

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

COREPHOTONICS, LTD.,
Patent Owner.

Case No. IPR2020-00906
U.S. Patent No. 10,225,479

JOINT REQUEST TO KEEP SEPARATE

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and the Board’s February 29, 2024 authorization, Patent Owner Corephotonics, Ltd. and Petitioner Apple Inc. (collectively, “the Parties”) jointly request to file the confidential settlement agreement—as referenced in the Joint Motion to Terminate Proceeding, filed March 6, 2024, and designated as Confidential Exhibit 2204—as business confidential information which shall be kept separate from the file of the involved patent. The terms of the agreement require the Parties to treat the agreement as confidential information and prohibits disclosure to third parties. In view of the terms of the agreement, and

the Parties' joint request to file it confidentially, the settlement agreement has been filed for access by the "Parties and Board Only."

The Parties consider the confidential settlement agreement (Exhibit 2204) to contain highly sensitive business confidential information that would substantially harm their business interests if publicly disclosed. Accordingly, 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 and that the Parties be given the opportunity to respond to the request. Without limitation, the identification of specific natural persons and the recitation of banking information and monetary terms that the Board has not allowed the Parties to redact, all constitute circumstances warranting further assurances that the confidential settlement agreement will not be disclosed without each Party having notice and opportunity to respond.

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Dated: March 15, 2024

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CERTIFICATE OF SERVICE

I hereby certify that “Joint Request to Keep Separate” was served on March 15, 2024 by email sent to:

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