UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KIOXIA AMERICA, INC. and KIOXIA CORPORATION,

Petitioners,

v.

BiTMICRO LLC,

Patent Owner.

Case No.: IPR2023-00742
U.S. Patent No. 8,010,740

JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74(c)

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, Petitioners KIOXIA Corporation and KIOXIA America, Inc. ("Petitioners") and Patent Owner BiTMICRO LLC ("Patent Owner") hereby request that the Settlement Agreement being filed concurrently herewith as Confidential Exhibit 2001 be treated as business confidential information. Confidential Exhibit 2001 has not been made publicly available, and the Parties consider Confidential Exhibit 2001 to contain highly sensitive confidential information business information. Accordingly, the Parties request that Exhibit 2001 be kept separate from the file of the involved patents, and be made available only to Federal Government agencies on written request, or to any person on a showing of good cause pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Dated: November 13, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2023, a true and correct copy of the foregoing document was served via email, by consent, to Petitioner by serving the correspondence email addresses of record as follows:

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