UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION and ADVANCED MICRO DEVICES, INC.,
Petitioners

v.

ADVANCED CLUSTER SYSTEMS, INC.,
Patent Owner.

IPR2025-00914

U.S. Patent No. 12,021,679

JOINT REQUEST TO TREAT SETTLEMENT AGREEMENT
AS BUSINESS CONFIDENTIAL INFORMATION

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, and the Board's email of January 22, 2026, Petitioner Advanced Micro Devices, Inc. ("AMD") and Patent Owner Advanced Cluster Systems, Inc. ("ACS" or "Patent Owner") (collectively, the "Terminating Parties") have reached a settlement and jointly move to terminate the above-captioned proceeding as to AMD. A true copy of the Settlement Agreement is being filed concurrently herewith. *See* Exhibit 1162.

As permitted by statute, AMD and ACS request that the Board treat as business confidential information, the true and complete copy of the Settlement Agreement (Confidential Exhibit 1086) between the Terminating Parties, as referenced in the Terminating Parties' Joint Motion to Terminate Proceeding (pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74), filed concurrently herewith. The agreement contains confidential commercial and financial information of the Terminating 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 Terminating Parties are filing the Settlement Agreement as "Board Only" and request that the Settlement Agreement (Confidential Exhibit 1086) (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 Terminating Parties to treat the Settlement Agreement as confidential information and limit the parties' ability to share the Settlement Agreement, or to disclose its contents to third parties. *See* Exhibit 1162 at 5.

Date: January 23, 2026

Respectfully submitted,

/s/ Brian E. Ferguson
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Counsel for Patent Owner
Advanced Cluster Systems, Inc.

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on January 23, 2026, 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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Date: January 23, 2026

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