

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORP., DELL TECHNOLOGIES INC., and DELL INC.,
Petitioners,

v.

OZMO LICENSING LLC,
Patent Owner.

Case No. IPR2023-01060
U.S. Patent No. 8,599,814

**JOINT REQUEST TO TREAT AS CONFIDENTIAL AND KEEP
SEPARATE PURSUANT TO 35 U.S.C. § 317(B) AND 37 C.F.R. § 42.74(C)**

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Microsoft Corporation (“Microsoft”), Petitioners Dell Technologies Inc. and Dell Inc. (collectively, “Dell,” and together with Microsoft, “Petitioners”), and Patent Owner Ozmo Licensing LLC (“Patent Owner”) (together with Petitioners, “the Parties”), through their respective counsel of record, jointly request that the Board treat both (i) the settlement agreement between Microsoft and Patent Owner and (ii) the settlement agreement between Dell and Patent Owner as business confidential information, and keep those agreements separate from the file of the involved patent and this proceeding. True and correct copies of the settlement agreements, as referenced in the accompanying Joint Motion to Terminate Proceeding, are filed concurrently herewith as Confidential Exhibits 2001 and 2002, as “Parties and Board Only.”

The rules governing this proceeding provide that, upon request, settlement agreements shall be maintained as business confidential information:

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, ... and on a showing of good cause.

37 C.F.R. § 42.74(c). *See also* 35 U.S.C. § 317(b).

The Board approved the filing of this Joint Request in an email dated March 13, 2024. Therefore, the Parties jointly request that the settlement agreements (Confidential Exhibits 2001 and 2002): (1) be treated as business confidential information, (2) be maintained separate from the publicly available file of the involved patent and this proceeding, and (3) 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).

Due to the confidential nature of the settlement agreements, in the event that a third party submits a written request to the Board for a copy of either settlement agreement along with a purported showing of good cause, the Parties request that they be notified of the third-party request and be given the opportunity to respond thereto.

Respectfully submitted this 13th day of March, 2024.

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***Attorney for Petitioners Microsoft
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and Dell Inc.***

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on March 13, 2024, the foregoing *Joint Request to Treat as Confidential and Keep Separate Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) and Exhibits referred to herein* are being served electronically by agreement of the parties at the following email addresses:

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