

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SONY CORPORATION and POLYCOM, INC.  
Petitioners,

v.

REALTIME ADAPTIVE STREAMING LLC  
Patent Owner.

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Case IPR2018-01299	Patent 9,762,907
Case IPR2018-01413	Patent 9,769,477
Case IPR2018-01439	Patent 8,929,442

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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 Polycom, Inc. have reached a settlement. The settlement agreement resolves the disputes in the above-captioned *inter partes* reviews relating to U.S. Patent Nos. 9,762,907; 9,769,477; and 8,929,442 (“Patents-in-Suit”). Realtime and Polycom 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 Polycom were authorized to file this Joint Motion by the Board (via email) on November 7, 2018.

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

Realtime and Polycom 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 Polycom 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 Polycom to treat the settlement agreement as confidential information and limit their ability to share the settlement agreement or disclose its contents with third parties. Realtime and Polycom 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: November 7, 2018

/Kent N. Shum/

Kent N. Shum (Reg. No. 61,117)  
Russ August & Kabat  
12424 Wilshire Blvd., 12th Fl.  
Los Angeles, CA 90025  
Phone: (310) 826-7474  
kshum@raklaw.com

*Counsel for Patent Owner Realtime  
Adaptive Streaming LLC*

/Eric A. Buresh/

Eric A. Buresh (Reg. No. 50,394)  
Erise IP, P.A.  
7015 College Blvd., Suite 700  
Overland Park, KS 66211  
Phone: (913) 777-5600  
Eric.buresh@eriseip.com

*Counsel for Petitioner Polycom, Inc.*

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

The undersigned hereby certifies that the above document was served on November 7, 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 Petitioners:

Eric A. Buresh, eric.buresh@eriseip.com  
Abran J. Kean, abran.kean@eriseip.com  
Jennifer C. Bailey, jennifer.bailey@eriseip.com  
Chris R. Schmidt, chris.schmidt@eriseip.com  
ptab@eriseip.com

Date: November 7, 2018

/Kent N. Shum/

Kent N. Shum (Reg. No. 61,117)  
Russ August & Kabat  
12424 Wilshire Blvd., 12th Fl.  
Los Angeles, CA 90025  
Phone: (310) 826-7474  
Fax: (310) 826-6991

*Counsel for Patent Owner Realtime  
Adaptive Streaming LLC*