

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., HP INC., AMAZON.COM, INC., AMAZON.COM
SERVICES LLC, SAMSUNG ELECTRONICS CO., LTD., SAMSUNG
ELECTRONICS AMERICA, INC., GOOGLE LLC, DELL
TECHNOLOGIES INC. and DELL INC.

Petitioners

v.

XR COMMUNICATIONS, LLC, D/B/A VIVATO TECHNOLOGIES,
Patent Owner

IPR2022-00367¹
Patent No. 10,715,235

**JOINT REQUEST THAT AGREEMENTS BE TREATED AS BUSINESS
CONFIDENTIAL INFORMATION AND BE KEPT SEPARATE**

¹ Apple Inc., and HP Inc., were the original Petitioners in this proceeding (IPR2022-00367). Amazon.com, Inc., and Amazon.com Services LLC, which filed a petition in IPR2022-01353; Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Google LLC, which filed a petition in IPR2022-01362; and Dell Technologies Inc. and Dell Inc., which filed a petition in IPR2022-01398; were joined as Petitioners in this proceeding.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Patent Owner XR Communications, LLC (“XR”) and all Petitioners Apple Inc., HP Inc., Amazon.com, Inc., Amazon.com Services LLC, Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Google LLC, Dell Technologies Inc., and Dell Inc. (collectively, “Petitioners”) jointly request that the agreements between XR and each Petitioner filed concurrently herewith, as referenced in the Joint Motion to Terminate *Inter Partes* Review:

- (a) be treated as business confidential information;
- (b) be kept separate from the file of the involved patent; and
- (c) be made available only as permitted pursuant to the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Further, all parties request that they be notified if and when the Board receives and/or considers a request for access to the Agreements, and be offered an opportunity to respond to any such request. *See Arista Networks, Inc. v. Catlemorton Wireless, LLC*, IPR2020-00986 Pap. 7, 4 (PTAB Oct. 28, 2020).

Dated: June 16, 2023

Respectfully submitted,

<p><u>/ Philip Wang /</u> Philip Wang Reg. No. 74,621 Russ August & Kabat 12424 Wilshire Blvd., 12th Fl. Los Angeles, CA 90025 Phone: (310) 826-7474 pwang@raklaw.com</p> <p><i>Counsel for Patent Owner XR Communications, LLC</i></p>	<p><u>/ David Holt /</u> David Holt, Reg. No. 65,161 holt2@fr.com Fish & Richardson P.C. 60 South Sixth Street Minneapolis, MN 55402 T: 202-783-5070 F: 877-769-7945</p> <p><i>Counsel for Petitioners Apple Inc. and HP Inc.</i></p>
<p><u>/ Andrew M. Mason /</u> Andrew M. Mason (Reg. No. 64,034) andrew.mason@klarquist.com KLARQUIST SPARKMAN, LLP One World Trade Center, Suite 1600 121 S.W. Salmon Street Portland, Oregon 97204 Tel: 503-595-5300 Fax: 503-595-5301</p> <p><i>Counsel for Petitioners Amazon.com, Inc., and Amazon.com Services LLC</i></p>	<p><u>/ Ali R. Sharifahmadian /</u> Ali R. Sharifahmadian, Reg. No. 48,202 ali.sharifahmadian@arnoldporter.com Arnold & Porter Kaye Scholer LLP 601 Massachusetts Ave., NW Washington, DC 20001-3743 Tel: 202-942-5000 Fax: 202-942-5999</p> <p><i>Counsel for Petitioners Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Google LLC</i></p>
<p><u>/ Christopher T.L. Douglas /</u> Christopher T.L. Douglas (Reg. No. 56,950) christopher.douglas@alston.com Alston & Bird LLP One South at the Plaza 101 South Tryon Street, Suite 4000, Charlotte, NC 28280-4000 Tel: 704.444.1000 Fax: 704.444.1111</p> <p><i>Counsel for Petitioners Dell Technologies Inc., and Dell Inc.</i></p>	

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on June 16, 2023, by filing this document through the Patent Trial and Appeal Case Tracking System (P-TACTS) system as well as delivering a copy via electronic mail upon all attorneys of record for Petitioners.

Dated: June 16, 2023

/ Philip Wang /
Philip Wang