

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDIATEK INC. and NXP USA, INC.,
Petitioners,

v.

BELL NORTHERN RESEARCH, LLC,
Patent Owner.

Case IPR2023-01414
Patent No. 8,416,862

**JOINT REQUEST TO TREAT SETTLEMENT AGREEMENT
AS BUSINESS CONFIDENTIAL INFORMATION
PURSUANT TO 35 U.S.C. § 317(b)**

Petitioner MediaTek Inc. (“MediaTek”) and Patent Owner Bell Northern Research, LLC (“BNR”) have entered into a settlement agreement that resolves all underlying disputes between Petitioner MediaTek and Patent Owner BNR, including the related district court proceeding, *Bell Northern Research, LLC v. Qualcomm Inc. et al.*, Case No. 8-23-cv-01065 (C.D. Cal) (the “CACD Litigation”), the related ITC proceeding, *In the Matter of Certain Electronic Devices and Semiconductor Devices Having Wireless Communication Capabilities and Components Thereof*, Case No. 337-TA-1367 (ITC) (the “ITC Investigation”), and this *inter partes* review proceeding IPR2023-01414, involving U.S. Patent No. 8,416,862 (the ’862 patent”), currently before the Board.

In an email dated May 23, 2024, the Board authorized the parties to file a joint motion to terminate as to Petitioner MediaTek and a joint request to treat the settlement agreement as business confidential information. In accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), a true copy of the settlement agreement between Petitioner MediaTek and Patent Owner BNR is being submitted concurrently herewith in this proceeding as Ex. 1026. Because Petitioner NXP USA, Inc. is not requesting termination, the settlement agreement between Petitioner MediaTek and Patent Owner BNR has been filed for access by the “**Board Only**,” and the parties jointly request that the settlement agreement remain available for the “**Board Only**.”

If requested, the rules permit the parties to have any filed settlement agreement treated as business confidential information and kept separate from the files of the involved patent. 37 C.F.R. § 42.74(c). Indeed, the statute requires it.

At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

35 U.S.C. § 317(b).

Accordingly, pursuant to 37 C.F.R. § 42.74(c) and 35 U.S.C. § 317(b), Petitioner MediaTek and Patent Owner BNR jointly request that the Board treat the settlement agreement filed concurrently herewith as Ex. 1026 as business confidential information, that the agreement be kept separate from the file of the involved patent, and that the agreement be made available only to Federal Government agencies on written request, or to other persons only on a showing of good cause.

Respectfully submitted,

Dated: May 31, 2024

/Cory C. Bell/
Cory C. Bell, Reg. No. 75,096
Counsel for Petitioner MediaTek, Inc.

Dated: May 31, 2024

/Jason M. Shapiro/
Jason M. Shapiro, Reg. No. 35,354
Counsel for Patent Owner Bell Northern
Research, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Joint Request to Treat Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b)** was served on May 31, 2024, via email directed to counsel of record for Patent Owner at the following:

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