

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. 10,218,995

Filing Date: April 21, 2015

Issue Date: February 26, 2019

Inventor: Satoru Sakazume

Title: MOVING PICTURE ENCODING SYSTEM, MOVING PICTURE
ENCODING METHOD, MOVING PICTURE ENCODING PROGRAM,
MOVING PICTURE DECODING SYSTEM, MOVING PICTURE DECODING
METHOD, MOVING PICTURE DECODING PROGRAM, MOVING PICTURE
REENCODING SYSTEM, MOVING PICTURE REENCODING METHOD,
MOVING PICTURE REENCODING PROGRAM

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

Case No. IPR2024-00372

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	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 2003), 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 2003 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

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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:

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September 12, 2024

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