

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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HULU, LLC, AMAZON.COM, INC., and NETFLIX, INC.  
Petitioners,

v.

REALTIME ADAPTIVE STREAMING LLC  
Patent Owner.

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Case IPR2018-01169	Patent 8,934,535
Case IPR2018-01170	Patent 8,934,535
Case IPR2018-01187	Patent 9,769,477
Case IPR2018-01189	Patent RE46,777
Case IPR2018-01227	Patent 9,578,298

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

Patent Owner Realtime Adaptive Streaming LLC and Petitioner Amazon.com, Inc. have reached a settlement. The settlement agreement resolves the disputes in the above-captioned *inter partes* reviews relating to U.S. Patent Nos. 8,934,535; 9,769,477; RE46,777; and 9,578,298 (“Patents-in-suit”). Realtime and Amazon jointly request that the Board treat the settlement agreement as business confidential information and keep it separate from the files of these proceedings and the files of the Patents-in-suit. Realtime and Amazon were authorized to file this Joint Motion by the Board (via email) on October 1, 2018.

### **I. Statement of Precise Relief Requested**

Realtime and Amazon jointly request that the Board treat the settlement agreement as business confidential information and keep it separate from the files of these proceedings and the files of the ’535 Patent. Realtime and Amazon request that the settlement agreement “be made available only to Federal Government agencies on written request, or to any person on a showing of good cause” in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74.

### **II. Reasons Why Relief Is Appropriate**

The terms of the settlement agreement require Realtime and Amazon to treat the settlement agreement as confidential information and limit their ability to share the settlement agreement publicly or disclose its contents with third parties. Realtime and Amazon have filed a copy of the settlement agreement with the

Board, as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. The confidential settlement agreement was filed in the PTAB E2E system to provide availability only to the Board.

Respectfully submitted,

Date: October 3, 2018

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**CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))**

The undersigned hereby certifies that the above document was served on October 3, 2018, by filing this document through the Patent Trial and Appeal Board End to End system as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

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