

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**TCL INDUSTRIES HOLDINGS CO., LTD., HISENSE CO., LTD., AND ZYXEL  
COMMUNICATIONS CORP.**

**Petitioners**

**v.**

**PARKERVISION, INC.**

**Patent Owner**

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**Case No. IPR2021-00985  
Patent No. 7,292,835**

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**JOINT REQUEST TO TREAT SETTLEMENT AGREEMENT AS  
BUSINESS CONFIDENTIAL INFORMATION**

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, Petitioner ZyXEL Communications Corp. (“ZyXEL Corp.” or “Petitioner”) and Patent Owner ParkerVision, Inc. (“ParkerVision”) (collectively, the “Parties”) have reached a settlement and jointly move to terminate the above-captioned proceeding as to ZyXEL Corp. As permitted by statute, ZyXEL Corp. and ParkerVision request that the Board treat as business confidential information the true and complete copy of the Settlement Agreement (Confidential Exhibit 2010) between the parties, as referenced in the parties’ Joint Motion to Terminate Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74, filed concurrently herewith.

35 U.S.C. § 317(b) provides that:

At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

Likewise, 37 C.F.R. § 42.74(c) 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 (Confidential Exhibit 2010) (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).

Dated: September 27, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **JOINT REQUEST TO TREAT SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION** was provided on September 27, 2021, to the following counsel of record for the Patent Owner via electronic mail:

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