UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMAZON.COM, INC. and AMAZON.COM SERVICES LLC,
Petitioner,

v.

NOKIA TECHNOLOGIES OY,
Patent Owner.

Case IPR2024-01141
Patent 8,036,273

JOINT REQUEST TO TREAT SETTLEMENT AGREEMENT AND PATENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, and the Board's email of March 31, 2025, Petitioners Amazon.com, Inc. and Amazon.com Services LLC ("Amazon" or "Petitioner") and Patent Owner Nokia Technologies Oy ("Nokia" or "Patent Owner") (collectively, the "Settling Parties") have reached a settlement and jointly move to terminate the above-captioned proceeding. A true copy of the Settlement Agreement is being filed concurrently herewith. *See* Exhibit 2010. The Settlement Agreement references a Patent Agreement, which, along with its exhibits, has been filed as Exhibit 2011.

As permitted by statute, Amazon and Nokia request that the Board treat as business confidential information, the true and complete copies of the Settlement Agreement and Patent Agreement (Confidential Exhibits 2010 and 2011) between the parties, 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. These agreements contain confidential commercial and financial information of the Settling Parties.

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 Settlement Agreement, is timely and in accordance with the foregoing authority. Therefore, the Settling Parties request that the Settlement Agreement and Patent Agreement (Confidential Exhibits 2010 and 2011) (i) be treated as business confidential information, (ii) be maintained separate from the publicly available file of the involved patent, and (iii) shall be made available only to Federal Government agencies on written request, or to persons showing good cause on written request, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Moreover, the terms require the Settling Parties to treat the Settlement Agreement as confidential information and limit the parties' ability to share the Settlement Agreement, or to disclose its contents with third parties. See Exhibit 2010 at p. 8.

Both parties also respectfully request that the Board inform us if anyone seeks production of the agreement and afford the parties an opportunity to address whether such request is supported by good cause.

Respectfully submitted,

Dated: April 1, 2025

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on April 1, 2025, a complete and entire copy of this Joint Request to Treat Settlement Agreement as Business Confidential Information was provided by email, to the Patent Owner by serving the correspondence addresses of record as follows:

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