

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAP AMERICA, INC.
Petitioner,

v.

ISIX IP LLC,
Patent Owner.

IPR2024-00615
U.S. Patent No. 6,308,178

**JOINT REQUEST PURSUANT TO 35 U.S.C. § 317(b) AND 37 C.F.R. §
42.74(c) TO TREAT SETTLEMENT AGREEMENT AS BUSINESS
CONFIDENTIAL INFORMATION AND TO KEEP SEPARATE**

Pursuant to 35 U.S.C. 317(b) and 37 C.F.R. § 42.74(c), and the Board's email dated January 13, 2025, Petitioner SAP America, Inc. and Patent Owner Isix IP LLC jointly request that the Board treat as business confidential and keep separate from the file of the involved patent, the true and complete copy of the Settlement Agreement (Confidential Exhibit 1017), which is referenced in the Parties' Joint Motion to Terminate filed concurrently herewith. *See* 35 U.S.C. 317(b) ("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."); *see also* 37 C.F.R. § 42.74(c) (same).

The parties consider the settlement agreement to contain highly sensitive business confidential information that would substantially harm their business interests if publicly disclosed. Further, the terms of the settlement agreement require that the settlement agreement be kept confidential. As such, the parties hereby jointly request that the settlement agreement be kept as a separate paper to be made available only under the provisions of 35 U.S.C § 317(b) and 37 C.F.R. § 42.74(c). The settlement agreement has been filed for access by the "Parties and Board Only." The parties further jointly request that the Board order that in the event a person or entity makes a written request, as stated in 37 C.F.R. § 42.74(c)(1)-(2), for access to the settlement agreement, that any such written request be served upon the parties on the day the written request is provided to

the Board.

The parties hereby certify that, to the best of their knowledge, the documents sought to be protected have not been made publicly available.

Dated: January 14, 2025

Respectfully submitted,

/Jeffri A. Kaminski /

Jeffri A. Kaminski
Lead Counsel for Petitioner
Registration No. 42,709

/Cabrach J. Connor /

Cabrach J. Connor
Lead Counsel for Patent Owner
Registration No. 53,837

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.71(a), the undersigned certifies that on January 14, 2025, a complete and entire copy of this “JOINT REQUEST PURSUANT TO 35 U.S.C. § 317(B) AND 37 C.F.R. § 42.74(C) TO TREAT SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION AND TO KEEP SEPARATE” was made on all counsel of record by electronic mail (by agreement of the parties) and by filing this document through the Patent Trial and Appeal Board’s P-TACTS System.

/Jeffri A. Kaminski /
Jeffri A. Kaminski
Lead Counsel for Petitioner
Registration No. 42,709