

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

T-MOBILE USA, INC., AT&T SERVICES, INC., CELLCO
PARTNERSHIP d/b/a VERIZON WIRELESS, ERICSSON INC.,
NOKIA OF AMERICA CORPORATION, and
SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

HEADWATER PARTNERS II LLC,
Patent Owner.

Case IPR2024-01468¹
U.S. Patent No. 9,094,868

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

¹ IPR2025-00426 has been joined with this proceeding.

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, and the Board’s email of October 15, 2025, Petitioner Samsung Electronics Co. Ltd., (“Samsung” or “Petitioner”) and Patent Owner Headwater Partners II LLC (“Headwater” or “Patent Owner”) (collectively, the “Settling Parties”) have reached a settlement and jointly move to terminate the above-captioned proceeding. As permitted by statute, Samsung and Headwater request that the Board treat as business confidential information, the true and complete copy of the Settlement Agreement (Confidential Exhibit 2015) between the parties, as referenced in the parties’ Joint Motion to Terminate 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 Settlement Agreement, is timely and in accordance with the foregoing authority. Therefore, the parties request that the Settlement Agreement (Confidential Exhibit 2015) (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).

Respectfully submitted,

Date: October 23, 2025

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on November 4, 2025, by filing this document through the Patent Trial and Appeal Case Tracking System as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioners:

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