

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MOBILE IRON, INC.  
Petitioners

v.

BLACKBERRY LIMITED,  
Patent Owner

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Case IPR2021-00162  
Patent 8,442,489

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**JOINT REQUEST TO KEEP AGREEMENT BUSINESS**

**CONFIDENTIAL AND SEPARATE UNDER 37 C.F.R. § 42.74(c)**

Petitioner and Patent Owner (the “Parties”) jointly request the settlement agreement executed on February 22, 2021 (the “Settlement Agreement,” Exhibit 1025) between the Parties be treated as business confidential information and kept separate from the file of the involved patent. The Settlement Agreement is referenced in the Joint Motion to Terminate Proceeding, filed concurrently herewith.

The rules contemplate that agreements will be maintained as business confidential information, upon request. *See, e.g.*, 37 C.F.R. § 42.74(c), which provides that:

A party to a settlement may request that the settlement be treated as business confidential information and be kept separate from the files of an involved patent or application. The request must be filed with the settlement. If a timely request is filed, the settlement shall only be available:

- (1) To a Government agency on written request to the Board; or
- (2) To any other person upon written request to the Board to make the settlement agreement available, along with the fee specified in § 42.15(d) and on a showing of good cause.

The present request, which is being filed contemporaneously with the Settlement Agreement, is timely and in accordance with the foregoing authority.

Therefore, the Parties request that the Settlement Agreement (i) be treated as business confidential information, (ii) be maintained separate from the publicly available file of the involved patent, and (iii) shall be made available only to Federal Government agencies on written request, or to persons showing good cause on written request, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Date: March 9, 2021

Respectfully submitted,

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Fish & Richardson P.C.  
*Counsel for Patent Owner*

## CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(1), the undersigned certifies that on March 9, 2021 a copy of Joint Request to Keep Agreement Business Confidential and Separate was provided via email, to Patent Owner by serving the email correspondence addresses of record as follows:

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