UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ERICSSON, INC., NOKIA OF AMERICA CORP., AT&T SERVICES, INC., CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, GOOGLE LLC, and T-MOBILE USA, INC.,

Petitioner

v.

PEGASUS WIRELESS INNOVATION LLC,

Patent Owner

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Case No. IPR2025-00083
U.S. Patent No. 10,638,463

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JOINT REQUEST TO TREAT T-MOBILE-KT-PEGASUS BINDING TERM SHEET AS CONFIDENTIAL BUSINESS INFORMATION

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
US Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450

LIST OF EXHIBITS

Exhibit	Short Name	Description
Ex. 1001	’463 Patent	U.S. Patent No. 10,638,463
Ex. 1002	Declaration	Declaration of Dr. Sumit Roy
Ex. 1003	CV	*Curriculum Vitae* of Dr. Sumit Roy
Ex. 1004	’463 File History	File History of U.S. Patent No. 10,638,463
Ex. 1005	’000 File History	File History of U.S. Patent No. 11,219,000
Ex. 1006	Takeda	International Publication No. WO 2019/030929 A1
Ex. 1007	Certified Translation of Takeda	Certified Translation of International Publication No. WO 2019/030929 A1
Ex. 1008	Yan- PCT	International Publication No. WO 2017/024554 A1
Ex. 1009	Certified Translation of Yan- PCT	Certified Translation of International Publication No. WO 2017/024554 A1
Ex. 1010	Yan- U.S. Patent	U.S. Patent No. 10,736,085 B2
Ex. 1011	Marinier	U.S. Patent Application Publication No. US 2014/0056278 A1
Ex. 1012	R1-1711853	Activation/deactivation of bandwidth part
Ex. 1013		Reserved
Ex. 1014	Hooli	U.S. Patent Application Publication No. US 2018/0324786 A1
Ex. 1015	Yiu	U.S. Patent Application Publication No. US 2019/0044689 A1
Ex. 1016	Ahn	U.S. Patent Application Publication No. US 2019/0268123 A1
Ex. 1017	Bishop Declaration	Declaration of Craig Bishop

Exhibit	Short Name	Description
Ex. 1018	21.905 V12.0.0	3GPP Technical Specification 21.905 V12.0.0 (2013-06)
Ex. 1019	21.905 V14.1.1	3GPP Technical Specification 21.905 V.14.1.1 (2017-06)
Ex. 1020	Yang	U.S. Patent Application Publication No. US 2019/239214 A1
Ex. 1021	Takeda ’856	U.S. Patent No. 11,265,856
Ex. 1022	Takeda ’073	U.S. Patent No. 11,160,073
Ex. 1023	Zhang	International Publication No. WO 2018/227538 A1
Ex. 1024	Li	U.S. Patent Application Publication No. US 2016/0338041 A1
Ex. 1025	Ahn ’664	U.S. Patent No. 10,305,664
Ex. 1026	Shaheen	U.S. Patent No. 10,805,941
Ex. 1027	’463 Claim Chart	U.S. Patent No. 10,638,463 Claim Chart
Ex. 1028	Order modifying deadlines	Order modifying case deadlines for D. Ct. Case Nos. 2:23-cv-00640-JRG, 2:23-cv-00638-JRG, and 2:23-cv-00639-JRG
Ex. 1029	First amended docket control order	First Amended Docket Control Order for D. Ct. Case Nos. 2:23-cv-00640-JRG, 2:23-cv-00638- JRG, and 2:23-cv-00639-JRG
Ex. 1030	Consolidation order	Order consolidating D. Ct. Case Nos. 2:23- cv- 00640-JRG, 2:23-cv-00638-JRG, and 2:23-cv-00639-JRG for pretrial issues
Ex. 1031	Andrews	Jeffrey G. Andrews, *et al.*, “What Will 5G Be?” *IEEE Journal on Selected Areas in Communications*, Vol. 32, No. 6 (June 2014)
Ex. 1032	Oh	U.S. Patent No. 10,980,007
Ex. 1033	Wilson	U.S. Patent No. 10,588,143

