

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMAZON.COM, INC. and AMAZON.COM SERVICES LLC,
Petitioners,

v.

COUNTERFLO AB,
Patent Owner.

IPR2023-00362
U.S. Patent No. 8,791,829

**JOINT REQUEST TO TREAT THE PARTIES' SETTLEMENT
AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION**

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioners Amazon.com, Inc. and Amazon.com Services LLC (“Petitioner”) and Patent Owner Counterflo AB (“Patent Owner”) (collectively, the “Parties”) jointly request to file the Parties’ settlement agreement (Confidential Exhibit 1028) as confidential business information, that it be kept separate from the publicly available file of the involved patent, and that it not be made available except to Federal Government agencies on written request or to others only on a showing of good cause. The Parties’ settlement agreement constitutes confidential information under 37 C.F.R. § 42.2 because it lays out confidential commercial terms agreed to by the Parties in settling their differences regarding the challenged patent. *See* 37 C.F.R. § 42.2 (“*Confidential information* means trade secret or other confidential research, development, or commercial information.”). Further, Petitioner and Patent Owner each request that they be notified if and when the Board receives and/or considers a request for access to Confidential Exhibit 1028 and be offered an opportunity to respond. Accordingly, Confidential Exhibit 1028 has been filed for access by the “Parties and Board Only.”

Prior to filing this motion, undersigned counsel for Petitioner obtained permission from undersigned counsel for Patent Owner to add his signature and file this motion and request jointly on behalf of the Parties.

Dated: April 7, 2023

By: /Jeffrey Mann/

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Counsel for Patent Owner

Dated: April 7, 2023

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**CERTIFICATE OF SERVICE
IN COMPLIANCE WITH 37 C.F.R. § 42.6(E)(4)**

The undersigned certifies that on April 7, 2023, a complete copy of **JOINT REQUEST TO TREAT THE PARTIES' SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION** was served on Patent Owner via electronic mail as follows:

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