

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMMUNICATIONS TEST DESIGN, INC.,
Petitioner,

v.

CONTEC, LLC,
Patent Owner.

Inter Partes Review No.: IPR2019-01670

U.S. Patent No. 8,209,732

**JOINT REQUEST TO FILE CONFIDENTIAL 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

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Communications Test Design, Inc. (“CTDI”) and Patent Owner Contec, LLC (“Contec”) hereby jointly request that a true copy of their Confidential Settlement Agreement, filed as Exhibit 1011, be treated as business confidential information and be kept separate from the file of this *inter partes* review proceeding. Concurrently with the filing of this Request, CTDI and Contec are filing a Joint Motion to Terminate this *inter partes* review due to the settlement between the parties.

The parties consider Exhibit 1011 to contain highly sensitive business confidential information that would substantially harm their business interests if publicly disclosed. As such, the parties hereby jointly request that Exhibit 1011 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 Confidential Settlement Agreement has been filed for access by the “Parties and Board Only.” The parties further jointly request that the Board order that in the event a person or entity makes a written request, as stated in 37 C.F.R. § 42.74(c)(1)-(2), for access to the Confidential Settlement Agreement, that any such written request be served upon the parties on the day the written request is provided to the Board.

Date: May 7, 2020

Respectfully submitted,

/s/Richard W. Miller

Richard W. Miller (Reg. No. 59,386)
BALLARD SPAHR LLP
Attorney for Petitioner
Communications Test Design, Inc.

Date: May 7, 2020

Respectfully submitted,

/s/Coby S. Nixon

Coby S. Nixon (Reg. No. 56,424)
TAYLOR ENGLISH DUMA LLP
Attorney for Patent Owner
Contec, LLC

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that on May 7, 2020, a true and correct copy of the foregoing **JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW** were served electronically via e-mail in their entireties on the following counsel of record for Patent Owner Contec, LLC:

Coby S. Nixon
Seth K. Trimble
TAYLOR ENGLISH DUMA LLP
1600 Parkwood Circle, Suite 200
Atlanta, GA 30339
cnixon@taylorenghish.com
strimble@taylorenghish.com
Attorney for Patent Owner Contec, LLC

Date: May 7, 2020

/s/ Richard W. Miller
Richard W. Miller (Reg. No. 59,386)

*Attorney for Petitioner
Communications Test Design, Inc.*