UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Hisense USA Corporation
Petitioner

v.

Brightplus Ventures LLC
Patent Owner

Patent No. 9,605,835
Filing Date: February 2, 2015
Issue Date: March 28, 2017
Title: SOLID-STATE LUMINAIRES FOR GENERAL ILLUMINATION

Inter Partes Review No. IPR2023-01168

JOINT MOTION 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(b) and 37 C.F.R. § 42.74, and the Board's authorization in its email of January 3, 2025, Petitioner Hisense USA Corporation ("Hisense") and Patent Owner Brightplus Ventures LLC ("Brightplus") jointly request that the confidential Settlement Agreement (Ex. 1037), referenced in the concurrently-filed Joint Motion to Terminate, be treated as business confidential information.

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.

Similarly, 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 Parties' Motion is timely and made pursuant to the above provided authority. Accordingly, the Parties request that the Settlement Agreement (Confidential Exhibit 1037): (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). Petitioner and Patent Owner consider the Settlement Agreement to contain highly sensitive business confidential information that would substantially harm their business interests if publicly disclosed.

Dated: January 3, 2025

/s/ Matias Ferrario
Matias Ferrario, Lead Counsel
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date below a copy of this **JOINT MOTION TO FILE SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c)** has been served via email on the following:

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Dated: January 3, 2025

By: */s/ Matias Ferrario*
Matias Ferrario
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