UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BMW OF NORTH AMERICA, LLC,

MERCEDES-BENZ USA, LLC,

Petitioner

v.

MICHIGAN MOTOR TECHNOLOGIES, LLC,

Patent Owner

Case IPR2023-01224
U.S. Patent No. 6,557,540

JOINT REQUEST TO MAINTAIN CONFIDENTIALITY PURSUANT TO 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74

Co-Petitioner Mercedes-Benz USA, LLC ("Mercedes") and Patent Owner Michigan Motor Technologies, LLC ("Patent Owner") (collectively, the "Parties") have executed a Settlement Agreement, filed contemporaneously herewith as Exhibit 1050, regarding U.S. Patent No. 6,557,540 (the "'540 Patent"). Pursuant to 35 U.S.C § 317(b) and 37 C.F.R. § 42.74, the Parties jointly request that the Board treat the Settlement Agreement as business confidential information, including as to Co-Petitioner BMW of North America, LLC ("BMW").

In connection with their Joint Motion to Terminate, Mercedes and Patent Owner have filed herewith a true and correct copy of the Settlement Agreement as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74, via the PTACTS system to provide availability to "Board only." The Parties are filing the Settlement Agreement as "Board only" in an abundance of caution because, pursuant to the Settlement Agreement, Mercedes and Patent Owner must keep its terms confidential, including with respect to Co-Petitioner BMW. Mercedes and Patent Owner have treated the terms accordingly and seek to continue treating them as confidential.

Mercedes and Patent Owner jointly request that the Board treat the Settlement Agreement as business confidential information, keeping the Settlement Agreement separate from the file of the '540 Patent involved in this *inter partes* review, and make the Settlement Agreement available only to those required by law as specified in 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Date: November 2, 2023

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on November 2, 2023 the foregoing paper from Co-Petitioner Mercedes was served via email on the following counsel of record for Patent Owner and Co-Petitioner BMW:

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