

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NICHIA CORPORATION AND EVERLIGHT ELECTRONICS CO., LTD.,
Petitioners,

v.

DOCUMENT SECURITY SYSTEMS, INC.,
Patent Owner.

Case IPR2018-00965¹
Patent 7,919,787 B2

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

¹ Everlight Electronics Co., Ltd., who filed a Petition in IPR2018-01260, has been joined as a petitioner in this proceeding.

Authorization for this request and the accompanying motion to terminate was given by the Board via email sent to the parties on April 24, 2019. Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Patent Owner Document Security Systems, Inc. (“Patent Owner”) and Petitioner Everlight Electronics Co., Ltd. (“Petitioner Everlight”) jointly request that the Settlement Agreement between Patent Owner and Petitioner Everlight be treated as business confidential information, as the terms of the Settlement Agreement require the parties to treat the Settlement Agreement as confidential information and limit the parties’ ability to share the Settlement Agreement or disclose its contents with third parties. A true and correct copy of the Settlement Agreement is being filed concurrently herewith as confidential Exhibit 2205, with access by the “Board Only.”

It is respectfully requested that the Settlement Agreement (confidential Exhibit 2205) (i) be treated as business confidential information, (ii) be maintained separate from the publicly available file of the involved patent, and (iii) be made available only to Federal Government agencies on written request served on Patent Owner and Petitioner Everlight, or to persons showing good cause on written request served on Patent Owner and Petitioner Everlight, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Dated: April 25, 2019

Respectfully submitted,

/s/ Wayne M. Helge
Wayne M. Helge (Reg. No. 56,905)

/s/ John F. Rabena
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Attorney for Petitioner Everlight

CERTIFICATE OF SERVICE

The undersigned hereby certifies service on the parties pursuant to 37 C.F.R. § 42.6(e) and agreement of counsel, by electronic (e-mail) delivery of a true copy of the foregoing JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317(b). The Confidential Exhibit 2205 is being provided to the Board only.

Dated: April 25, 2019

By: /s/ Wayne M. Helge
Wayne M. Helge (Reg. No. 56,905)
Attorney for Patent Owner