

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.;
SAMSUNG ELECTRONICS AMERICA, INC.; and
SAMSUNG AUSTIN SEMICONDUCTOR, LLC,

Petitioners,

v.

IMBERATEK LLC

Patent Owner.

Case No. IPR2023-00323

U.S. Patent No. 7,989,944

**JOINT REQUEST TO KEEP SEPARATE PURSUANT TO 35 U.S.C. §
317(b) AND 37 C.F.R. § 42.74(c)**

Patent Owner ImberaTek LLC (“Patent Owner”) and Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Austin Semiconductor, LLC (collectively, “Samsung”) have reached a settlement. The settlement agreement resolves the disputes in the above-captioned *inter partes* review relating to U.S. Patent No. 7,989,944 (“Patent-in-Suit”). The parties jointly request that the Board treat the settlement agreement as business confidential information and keep it separate from the files of this proceeding and the files of the Patent-in-Suit. The parties were authorized to file this Joint Motion by the Board (via email) on January 13, 2023.

I. STATEMENT OF PRECISE RELIEF REQUESTED

The parties jointly request that the Board treat the settlement agreement as business confidential information and keep it separate from the files of this proceeding and the files of the Patent-in-Suit. The parties request that the settlement agreement “be made available only to Federal Government agencies on written request, or to any person on a showing of good cause” in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74.

II. REASONS WHY RELIEF IS APPROPRIATE

The terms of the settlement agreement require the parties to treat the settlement agreement as confidential information and limit their ability to share the settlement agreement or disclose its content with third parties. The parties have filed a copy of the settlement agreement with the Board, as required by 35 U.S.C.

§ 317(b) and 37 C.F.R. § 42.74(c). The confidential settlement agreement was filed in the PTAB P-TACTS System to provide availability only to the Board.

Dated: January 13, 2023

Respectfully submitted,

/s/ John Kappos

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on January 13, 2023, by filing this document through the Patent Trial and Appeal Board P-TACTS System, as well as delivering a copy via electronic mail to the attorneys of record for the Patent Owner:

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