Exhibit	Short Name	Description
Ex. 1034	Ratasuk	Repeepat Ratasuk, *et al.*, "Carrier Aggregation and Dual Connectivity," Mobile Radio Research Lab, Nokia Bell Labs (2017)
Ex. 1035	Silva	Icaro Da Silva, *et al.*, "Tight integration of new 5G air interface and LTE to fulfill 5G requirements" *IEEE* (2015)
Ex. 1036	Marsch	Patrick Marsch, *et al.*, "5G Radio Access Network Architecture: Design Guidelines and Key Considerations" *IEEE Communications Magazine* (November 2016)
Ex. 1037	ATIS	ATIS.3GPP.37.863-01-01.V1540
Ex. 1038	Protective order	*Pegasus Wireless Innovation LLC v. Verizon Communications Inc. et al,* Nos. 2:23-cv-00640, 2:23-cv-00638, 2:23-cv-00639 (E.D. Tex.) Protective Order from Non-Jurisdictional Discovery
Ex. 1039	Fourth amended docket control order	Fourth Amended Docket Control Order for D. Ct. Case Nos. 2:23-cv-00640-JRG, 2:23-cv-00638- JRG, and 2:23-cv-00639-JRG
Ex. 1040	Opposition to Order Focusing Claims	*Pegasus Wireless Innovation LLC v. Verizon Communications Inc. et al,* Nos. 2:23-cv-00640, 2:23-cv-00638, 2:23-cv-00639 (E.D. Tex.) Pegasus Wireless Innovation LLC's Surreply in Opposition to Defendants and Intervenors' Motion for Entry of an Order Focusing Asserted Patent Claims and Prior Art
Ex. 1041	Email authorizing submission of District Court Dismissal	Email from Patent Trial and Appeal Board to Parties (May 7, 2025).

Exhibit	Short Name	Description
Ex. 1042	Dismissal of certain patents from District Court	*Pegasus Wireless Innovation LLC v. Verizon Communications Inc. et al,* Nos. 2:23-cv-00640, 2:23-cv-00638, 2:23-cv-00639 (E.D. Tex.) Joint Motion to Dismiss Infringement Allegations and Non- Infringement and Invalidity Counterclaims with Respect to U.S. Patent Nos. 10,594,460; 10,638,463; 10,721,118; and 11,405,942
Ex. 1043	Email from Patent Owner withdrawing claims	Email from Jordan Rux (April 24, 2025).
Ex. 1044	Claim Construction Order	Claim Construction Order signed on July 3, 2025 (Dkt. 416 filed July 7, 2025) in *Pegasus Wireless Innovation LLC v. Verizon Communications Inc. et al,* No. 2:23-cv-00640 (E.D. Tex.)
Ex. 1045	AT&T-KT-Pegasus Binding Term Sheet	Binding term sheet executed between AT&T, KT, and Pegasus (CONFIDENTIAL)
Ex. 1046	Verizon-KT-Pegasus Binding Term Sheet	Binding term sheet executed between Verizon, KT, and Pegasus (CONFIDENTIAL)
Ex. 1047	T-Mobile-KT-Pegasus Binding Term Sheet	Binding term sheet executed between T-Mobile, KT, and Pegasus (CONFIDENTIAL)

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, and the Board's authorization by email dated October 15, 2025, Petitioner T-Mobile USA, Inc. ("T-Mobile"), Patent Owner KT Corporation ("KT"), and Exclusive Licensee Pegasus Wireless Innovation LLC ("Pegasus") have executed a binding term sheet, which was enforceable as of execution. Pursuant to the T-Mobile-KT-Pegasus Binding Term Sheet, the parties jointly moved to dismiss their claims in *Pegasus Wireless Innovation LLC. v. T-Mobile US, Inc. et al.*, No. 2:23-cv-00639 (E.D. Tex) (hereafter, "T-Mobile Case"). Accordingly, the parties have completely resolved all pending controversies between the parties concerning U.S. Patent No. 10,638,463 ("the '463 Patent"). The parties are moving jointly and concurrently to terminate the above-captioned IPR proceeding. A true copy of the binding term sheet executed between T-Mobile, KT, and Pegasus is being filed concurrently herewith. *See* Exhibit 1047.

As permitted by statute, T-Mobile, KT, and Pegasus request that the Board treat as business confidential information, the true and complete copy of the T-Mobile-KT-Pegasus Binding Term Sheet (Confidential Exhibit 1047) 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 T-Mobile, KT, and Pegasus.

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 T-Mobile-KT-Pegasus Binding Term Sheet, is timely and in accordance with the foregoing

authority. Therefore, T-Mobile, KT, and Pegasus are filing the Settlement Agreement as "For Board Only" and request that the Settlement Agreement (Confidential Exhibit 1047) (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 T-Mobile, KT, and Pegasus to treat the T-Mobile-KT-Pegasus Binding Term Sheet as confidential information and limit the parties' ability to share the T-Mobile-KT-Pegasus Binding Term Sheet, or to disclose its contents with third parties. See Exhibit 1047 at § 11.

The 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.

Dated: October 27, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §42.6(e), the undersigned hereby certifies that a true and correct copy of the above-captioned **JOINT REQUEST TO TREAT T-MOBILE-KT-PEGASUS BINDING TERM SHEET AS CONFIDENTIAL BUSINESS INFORMATION** was served in its entirety on October 27, 2025, via filing through the Patent Trial and Appeal Case Tracking System (P-TACTS), as well as by delivering copies via electronic mail to the following:

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Date: October 27, 2025

Respectfully submitted,

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