

Paper No. _____
Filed: July 6, 2018

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEALS BOARD

NFL ENTERPRISES LLC,
Petitioner

v.

OPENTV, INC.
Patent Owner

Case No.: IPR2017-02092
Patent No. 6,233,736

**JOINT REQUEST THAT SETTLEMENT AGREEMENT BE TREATED
AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT
TO 35 U.S.C. § 317(b)**

INTRODUCTION

Petitioner NFL Enterprises LLC and Patent Owner OpenTV, Inc., through its affiliation with Nagravision S.A., have entered into a settlement agreement that resolves all underlying disputes between the parties, including this proceeding. In an Order dated June 28, 2018 (Paper 15), the Board authorized the parties to file a joint motion to terminate and a joint request that the settlement agreement be treated as business confidential information. As required by the Board, the parties are submitting a true copy of the settlement agreement (Ex. 2001).

RELIEF REQUESTED

If requested, the rules permit the parties to have any filed settlement agreement treated as business confidential information and kept separate from the files of the involved patent. 37 C.F.R. § 42.74(c). Indeed, the statute requires it.

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.

35 U.S.C. § 317(b).

Pursuant to 37 C.F.R. § 42.74(c) and 35 U.S.C. § 317(b), Petitioner and Patent Owner jointly request that the Office treat the agreement (Exhibit 2001) as

business confidential information, that the agreement be kept separate from the file of the involved patent, and that the agreement be made available only to Federal Government agencies on written request, or to other persons only on a showing of good cause.

Dated: July 6, 2018

Jointly Submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **JOINT REQUEST THAT SETTLEMENT AGREEMENT BE TREATED AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317(b)** was served via e-mail on counsel of record for the Petitioner on July 6, 2018 at the following addresses:

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