

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NOKIA SOLUTIONS AND NETWORKS US LLC; AND
NOKIA SOLUTIONS AND NETWORKS OY,
Petitioners

v.

HUAWEI TECHNOLOGIES CO. LTD.,
Patent Owner

Case: IPR2017-00661

U.S. Patent No. 9,060,268

**JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS
CONFIDENTIAL BUSINESS INFORMATION PURSUANT TO
35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74(c)**

*Mail Stop "PATENT BOARD" Patent
Trial and Appeal Board U.S. Patent and
Trademark Office P.O. Box 1450
Alexandria, VA 22313-1450*

On December 21, 2017, Petitioners Nokia Solutions and Networks US LLC and Nokia Solutions and Networks Oy (“Nokia” or “Petitioners”) and Patent Owner Huawei Techs. Co. Ltd. (“Huawei”) settled their dispute with respect to U.S. Patent No. 9,060,268 (“the 268 Patent”), which is subject to the above-captioned *inter partes* review proceeding. The *Litigation Settlement Agreement* between the parties fully resolves all disputes relating to the 268 Patent before the district court, court of appeals, and the PTAB. *See* Exhibit 1100. Pursuant to 37 C.F.R. § 42.74(b), any agreement or understanding between the parties made in connection with, or in contemplation of, the termination of a proceeding shall be in writing and a true copy shall be filed with the Board before the termination of the trial. Accordingly, the parties have filed the *Litigation Settlement Agreement* herewith as Exhibit 1100.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), the parties hereby jointly request that Exhibit 1100 is treated as confidential business information, kept separate from the files of the involved patent, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause. The Board authorized the parties to file this Joint Request on December 22, 2017 via e-mail.

The terms require the parties to treat the *Litigation Settlement Agreement* as confidential information and limit the parties’ ability to share the settlement agreement or disclose its contents with third parties. *See* Exhibit 1100, at 4–5.

Moreover, the *Litigation Settlement Agreement* does not contain any information material to patentability. As such, the parties respectfully request that the Board treat Exhibit 1100 as confidential business information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Dated: December 22, 2017

/s/ S. Benjamin Pleune
S. Benjamin Pleune
Registration No. 52,421
Lead Counsel for Petitioners

Dated: December 22, 2017

/s/ W. Karl Renner
W. Karl Renner
Registration No. 41,265
Lead Counsel for Patent Owner

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

The undersigned hereby certifies that the above-captioned “JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS CONFIDENTIAL BUSINESS INFORMATION” was served in its entirety on December 22, 2017 pursuant to agreement via email to counsel for Huawei at:

Roberto Devoto (devoto@fr.com)
AXF-PTAB@fr.com
PTABInbound@fr.com
IPR35548-0063IP1@fr.com
W. Karl Renner
Jeremy Monaldo (monaldo@fr.com)
Andrew Patrick
Ayan Roy-Chowdhury
Richard A. Sterba
Brian G. Strand

/S. Benjamin Pleune/
S. Benjamin Pleune, Reg. No. 52,421
Lead Counsel for Petitioners