

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.

Petitioner,

v.

ADVANCED CODING TECHNOLOGIES, LLC

Patent Owner.

Patent No. 9,986,303

Filing Date: March 13, 2015

Issue Date: May 29, 2018

Inventors: Hideki Takehara and Motoharu Ueda

Title: VIDEO IMAGE CODING DATA TRANSMITTER,
VIDEO IMAGE CODING DATA TRANSMITTER,
VIDEO IMAGE CODING DATA TRANSMISSION METHOD, VIDEO IMAGE
CODING DATA RECEIVER, AND VIDEO IMAGE CODING
DATA TRANSMISSION AND RECEPTION SYSTEM

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

Case No. IPR2024-00327

LIST OF EXHIBITS

Exhibit No.	Description
2001	Fourth Amended Docket Control Order, Dkt. 93, <i>Advanced Coding Techs. LLC v. LG Elecs. Inc.</i> , Case No. 2:22-cv-00501-JRG (E.D. Tex. March 11, 2024)
2002	Defendants' Joint Patent L.R. 3-3 Invalidity Contentions and Subject Matter Ineligibility Contentions, <i>Advanced Coding Techs. LLC v. LG Elecs. Inc.</i> , Case No. 2:22-cv-00501-JRG (E.D. Tex.), served Feb. 21, 2024
2003	Joint Claim Construction and Prehearing Statement, Dkt. 87, <i>Advanced Coding Techs. LLC v. Samsung Elecs. Co.</i> , Case No. 2:22-cv-00499-JRG (E.D. Tex.), filed March 5, 2024
2004	Confidential Settlement Agreement

Pursuant to 35 U.S.C. § 317(a), 37 C.F.R. § 42.74, the Board's September 9, 2024 Order (IPR2023-00910, Paper No. 23, Conduct of the Proceeding), and authorization provided in the conference call of August 28, 2024, Petitioner Samsung Electronics Co., Ltd. ("Petitioner" or "Samsung") and Patent Owner Advanced Coding Technologies LLC ("ACT" or "Patent Owner") (collectively, the "Parties") have reached a resolution and jointly move to terminate the above-captioned proceeding. As permitted by statute, Samsung and ACT request that the Board treat as business confidential information, the true copy of the executed agreement resolving the parties' disputes and agreeing to terminate this proceeding and the parties' related district court proceeding (Exhibit 2004), as referenced in the parties' Joint Motion to Terminate Proceeding (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 Agreement, is timely and in accordance with the foregoing authority. The agreement and release describe the confidential terms resolving the parties' dispute, which constitute confidential information under the Board's rules. *See* 37 C.F.R. § 42.54. The parties hereby certify that, to the best of their knowledge, the documents sought to be protected have not been made publicly available. Both parties also respectfully request that the Board inform us if anyone seeks production of Exhibit 2004 and afford the parties an opportunity to address whether such request is supported by good cause.

Dated: September 12, 2024

Respectfully submitted,

/s/ Peter Lambrianakos

Peter Lambrianakos (Reg. No. 58,279)

FABRICANT LLP

411 Theodore Fremd Avenue

Suite 206 South

Rye, New York 10580

Attorney for Patent Owner

/s/ Jeremy J. Monaldo

Jeremy J. Monaldo (Reg. No. 58,680)

FISH & RICHARDSON P.C.

60 South Sixth Street, Suite 3200

Minneapolis, MN 55402

Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on September 12, 2024, a complete and entire copy of this Joint Request to Treat Agreement as Business Confidential Information was served by email, to Petitioner's counsel of record as follows:

W. Karl Renner
Email: IPR39843-0171IP1@fr.com
Email: PTABInbound@fr.com
Email: axf-ptab@fr.com
Jeremy J. Monaldo
Email: jjm@fr.com
Nicholas Stephens
Email: nstephens@fr.com
Rishi Gupta
Email: rgupta@fr.com
FISH & RICHARDSON
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402

Attorneys for Samsung Electronics Co., Ltd.

September 12, 2024

By: /Peter Lambrianakos /
Peter Lambrianakos (Reg. No. 58,279)
Lead Counsel for Patent Owner
FABRICANT LLP
411 Theodore Fremd Avenue
Suite 206 South
Rye, New York 10580
Tel. 212-257-5797
Fax. 212-257-5796