

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AT&T SERVICES, INC. and DIRECTV, LLC,¹
Petitioners

v.

BROADBAND iTV, INC.,
Patent Owner

Case IPR2020-01267
U.S. Patent No. 10,028,026 B2

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

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

¹ AT&T Services, Inc. and DIRECTV, LLC filed a motion for joinder and a petition in Case IPR2021-00556, which were granted, and, therefore, have been joined as petitioners in this proceeding.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioners AT&T Services, Inc. and DIRECTV, LLC (collectively “AT&T”) and Patent Owner Broadband iTV, Inc. (“BBiTV”) hereby jointly request that a true copy of their settlement agreement, filed concurrently herewith as Exhibit 2300, be treated as business confidential information and be kept separate from the file of this *inter partes* review (IPR) proceeding. Concurrently with the filing of this Request, the parties are filing a Joint Motion to Terminate this IPR due to the settlement agreement between AT&T and BBiTV. The Board authorized AT&T and BBiTV to file this joint request in an email of December 13, 2021.

AT&T and BBiTV consider the settlement agreement to contain highly sensitive business confidential information that would substantially harm their business interests if publicly disclosed. As such, AT&T and BBiTV hereby jointly request that the settlement agreement be kept as a separate paper to be made available only under the provisions of 35 U.S.C § 317(b) and 37 C.F.R. § 42.74(c). The settlement agreement has been filed for access by the “Board and Filing Party Only.” AT&T and BBiTV further jointly request that the Board order that in the event a person or entity makes a written request for access to the settlement agreement, as stated in 37 C.F.R. § 42.74(c)(1)-(2), any such written request be served upon AT&T and BBiTV on the day the written request is provided to the Board.

Respectfully submitted,

Date: December 14, 2021

BAKER BOTTS L.L.P.

/ Roger Fulghum /

Roger Fulghum (Reg. No. 39,678)
Counsel for Petitioners AT&T Services, Inc. and
DIRECTV, LLC

Date: December 14, 2021

STERNE, KESSLER, GOLDSTEIN & FOX, P.L.L.C.

/Jason A. Fitzsimmons/

Jason A Fitzsimmons (Reg. No. 65,367)
Counsel for Patent Owner Broadband iTV, Inc.

CERTIFICATION OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317(b)** was electronically served via e-mail in its entirety on December 14, 2021, upon the following counsel of record for Petitioners:

Roger Fulghum (Lead Counsel)
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Respectfully submitted,
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