

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIVINT, INC.,

Petitioner,

v.

FRACTUS S.A.,

Patent Owner,

Case IPR2024-00087

U.S. Patent No. 8,738,103

**JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS BUSINESS
CONFIDENTIAL INFORMATION PURSUANT TO
35 U.S.C. § 317(b) AND 37 C.F.R. § 42.72(c)**

Petition for *Inter Partes* Review
of U.S. Patent No. 8,738,103

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and the Board's authorization in its email of February 12, 2024, Petitioner Vivint, Inc. and Patent Owner Fractus S.A. jointly request that the confidential Settlement Agreement (Ex. 1010), referenced in the concurrently-filed Joint Motion to Terminate the Proceeding, be filed as business confidential information. The parties further jointly request that the confidential Settlement Agreement be kept separate from the file of the patent involved in the inter parties review and be made available only on the showing of good cause or to Federal Government agencies on a written request.

Petition for *Inter Partes* Review
of U.S. Patent No. 8,738,103

Dated: February 15, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.72(c), together with all exhibits and other papers filed therewith was served via email (as previously consented to by counsel) on February 15, 2024 to the attorneys of record for the Patent Owner at the following address:

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