

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. 8,090,025

Filing Date: April 17, 2007

Issue Date: January 3, 2012

Inventor: Satoru Sakazume

Title: MOVING-PICTURE CODING APPARATUS, METHOD
AND PROGRAM, AND MOVING-PICTURE DECODING
APPARATUS, METHOD AND PROGRAM

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

Case No. IPR2024-00374

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	U.S. Patent No. 8,090,025 to Sakazume (the ’025 Patent), issued January 3, 2012, with Certificate of Correction, signed and sealed October 4, 2022
2005	“Improvement of DCT-based Compression Algorithms Using Poisson’s Equation,” Katsu Yamatani and Naoki Saito, Senior Member, IEEE, pp. 1-38, September 12, 2005
2006	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 2006), 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 2006 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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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:

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September 12, 2024

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