

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

TRAXCELL TECHNOLOGIES, LLC,

Patent Owner

IPR2022-00073

U.S. Patent No. 10,820,147

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

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Apple Inc. (“Petitioner”) and Patent Owner Traxcell Technologies LLC (“Patent Owner”) hereby jointly request that a true copy of their settlement agreement, filed concurrently herewith as Exhibit 1021 be treated as business confidential information and be kept separate from the file for this *inter partes* review (“IPR”) proceeding. Concurrently with the filing of this Request, Petitioner and Patent Owner are filing a Joint Motion to Dismiss the Petition for IPR due to the settlement between the parties.

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 to be made available only under the provisions of 35 U.S.C § 317(b) and 37 C.F.R. § 42.74(c). The settlement 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 settlement agreement, that any such written request be served upon the parties on the day the written request is provided to the Board.

Respectfully submitted,

Date: March 24, 2022

/David W. O'Brien/

David W. O'Brien
Lead Counsel for Petitioner
Registration No. 40,107

A handwritten signature in blue ink, appearing to read 'WPR', with a large, stylized flourish underneath.

William P. Ramey, III
Lead Counsel for Patent Owner
Registration No. 44,295