UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE

THE PATENT TRIAL AND APPEAL BOARD

IKEA Supply AG

Petitioner

v.

Everlight Electronics Co., Ltd.,

Patent Owner

Patent No. 9,905,742 to Hsieh *et al.* IPR Case No.: IPR2024-00987

JOINT REQUEST TO TREAT SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION

Pursuant to 35 U.S.C. § 317(b), 37 C.F.R. § 42.74, and the Board's prior authorization of January 7, 2024, Petitioner IKEA Supply AG ("Petitioner" or "IKEA") and Patent Owner Everlight Electronics Co., Ltd., ("Patent Owner" or "Everlight") (collectively, the "Parties") jointly request that the Parties' Settlement Agreement (Confidential Exhibit 1026) submitted concurrently herewith be treated as business confidential information, and be kept separate from the files of U.S. Patent No. 9,905,742 (the "'742 patent") and the above identified proceeding.

Section 317(b) provides that at a party's request, settlement agreements, like the Parties' Settlement Agreement attached as Confidential Exhibit 1026, "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." 37 C.F.R. § 42.74(c) further provides that a party to a settlement agreement may request that the agreement "be treated as business confidential information and be kept separate from the files of an involved patent or application" provided that the request is "filed with the settlement."

The Parties' present request is being concurrently filed with the Settlement Agreement and is therefore timely. The Parties further submit that the Settlement Agreement describes the confidential terms resolving the Parties' disputes, which

constitute confidential information under the Board's rules. *See* 37 C.F.R. § 42.54; Consolidated Trial Practice Guide (November 2019), § I.E.2.

For these reasons, the Parties respectfully submit that this request for confidential treatment should be granted.

Respectfully submitted,

FLASTER GREENBERG P.C.

Date: January 16, 2025

By: /Joseph R. Klinicki/
Joseph R. Klinicki
Reg. No. 68,505
One Tower Bridge,
100 Front St., Suite 100
Conshohocken, PA 19428
Telephone: 215-587-5687
Facsimile: 215-279-9394
joseph.klinicki@flastergreenberg.com

TROUTMAN PEPPER LOCKE LLP

/Tim T. Xia/

Terminus 200, Suite 2000
3333 Piedmont Rd. NE
Atlanta, GA 30305
(404) 870-4600
(404) 806-5698

Certificate Of Service

I hereby certify that on January 16, 2025, a copy of the foregoing Joint Request to Treat Settlement Agreement as Business Confidential Information was served by electronic means, as agreed by the parties, to Patent Owner's counsel of record via the following email addresses:

Xia, Tim Tim.Xia@troutman.com

Harrison, Bryan Bryan.Harrison@troutman.com

Respectfully submitted,
FLASTER GREENBERG P.C.

Date: January 16, 2025

By: */Joseph R. Klinicki /*

Joseph R. Klinicki
Reg. No. 68,505
One Tower Bridge,
100 Front St., Suite 100
Telephone: 215-587-5687
Facsimile: 215-279-9394
joseph.klinicki@flastergreenberg.com
Counsel for Petitioner