

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Rackspace US, Inc. and Rackspace Hosting, Inc.
Petitioner

v.

PersonalWeb Technologies, LLC and Level 3 Communications, LLC.
Patent Owner

Case IPR2014-00059
Patent 6,415,280

Title: IDENTIFYING AND REQUESTING DATA IN NETWORK USING
IDENTIFIERS WHICH ARE BASED ON CONTENTS OF DATA

**JOINT REQUEST TO KEEP SEPARATE PURSUANT TO 35 U.S.C. §
317(b) AND 37 C.F.R. § 42.74**

Patent Owner and Petitioner (together, "the Parties"), have reached a settlement and executed a Settlement Agreement regarding U.S. Patent No. 6,415,280 ("the '280 Patent"), filed concurrently herewith as Exhibit 1014. The Parties jointly request that the Board treat the Settlement Agreement as business confidential information and keep it separate from the file of the involved patent.

I. **Statement of Precise Relief Requested**

The Parties jointly request that the Board treat the Settlement Agreement (Exhibit 1014) as business confidential information and keep it separate from the file of the involved patent, and made available only to Federal Government agencies on written request or to any person only on a showing of good cause, as provided for in 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74.

II. **Statement of Reasons for the Relief Requested**

The Parties have executed a Settlement Agreement regarding their disputes relating to the '280 Patent. The Settlement Agreement addresses this *Inter Partes* Review, as well as disputes regarding the '280 Patent involved in *PersonalWeb Tech. LLC et al v. Rackspace US, Inc. et al.*, No. 6-12-cv-00659 (E.D. Tex.). The Settlement Agreement provides that the terms of the Settlement Agreement are confidential.

The Petitioner has filed, concurrently herewith, a copy of the Settlement Agreement (Exhibit 1014) with the Board, as required by 35 U.S.C. § 317(b) and

37 C.F.R. § 42.74. Exhibit 1014 was filed in the PRPS system to provide availability to "Parties and Board Only." The Parties jointly request that the Settlement Agreement be treated as business confidential information and be kept separate from the file of the involved patent, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Jointly submitted,

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October 16, 2014

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CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.105, that
service was made on the Patent Owner as detailed below.

Date of service October 16, 2014

Manner of service By email upon counsel of record listed below

Document served Parties' Joint Request to Keep Separate

Persons served Joseph A. Rhoa (jar@nixonvan.com)
Updeep S. Gill (usg@nixonvan.com)
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/David W. O'Brien/

David W. O'Brien
Registration No. 40,107

PETITIONER'S EXHIBIT LIST

October 16, 2014

Exhibit	Description
RACK-1001	U.S. Patent No. 6,415,280
RACK-1002	USPTO File Wrapper for U.S. Patent No. 6,415,280, including the prosecution history of U.S. Application No.: 09/283,160.
RACK-1003	U.S. Patent No. 5,649,196, ("Woodhill")
RACK-1004	Albert Langer, "Re: dl/describe (File descriptions)," article < 1991Aug7.225159.786@newshost.anu.edu.au > in Usenet newsgroups "alt.sources.d" and "comp.archives.admin" (August 7, 1991)
RACK-1005	Decision, Institution of <i>Inter Partes</i> Review, IPR2013-00082
RACK-1006	Decision, Institution of <i>Inter Partes</i> Review, IPR2013-00083
RACK-1007	Declaration of Dr. Melvin Ray Mercer in support of Petition for <i>Inter Partes</i> Review of U.S. Patent No. 6,415,280
RACK-1008	Declaration of Dr. Narasimha Reddy in support of Petition for <i>Inter Partes</i> Review of U.S. Patent No. 6,415,280
RACK-1009	B. Reid, "USENET READERSHIP SUMMARY REPORT FOR AUG 91" (Sept. 1, 1991)
RACK-1010	B. Reid, "USENET Readership report for Aug 91" (Sep. 1, 1991)
RACK-1011	J.S. Quarterman, <i>The Matrix</i> (1990)
RACK-1012	G. Todino et al., <i>Using UUCP and Usenet</i> (1991)
RACK-1013	(Expunged)
RACK-1014	Confidential