Paper No. 9
Filed: September 26, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTUITION MACHINES, INC. AND CLOUDFLARE, INC.,
Petitioners,

v.

HUMAN DIFFERENTIAL INTELLIGENCE, LLC,
Patent Owner.

Case IPR2023-00631
Patent No. 8,752,141

JOINT REQUEST THAT SETTLEMENT AGREEMENT BE TREATED AS BUSINESS CONFIDENTIAL INFORMATION AND KEPT SEPARATE UNDER 37 C.F.R § 42.74(c)

INTRODUCTION

In an email dated August 29, 2023, the Board authorized the parties to file a joint motion to terminate these proceedings and a joint request that the settlement agreement be treated as business confidential information and kept separate. The rules permit the parties to have any filed settlement agreement treated as business confidential information and kept separate from the files of the involved patent. 37 C.F.R. § 42.74(c). Indeed, the statute requires it at a party's request.

> At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

35 U.S.C. § 327.

In a motion filed concurrently herewith, Petitioners and Patent Owner jointly request termination of this proceeding. The parties also submit, as part of that joint request, a true copy of the agreement between them (the "Agreement") as Exhibit 1062.

RELIEF REQUESTED

Because the Agreement contains confidential business information, Petitioners and Patent Owner jointly request that the Office treat the Agreement (Exhibit 1062) as business confidential information, that the Agreement be kept separate from the file of the involved patent, and that the Agreement be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

Respectfully submitted,

Date: September 26, 2023

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Counsel for Petitioner Intuition Machines

Date: September 26, 2023

/Christopher T. Bovenkamp/
Christopher T. Bovenkamp
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Date: September 26, 2023

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **JOINT REQUEST THAT SETTLEMENT AGREEMENT BE TREATED AS BUSINESS CONFIDENTIAL INFORMATION AND KEPT SEPARATE UNDER 37 C.F.R § 42.74(c)**, was served on September 26, 2023, via email directed to counsel of record for the Patent Owner at the following:

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Patent Owner has consented to service by email.

Dated: September 26, 2023

/William Esper/
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