

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETAPP, INC.,
Petitioner,

v.

PROVEN NETWORKS, LLC,
Patent Owner.

Case IPR2022-00644
Patent No. 8,687,573

**JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS BUSINESS
CONFIDENTIAL INFORMATION UNDER 35 U.S.C. § 317(a)**

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and the Board's authorization on September 29, 2022, Petitioner NetApp, Inc., and Patent Owner Proven Networks, LLC, jointly request that the agreement (Ex. 1028), filed today with the Joint Motion to Dismiss this proceeding, be filed as business confidential information. The parties further jointly request that the agreement be kept separate from the file of this proceeding and the involved patent and be made available only to Federal Government agencies on written request, and only to persons showing good cause pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). In view of the above, the agreement has been filed for access by the "Parties and Board Only."

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER L.L.P.

Dated: September 30, 2022

By: /Joshua L. Goldberg/
Joshua L. Goldberg (Reg. No. 59,369)
Counsel for Petitioner

Dated: September 30, 2022

By: /s/ Reza Mirzaie
Reza Mirzaie (Reg. No. 69,138)
Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), a true copy of the foregoing JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION UNDER 35 U.S.C. § 317(a) is being served electronically on September 30, 2022 to the following lead and back-up counsel for Patent Owner at the following email addresses:

Reza Mirzaie
rmirzaie@raklaw.com

Neil A. Rubin
nrubin@raklaw.com

Paul Kroeger
pkroeger@raklaw.com

Andrew Weiss
aweiss@raklaw.com

rak_proven@raklaw.com

Russ August & Kabat
12424 Wilshire Blvd., 12th Fl.
Los Angeles, CA 90025

By: /Lisa C. Hines/
Lisa C. Hines
Senior Litigation Legal Assistant
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP