

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

XENCOR, INC.,
Petitioner

v.

MERUS N.V.,
Patent Owner

Case IPR2025-00605
Patent No. 11,926,859

**JOINT MOTION TO KEEP CONFIDENTIAL AND SEPARATE
UNDER 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74(c)**

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. 42.74(c), and the Board's authorization via email on July 7, 2026, Petitioner Xencor, Inc. and Patent Owner Merus N.V. hereby jointly request to file Exhibit 1063, the settlement agreement between the parties as referenced in the concurrently filed Joint Motion to Terminate, as business confidential information, and to have it be kept separate from the file of the involved patent. Pursuant to 37 C.F.R. § 42.74(b), Exhibit 1063 is the entire agreement or understanding between the parties made in connection with, or in contemplation of, the termination of this proceeding, and further, Exhibit 1063 is a true and accurate copy of the agreement between the parties that resolves the present proceeding.

The parties consider the settlement agreement to contain highly sensitive business confidential information that would substantially harm their business interests if publicly disclosed. As such, the parties hereby jointly request that the settlement agreement be kept as a separate paper from the file of the involved patent, to be made available only under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. 42.74(c). In view of this request, the settlement agreement has been filed for access by "Available Only to Board."

Dated: July 7, 2026

/s/ Elizabeth J. Holland

Elizabeth J. Holland

Registration No. 47,657

WHITE & CASE LLP

1221 Avenue of the Americas

New York, NY 10020

Phone: (212) 819-8200

elizabeth.holland@whitecase.com

Counsel for Patent Owner Merus N.V.

/Naveen Modi/

Naveen Modi

Registration No. 46,224

PAUL HASTINGS LLP

2050 M Street NW

Washington, DC 20036

Phone: (202) 551-1700

naveenmodi@paulhastings.com

Counsel for Petitioner Xencor, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2026, I caused a true and correct copy of the foregoing Joint Request to Keep Confidential and Separate Under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) to be served via email on Patent Owner at the following addresses:

Elizabeth J. Holland (Reg. No. 47,657)
E-mail: elizabeth.holland@whitecase.com

Daniel P. Margolis (*pro hac vice*)
E-mail: daniel.margolis@whitecase.com

Peter J. Armenio (Reg. No. 41,588)
E-mail: parmenio@cahill.com

Colleen Tracy James (Reg. No. 52,295)
E-mail: ctracyjames@cahill.com

Dated: July 7, 2026

/Naveen Modi/
Naveen Modi
Registration No. 46,224
PAUL HASTINGS LLP
2050 M Street NW
Washington, DC 20036
Phone: (202) 551-1700
naveenmodi@paulhastings.com

Counsel for Petitioner Xencor, Inc.