

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**SONY ELECTRONICS INC.,**  
Petitioner,

v.

**JAWBONE INNOVATIONS, LLC,**  
Patent Owner.

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IPR2023-01117 (U.S. Patent No. 8,321,213)

IPR2023-01166 (U.S. Patent No. 8,019,091)

IPR2023-01177 (U.S. Patent No. 8,326,611)

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**JOINT REQUEST TO FILE AGREEMENT AS BUSINESS  
CONFIDENTIAL INFORMATION UNDER 37 C.F.R. § 42.74(c)**

Petitioner Sony Electronics Inc. and Patent Owner Jawbone Innovations, LLC (collectively “the Parties”) jointly request to file and treat as business confidential information, a true copy of an agreement that resolves all disputes between the Parties relating to the challenged patents in these proceedings (“the Agreement”) (Exh. 1018, IPR2023-01117; Exh.1021, IPR2023-01166; Exh. 1018, IPR2023-01177) as referenced in the Joint Motion To Terminate Sony as a Party, filed concurrently herewith. The Agreement describes the confidential terms resolving the Parties’ dispute, which constitutes confidential information under the Board’s rules. The Agreement should be kept separate from the public files of the above IPRs for the subject patents.

The rules contemplate that agreements will be maintained as business confidential information, upon request. 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. Therefore, the Parties request that the Agreement (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 the Petitioner, with the consent of the Patent Owner.

Respectfully submitted,

LERNER DAVID LLP

Dated: April 26, 2024

/Gregory S. Gewirtz/  
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(Reg. No. Reg. No. 36,522)  
*Counsel for Petitioner*  
*Sony Electronics Inc.*

FABRICANT LLP

Dated: April 26, 2024

/Peter Lambrianakos/  
Peter Lambrianakos  
(Reg. No. 58,279)  
*Counsel for Patent Owner*  
*Jawbone Innovations, LLC*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **JOINT REQUEST TO FILE AGREEMENT AS BUSINESS CONFIDENTIAL AND SEPARATE UNDER 37 C.F.R. § 42.74(c)** is being served through filing and by email this 26th day of April, 2024, on the following counsel of record:

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