

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SHARKNINJA, INC.,  
SHARKNINJA OPERATING LLC,  
SHARKNINJA MANAGEMENT LLC, AND  
SHARKNINJA SALES COMPANY

Petitioners,

v.

DYSON TECHNOLOGY LIMITED,  
Patent Owner.

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Case No. IPR2023-01324

U.S. PATENT NO. 9,414,662

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

IPR2023-01324 Joint Request to Treat Settlement Agreement as Business  
Confidential Information

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, and the Board's email of January 6, 2025, Petitioners SharkNinja, Inc., SharkNinja Operating LLC, SharkNinja Management LLC, and SharkNinja Sales Company ("Petitioners"), and Patent Owner Dyson Technology Limited ("Patent Owner") have reached a settlement and jointly move to terminate the above-captioned proceeding. As permitted by statute, Petitioners and Patent Owner request that the Board treat as business confidential information, the true and complete copy of the Settlement Agreement (Confidential Exhibit 2003) between the parties, as referenced in the parties' Joint Motion to Terminate 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 Settlement Agreement, is timely and in accordance with the foregoing authority. Therefore, the parties request that the Settlement Agreement (Confidential Exhibit 2003) (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).

Further, Petitioners and Patent Owner each request that they be notified if and when the Board receives and/or considers a request for access to the settlement agreement and be offered an opportunity to respond to any such request. *See Arista Networks, Inc. v. Catlemorton Wireless, LLC*, IPR2020-00986 Pap. 7, 4 (PTAB Oct. 28, 2020).

IPR2023-01324 Joint Request to Treat Settlement Agreement as Business  
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Date: January 6, 2025

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a complete copy of the foregoing document was served on January 6, 2025 on counsel of record via email to the following addresses:

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