Entered: December 13, 2018

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC. AND SAMSUNG AUSTIN SEMICONDUCTOR LLC, *Petitioner*,

v.

INVENSAS CORPORATION, Patent Owner.

Case IPR2018-01402 U.S. Patent No. 6,849,946

JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AND CONSENT LETTER AS BUSINESS CONFIDENTIAL INFORMATION UNDER 35 U.S.C. § 317 AND 37 C.F.R. § 42.74 Pursuant to 35 U.S.C. § 317(b), 37 C.F.R. § 42.74(c), and the Patent Trial and Appeal Board email of December 12, 2018, Petitioner Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Austin Semiconductor LLC, and Patent Owner Invensas Corporation (the "Parties") jointly request to file the Settlement Agreement and Consent Letter between the Parties – as referenced in the Joint Motion to Terminate Proceeding, filed concurrently herewith, and designated as Exhibits 1020 and 1021 – as confidential information which shall be kept separate from the file of the involved patent. In view of that request, the Settlement Agreement and Consent Letter have been filed for access by the "Parties and Board Only."

Respectfully submitted,

Dated: December 13, 2018

/s/ Brian M. Berliner

Brian M. Berliner (Reg. No. 34,549) bberliner@omm.com Ryan Yagura (Reg. No. 47,191) ryagura@omm.com Nicholas J. Whilt (Reg. No. 72,081) nwhilt@omm.com O'Melveny & Myers LLP 400 South Hope Street, 18th Floor Los Angeles, CA 90071 Telephone: 213.430.6000 Fax: 213.430.6407

John Kappos (Reg. No. 37,861) jkappos@omm.com O'Melveny & Myers LLP

1

Joint Request to File Settlement Agmt. as Business Confidential Information

610 Newport Center Drive, 17th Floor Newport Beach, CA 92660 Telephone: 949.823.6900 Fax: 949.823.6994

Mark Liang (Reg. No. L1031) mliang@omm.com O'Melveny & Myers LLP 2 Embarcadero Ctr., 28th Floor San Francisco, CA 94111 Telephone: 415.984.8700 Fax: 415.984.8701 *Counsel for Petitioner*

/s/ Robert Steinberg

Robert Steinberg (Reg. No. 33,144) bob.steinberg@lw.com Jonathan M. Strang (Reg. No. 61,724) jonathan.strang@lw.com Matthew J. Moore (Reg. No. 42,012) matthew.moore@lw.com Latham & Watkins LLP 555 Eleventh Street, NW, Ste. 1000 Washington, DC 20004-1304 Telephone: 202.637.2200 Fax: 202.637.2201 *Counsel for Patent Owner*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 13th day of December

2018, a copy of Joint Request to File Settlement Agreement and Consent

Letter as Business Confidential Information was served by electronic mail on

Patent Owner's lead and backup counsel at the following email addresses:

Robert Steinberg Latham & Watkins LLP 355 South Grand Avenue, Ste. 100 Los Angeles, CA 90071-1560 Tel.: (213) 485-1234 bob.steinberg@lw.com

Matthew J. Moore Latham & Watkins LLP 555 Eleventh St., N.W., Ste. 1000 Washington, DC 20004-1304 Tel.: (202) 637-2200 matthew.moore@lw.com

December 13, 2018

Jonathan M. Strang Latham & Watkins LLP 555 Eleventh St., N.W., Ste. 1000 Washington, DC 20004-1304 Tel.: (202) 637-2200 jonathan.strang@lw.com

<u>/s/ Brian M. Berliner</u> Brian M. Berliner (Reg. No. 34,549)