UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE (USA) Inc.,

Petitioner,

v.

WSOU Investments LLC D/B/A Brazos Licensing and Development,

Patent Owner.

Case No. IPR2023-00499

U.S. Patent No. 7,872,973

JOINT MOTION TO FILE AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317

Petitioner ZTE (USA), Inc. ("Petitioner") and Patent Owner WSOU Investments LLC D/B/A Brazos Licensing and Development ("Patent Owner") are filing, concurrently with a Joint Motion to Terminate Proceedings, a true copy of an executed agreement resolving the parties' disputes and agreeing to terminate this proceeding and the parties' related district court proceeding, and a related release agreement between the parties. The parties jointly request, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and the August 16, 2023, authorization of the Board, that the agreement and release be treated as business confidential information and kept separate from the public files of the involved patent (U.S. Patent No. 7,872,973) and *inter partes* review proceeding. The agreement and release describe the confidential terms resolving the parties' dispute, which constitutes confidential information under the Board's rules. *See* 37 C.F.R. § 42.54. The parties hereby certify that, to the best of their knowledge, the documents sought to be protected have not been made publicly available.

Dated: August 21, 2023 Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Joint Motion to File Agreement as Business Confidential Information** was served on August 21, 2023, via email directed to counsel of record for the Patent Owner at the following:

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Dated: August 21, 2023

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