UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

SPEIR TECHNOLOGIES LTD.,
Patent Owner

Case IPR2023-00496
Patent No. 8,345,780

JOINT REQUEST THAT SETTLEMENT AGREEMENT BE TREATED AS BUSINESS CONFIDENTIAL INFORMATION AND BE KEPT SEPARATE PURSUANT TO 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Apple Inc. ("Apple") and Patent Owner Speir Technologies Ltd. ("Speir") jointly request that the settlement agreement between the parties filed concurrently herewith as APPLE-1021, as referenced in the Joint Motion to Terminate Proceeding, be treated as business confidential information and be kept separate from the file of the '780 patent.

Apple and Speir consider the settlement agreement (APPLE-1021) to contain highly sensitive business confidential information that would substantially harm their business interests if publicly disclosed. As such, Apple and Speir hereby jointly request that the agreement be kept as a separate paper to be made available only under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). The agreement has been filed for access "Available to parties and board." Apple and Speir further jointly request that the Board order that in the event a person or entity makes a written request, as stated in 37 C.F.R. § 42.74(c)(1)–(2), for access to the agreement, that any such written request be served upon the parties on the day the written request is provided to the Board and that the parties be given the opportunity to respond to the request.

Date: December 19, 2023

Respectfully submitted,

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Counsel for Petitioner Apple Inc.

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on December 19, 2023, a complete and entire copy of this Joint Request That Settlement Agreement Be Treated As Business Confidential Information And Be Kept Separate Pursuant To 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74 was provided by email to Patent Owner by serving the email correspondence addresses of record as follows:

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