UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

PROXENSE, LLC,

Patent Owner.

Case No. IPR2024-00783
U.S. Patent No. 9,679,289

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

Petitioner Google LLC ("Google" or "Petitioner") and Patent Owner Proxense, LLC ("Proxense" or "Patent Owner") (collectively, the "Parties") are filing, concurrently with a Joint Motion to Terminate Proceedings, a true copy of an executed agreement resolving the Parties' disputes and agreeing to terminate this proceeding and the parties' related district court proceeding (Exhibit 1028).

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and the January 16, 2025 authorization of the Board, the parties jointly request, that the agreement (Ex. 1028) be treated as business confidential information and kept separate from the public files of the involved patent (U.S. Patent No. 9,679,289) and *inter partes* review proceeding. The agreement describes the confidential terms resolving the Parties' dispute and contains terms limiting disclosure of the agreement by the Parties. The agreement, therefore, constitutes confidential information under the Board's rules. See 37 C.F.R. § 42.54. Accordingly, the Parties request that the agreement be kept separate from the public files and that disclosure by the Board and/or Office be limited according to the terms of the agreement. *See* 37 C.F.R. § 42.54(a)(7). The Parties hereby certify that, to the best of their knowledge, the documents sought to be protected have not been made publicly available and that no other parties are affected.

Date: January 23, 2025

Respectfully Submitted,

/David L. Hecht/
David L. Hecht
Counsel for Patent Owner
Proxense, LLC

/Erika H. Arner/
Erika H. Arner
Counsel for Petitioner
Google LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **JOINT REQUEST TO TREAT SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION** was served on January 23, 2025, via email directed to counsel of record for the Patent Owner at the following:

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Dated: January 23, 2025

By: /Lisa C. Hines/
Lisa C. Hines
Case Manager

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.