

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,

Petitioner,

v.

CARDWARE INC.,

Patent Owner.

PGR2023-00012
U.S. Patent No. 11,328,286

**JOINT REQUEST THAT THE PARTIES' SETTLEMENT AGREEMENT
BE TREATED AS BUSINESS CONFIDENTIAL INFORMATION AND BE
KEPT SEPARATE UNDER 35 U.S.C. § 317(b)**

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Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Samsung Electronics Co., Ltd. (“Petitioner”) and Patent Owner CardWare Inc. (“Patent Owner”) hereby jointly request that a true copy of their settlement agreement (the “Agreement”), filed concurrently herewith as Exhibit 2038, be treated as business confidential information and be kept separate from the file for this post grant review (“PGR”) proceeding. Concurrently with the filing of this Request, Petitioner and Patent Owner are filing a Joint Motion to Terminate.

The parties hereby jointly request that the Agreement be kept as a separate paper to be made available only under the provisions of 35 U.S.C § 317(b) and 37 C.F.R. § 42.74(c). The Agreement has been filed for access by the “Parties and Board Only.” The parties further jointly request that the Board order that in the event a person or entity makes a written request, as stated in 37 C.F.R. § 42.74(c)(1)–(2), for access to the Agreement, that any such written request be served upon the parties on the day the written request is provided to the Board.

Dated: October 26, 2023

Respectfully submitted,

/Patrick Colsher/

Patrick Colsher (Reg. No. 74,955)
REICHMAN JORGENSEN LEHMAN
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/Nicholas W. Stephens/

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FISH & RICHARDSON
Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **JOINT REQUEST THAT THE PARTIES' AGREEMENT BE TREATED AS BUSINESS CONFIDENTIAL INFORMATION AND BE KEPT SEPARATE UNDER 35 U.S.C. § 317(b)** was served on October 26, 2023, via electronic mail upon counsel of record for Petitioner at the following email addresses:

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