

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GENERAL ELECTRIC CO.,  
Petitioner,

v.

GROUPCHATTER, LLC,  
Patent Owner.

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Case IPR2017-00313  
Patent 8,199,740

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

## EXHIBIT LIST

<b>Exhibit No.</b>	<b>Description</b>
1001	U.S. Patent No. 7,969,959 to Dabbs, III et al. (“the ’959 Patent”)
1002	U.S. Patent No. 8,199,740 to Dabbs, III et al. (“the ’740 Patent”)
1003	U.S. Patent No. 9,014,659 to Dabbs, III et al. (“the ’659 Patent”)
1004	U.S. Patent No. 8,588,207 to Dabbs, III et al. (“the ’207 Patent”)
1005	U.S. Patent No. 5,748,100 to Gutman et al. (“Gutman”)
1006	U.S. Patent No. 5,918,158 to LaPorta et al. (“LaPorta”)
1007	U.S. Patent No. 7,409,428 to Brabec et al. (“Brabec”)
1008	U.S. Patent No. 5,644,568 to Ayerst et al. (“Ayerst”)
1009	Declaration of Bruce Deer
1010	Curriculum Vitae of Bruce Deer
1011	Patent Owner’s November 11, 2015 Complaint against Petitioner
1012	November 23, 2015 Service of Summons and Complaint
1013	Patent Owner’s August 12, 2016 First Amended Complaint against Petitioner
1014	U.S. Provisional App. No. 60/636,094 (“the ’094 Application”)

- 1015 Patent Owner's July 20, 2016 Infringement Contentions against Petitioner in the GE Litigation
- 1016 Motorola Wireless Application Development Document
- 1017 ReFLEX Wireless Data Technology by USA Mobility ("ReFLEX Paper")
- 1018 Patent Owner's L.P.R. 6.2 Preliminary Claim Constructions in the GE Litigation
- 1019 GE – GroupChatter Confidential Settlement and License Agreement (Parties and Board Only)

## **I. INTRODUCTION**

Petitioner GENERAL ELECTRIC CO. (“GE”) and Patent Owner GROUPCHATTER, LLC (“GROUPCHATTER”) have settled the underlying dispute and entered into a Settlement Agreement. The Settlement Agreement has been made in writing, and a true and correct copy is being filed as Exhibit 1019, pursuant to 35 U.S.C. § 317(b). Pursuant to 35 U.S.C. § 317(b), the parties jointly request that the Board treat the Settlement and Release Agreement in its entirety as business confidential information and keep it separate from the file of the involved patent.

## **II. STATEMENT OF PRECISE RELIEF REQUESTED**

The parties jointly request that the Board treat the Settlement Agreement (Exhibit 1019) as business confidential information and keep it separate from the file of the involved patent. The parties further request the Board to not make the Settlement Agreement available to any third-party, except as provided for in 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

## **III. STATEMENT OF REASONS FOR THE RELIEF REQUESTED**

The parties have executed a Settlement Agreement resolving their dispute relating to U.S. Patent No. 8,199,740. The Settlement Agreement provides that its

contents are confidential and the parties have treated them as such. The parties have filed, concurrently herewith, true and correct copies of the Settlement Agreement (Exhibit 1019) with the Board, as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). This Exhibit was filed via the PTAB E2E 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).

Respectfully submitted,

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Date: March 3, 2017