

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

J&H WEB TECHNOLOGIES, LLC,
Patent Owner.

IPR2024-00108
U.S. Patent No. 8,935,342

**JOINT REQUEST TO TREAT THE
PARTIES' SETTLEMENT AGREEMENT AS BUSINESS
CONFIDENTIAL INFORMATION AND BE KEPT SEPARATE**

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Microsoft Corporation (“Petitioner”) and Patent Owner J&H Web Technologies, LLC (“Patent Owner”) (collectively, the “Parties”) jointly request to file the Parties’ settlement agreement (Confidential Exhibit 1032) as confidential business information, that it be kept separate from the publicly available file of the involved patent, and that it not be made available except to Federal Government agencies on written request or to others only on a showing of good cause. The Parties’ settlement agreement constitutes confidential information under 37 C.F.R. § 42.2 because it lays out confidential commercial terms agreed to by the Parties in settling their differences regarding the challenged patent. *See* 37 C.F.R. § 42.2 (“*Confidential information* means trade secret or other confidential research, development, or commercial information.”). The parties have complied with 37 C.F.R. § 42.74 in that the Parties’ settlement agreement was made in contemplation with the termination of this proceeding, is in writing, and Exhibit 1032 is a true copy thereof.

Further, Petitioner and Patent Owner each request that they be notified if and when the Board receives and/or considers a request for access to Confidential Exhibit 1032 and be offered an opportunity to respond. Accordingly, Confidential Exhibit 1032 has been filed for access by the “Parties and Board Only.”

Prior to filing this motion, undersigned counsel for Petitioner obtained permission from undersigned counsel for Patent Owner to add his signature and file this motion and request jointly on behalf of the Parties.

Respectfully submitted,

Dated: February 12, 2024

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CERTIFICATE OF SERVICE
IN COMPLIANCE WITH 37 C.F.R. § 42.6(e)(4)

The undersigned certifies that on February 12, 2024, a complete copy of **Joint Request To Treat The Parties' Settlement Agreement As Business Confidential Information And Be Kept Separate** was served on counsel for J&H Web Technologies, LLC via electronic mail as follows:

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