UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner,

v.

IMMERSION CORPORATION,
Patent Owner.

Case IPR2023-00942
Patent 8,469,806

JOINT REQUEST TO TREAT SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION AND TO KEEP SEPARATE

Patent Owner Immersion Corporation ("Patent Owner") and Petitioner Meta Platforms, Inc. ("Petitioner") (collectively, the "Parties") jointly request to treat as business confidential information, and to keep separate from the file of the involved patent, the true and complete copy of the Settlement Agreement (Ex. 1012) between the Parties as referenced in the Joint Motion to Terminate, filed concurrently herewith.

The rules contemplate that agreements will be maintained as business confidential information, upon request. *See, e.g.*, 37 C.F.R. § 42.74(c), which 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 Settlement Agreement (Ex. 1012), is timely and in accordance with the foregoing authority. Therefore, the Parties request that the Settlement Agreement (Ex. 1012) (i) be treated as business confidential information, (ii) be maintained separate from

the publicly available file of the involved patent, and (iii) shall be made available only to Federal Government agencies on written request, or to persons showing good cause on written request, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). This joint request is being filed by Petitioner, with the consent of Patent Owner.

Date: February 23, 2024

Respectfully submitted,

/Heidi L. Keefe /
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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on February 23, 2024, by filing this document through the Patent Trial and Appeal Case Tracking System as well as delivering a copy via electronic mail upon the following attorneys of record for the Patent Owner:

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