

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

OBALON THERAPEUTICS, INC.
Petitioner,

v.

POLYZEN, INC.
Patent Owner.

Case IPR2017-00812
U.S. Patent No. 7,682,306

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

Patent Owner Polyzen, Inc. (“Polyzen”) and Petitioner Obalon Therapeutics, Inc. (“Obalon”) (collectively, the “Parties”) hereby jointly request that Exhibit 1013 and 1014, true copies of the written settlement agreements between the Parties that are referenced in the Joint Motion to Terminate Proceeding filed concurrently herewith, be treated as business confidential information and kept separate from the files of the involved patent, U.S. Patent No. 7,682,306, and be made available only to Federal Government agencies on written request, or to any person on a showing of good cause pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). The terms of the settlement agreements require the settlement agreements to be kept confidential.

Respectfully submitted,

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Dated: August 18, 2017

Certificate of Service (37 C.F.R. § 42.6(e)(4))

I hereby certify that the attached JOINT REQUEST TO KEEP SEPARATE PURSUANT TO 35 U.S.C. § 317 AND 37 C.F.R. § 42.74 was served as of the below date by electronic mail, on the Patent Owner at the following correspondence address:

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