

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FORD MOTOR COMPANY.,
Petitioner

v.

PAICE L.L.C. AND THE ABELL FOUNDATION, INC.,
Patent Owner

Case IPR2015-00606
Patent 7,237,634

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

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner, Ford Motor Company, and Patent Owners Paice L.L.C. and the Abell Foundation, Inc. (collectively, “Parties”), jointly request to treat business confidential information, and to keep separate from the file of the involved patent, the true and complete copy of the Parties’ settlement documentation (Confidential Exhibits 2111 and 2112), as referenced in the Joint Motion to Terminate Proceeding pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74, filed concurrently herewith.

35 U.S.C. § 317(b) provides that:

At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

Likewise, 37 C.F.R. § 42.74(c) provides that:

A party to a settlement may request that the settlement be treated as business confidential information and be kept separate from the files of an involved patent or application. The request must be filed with the settlement. If a timely request is filed, the settlement shall only be available:

- (1) To a Government agency on written request to the Board; or

(2) To any other person upon written request to the Board to make the settlement agreement available, along with the fee specified in § 42.15(d) and on a showing of good cause.

The present request, which is being filed contemporaneously with the settlement documentation, is timely and in accordance with the foregoing authority. Therefore, the Parties request that their settlement documentation (Confidential Exhibits 2111 and 2112) (i) be treated as business confidential information, (ii) be maintained separate from the publicly available file of the involved patent, and (iii) shall be made available only to Federal Government agencies on written request, or to persons showing good cause on written request, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Respectfully submitted,

Date: August 28, 2018

/Frank Angileri/
Frank Angileri, Reg. No. 36,733, *for*
Petitioner, Ford Motor Company.

Date: August 28, 2018

/Brian J. Livedalen/
Brian J. Livedalen, Reg. No. 67,450, *for*
Patent Owners, Paice L.L.C. and the
Abell Foundation, Inc.

