera*, Paper 12, 18-19) because Petitioners and Amazon.com, Inc. agree not to pursue any grounds after institution in the district court that are within the scope of the statutory estoppel (i.e., any grounds that the statute would preclude Petitioners and Amazon.com, Inc. from pursuing after Final Written Decision for example if the district court were to stay the IPR pending Final Written Decision). However, if institution of IPR2026-00088 is subsequently vacated or IPR2026-00088 is terminated after institution without reaching a Final Written Decision, Petitioners and Amazon.com, Inc. will no longer be bound by this stipulation.

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Sincerely,

A handwritten signature in black ink, appearing to read "J. Kaiser". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jessica C. Kaiser