

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLKSWAGEN GROUP OF AMERICA, INC.

Petitioner

v.

ADVANCED SILICON TECHNOLOGIES LLC

Patent Owner

Case IPR2016-00894
Patent 8,933,945 B2

**JOINT REQUEST THAT AGREEMENT BE TREATED AS BUSINESS
CONFIDENTIAL INFORMATION AND KEPT SEPARATE UNDER 37
C.F.R. § 42.74(c)**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Petitioner Volkswagen Group of America, Inc. (“Petitioner”) and Patent Owner Advanced Silicon Technologies LLC (“Patent Owner”) have entered into a confidential Agreement that resolves all underlying disputes between the parties, including IPR2016-00894 against U.S. Patent No. 8,933,945 B2. As authorized by the Board by email on August 10, 2016, the parties are concurrently filing a Joint Motion to Terminate this *inter partes* review proceeding along with the Agreement between the parties (Exhibit 1016). The rules and the statute permit the parties to have any filed agreement treated as business confidential information and kept separate from the files of the involved patent. 37 C.F.R. § 42.74(c); 35 U.S.C. § 317(b). In the email of August 10, 2016, the Board authorized the parties to file a joint request that the filed Agreement be treated as business confidential information and kept separate.

Because the Agreement (Exhibit 1016) contains confidential business information, Petitioner and Patent Owner jointly request that the Office treat the Agreement (Exhibit 1016) as business confidential information, that the Agreement be kept separate from the file of the involved patent (for example, that the Agreement not be accessible through the public Patent Application Information Retrieval system, nor through the PTAB Patent Review Processing System), and that the Agreement be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

Dated: August 16, 2016

Respectfully submitted by:

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CERTIFICATION OF SERVICE

The undersigned hereby certifies that the foregoing **JOINT REQUEST THAT AGREEMENT BE TREATED AS BUSINESS CONFIDENTIAL INFORMATION AND KEPT SEPARATE UNDER 37 C.F.R. § 42.74(c)** was served electronically via e-mail on August 16, 2016, in its entirety on the following counsel of record for Patent Owner:

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