

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,

Petitioner,

v.

ADVANCED CODING TECHNOLOGIES, LLC,

Patent Owner.

Patent No. 9,445,041

Filing Date: December 26, 2013

Issue Date: September 13, 2016

Inventor: Akiyoshi Jin

Title: MOVING IMAGE DATA PROCESSING APPARATUS AND MOVING
IMAGE DATA PROCESSING METHOD

**JOINT REQUEST TO TREAT AGREEMENT AS
BUSINESS CONFIDENTIAL INFORMATION**

Case No. IPR2023-00910

LIST OF EXHIBITS

Exhibit No.	Description
2001	U.S. Patent Application Publication No. 2010/0310229 (“Iwata”)
2002	Defendants’ Joint Patent L.R. 3-3 Invalidity Contentions and Subject Matter Ineligibility Contentions in <i>Advanced Coding Techs. LLC v. Samsung Elecs. Co., Ltd. and Samsung Elecs. America, Inc.</i> , No. 2:22-cv-00499-JRG, served August 8, 2023
2003	Declaration of Dr. Hari Kalva (“Kalva Decl.”), dated July 5, 2023 and Exhibit A, Curriculum Vitae of Hari Kalva, Ph.D. in <i>TikTok Inc. v. Advanced Coding Techs. LLC</i> , Case No. IPR2022-01548
2004	Transcript of the Deposition of David Lett, taken in <i>TikTok Inc. v. Advanced Coding Techs., LLC</i> , Case No. IPR2022-01548 on June 16, 2023. (“Lett Depo.”)
2005	Joint Claim Construction and Prehearing Statement, Dkt. 87, <i>Advanced Coding Techs. LLC v. LG Elecs. Inc.</i> , Case No. 2:22-cv-00501-JRG (E.D. Tex. Mar. 5, 2024)
2006	Declaration of Dr. Hari Kalva (“Kalva Decl.”), dated March 26, 2024 and Exhibit A, Curriculum Vitae of Hari Kalva, Ph.D. in <i>Samsung Elecs. Co., Ltd. v. Advanced Coding Techs. LLC</i> , Case No. IPR2023-00910
2007	Preliminary Constructions, <i>Advanced Coding Techs. LLC v. LG Elecs. Inc.</i> , Case No. 2:22-cv-00501-JRG (E.D. Tex. May 16, 2024)
2008	Claim Construction Order, Dkt. 155, <i>Advanced Coding Techs. LLC v. LG Elecs. Inc.</i> , Case No. 2:22-cv-00501-JRG (E.D. Tex. July 21, 2024)
2009	Confidential Settlement Agreement

Pursuant to 35 U.S.C. § 317(a), 37 C.F.R. § 42.74, and the Board’s September 9, 2024 Order (IPR2023-00910, Paper No. 23, Conduct of the Proceeding), Petitioner Samsung Electronics Co., Ltd. (“Petitioner” or “Samsung”) and Patent Owner Advanced Coding Technologies LLC (“ACT” or “Patent Owner”) (collectively, the “Parties”) have reached a resolution and jointly move to terminate the above-captioned proceeding. As permitted by statute, Samsung and ACT request that the Board treat as business confidential information, the true copy of the executed agreement resolving the parties’ disputes and agreeing to terminate this proceeding and the parties’ related district court proceeding (Exhibit 2009), as referenced in the parties’ Joint Motion to Terminate Proceeding (pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74), filed concurrently herewith.

35 U.S.C. § 317(b) provides that:

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.

Likewise, 37 C.F.R. § 42.74(c) provides that:

A party to a settlement may request that the settlement be treated as business confidential information and be kept separate from the files of an involved patent or application. The request must be filed with the

settlement. If a timely request is filed, the settlement shall only be available:

(1) To a Government agency on written request to the Board; or

(2) To any other person upon written request to the Board to make the settlement agreement available, along with the fee specified in § 42.15(d) and on a showing of good cause.

The present request, which is being filed contemporaneously with the Agreement, is timely and in accordance with the foregoing authority. The agreement and release describe the confidential terms resolving the parties' dispute, which constitute 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. Both parties also respectfully request that the Board inform us if anyone seeks production of Exhibit 2009 and afford the parties an opportunity to address whether such request is supported by good cause.

Dated: September 12, 2024

Respectfully submitted,

/s/ Peter Lambrianakos

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Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on September 12, 2024, a complete and entire copy of this Joint Request to Treat Agreement as Business Confidential Information was served by email, to Petitioner's counsel of record as follows:

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September 12, 2024

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