

Filed on behalf of: Nichia Corp.

Paper _____

By: Martin M. Zoltick, Lead Counsel
Robert P. Parker, Back-up Counsel
Derek F. Dahlgren, Back-up Counsel
Michael H. Jones, Back-up Counsel
Mark T. Rawls, Back-up Counsel
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
607 14th Street, N.W., Suite 800
Washington, DC 20005
Phone: 202-783-6040
Facsimile: 202-783-6031
Emails: mzoltick@rfem.com
rparker@rfem.com
ddahlgren@rfem.com
mjones@rfem.com
mrawls@rfem.com

Date filed: April 12, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIZIO, INC.,
Petitioner,

v.

NICHIA CORPORATION,
Patent Owner.

Case IPR2018-00437
Patent 9,537,071 B2

**JOINT REQUEST TO FILE TERMINATION AGREEMENT AS BUSINESS
CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317**

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

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner VIZIO, Inc. ("VIZIO") and Patent Owner Nichia Corporation ("Nichia") jointly request that the Binding Term Sheet between the parties filed as Exhibit 2038 to PETITIONER VIZIO, INC. AND PATENT OWNER NICHIA CORPORATION'S JOINT MOTION TO TERMINATE THE PROCEEDING PURSUANT TO 35 U.S.C. § 317 be treated as business confidential information, be kept separate from the file of the involved patent, and be made available only as permitted pursuant to the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Dated: April 12, 2019

Respectfully submitted,

<p><i>/ Gabrielle E. Higgins /</i> Gabrielle E. Higgins, Reg. No. 38,916 ROPES & GRAY LLP 1900 University Avenue, 6th Floor East Palo Alto, CA 94303-2284 Phone: 650-617-4015 Facsimile: 617-235-9492 Email: gabrielle.higgins@ropesgray.com</p> <p><i>Counsel for Petitioner Vizio, Inc.</i></p>	<p><i>/ Martin M. Zoltick /</i> Martin M. Zoltick, Reg. No. 35,745 ROTHWELL, FIGG, ERNST & MANBECK, P.C. 607 14th Street, N.W., Suite 800 Washington, DC 20005 Phone: 202-783-6040 Facsimile: 202-783-6031 Email: mzoltick@rfem.com</p> <p><i>Counsel for Patent Owner Nichia Corporation</i></p>
--	---

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of April, 2019, a true and correct copy of the foregoing **JOINT REQUEST TO FILE TERMINATION AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317** was served, via electronic mail, upon the following counsel of record for Petitioner Vizio, Inc.:

Gabrielle E. Higgins
James L. Davis, Jr.
Christopher M. Bonny
James F. Mack
ROPES & GRAY LLP
1900 University Avenue, 6th Floor
East Palo Alto, CA 94303-2284
Phone: 650-617-4000 | Facsimile: 650-566-4090
Emails: Gabrielle.Higgins@ropesgray.com
James.L.Davis@ropesgray.com
Christopher.Bonny@ropesgray.com
James.Mack@ropesgray.com
VIZIO2NichialIPRs@ropesgray.com

Scott McKeown
ROPES & GRAY LLP
2099 Pennsylvania Avenue, N.W.
Washington, DC 20006-6807
Phone: 202-508-4740 | Facsimile: 617-235-9492
Email: Scott.McKeown@ropesgray.com

/ Erik van Leeuwen /

Erik van Leeuwen
Litigation Operations Coordinator
Rothwell, Figg, Ernst & Manbeck, P.C.