

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DELL INC.,
ZTE (USA) INC.,
AND
ZTE CORPORATION,
Petitioner,

v.

3G LICENSING S.A.,
Patent Owner.

Case IPR2020-01157
Patent No. 7,274,933

**JOINT REQUEST THAT THE SETTLEMENT AGREEMENT BE
TREATED AS BUSINESS CONFIDENTIAL INFORMATION
AND BE KEPT SEPARATE UNDER 35 U.S.C. § 317(b)**

TABLE OF EXHIBITS

Exhibit	Description
2001	Declaration of Stu Lipoff in Support of Patent Owner
2002	Affidavit of Stephanie Berger
2003	Affidavit of Neil Benchell
2004	Affidavit of Andrew DeMarco
2005	Second Declaration of Stu Lipoff in Support of Patent Owner
2006	3rd Generation Partnership Project; Technical Specification Group Core Network; NAS Functions related to Mobile Station (MS) in idle mode (Release 7) (3GPP TS 23.122 V7.0.0) (“TS 23.122 V7.0.0”)
2007	3rd Generation Partnership Project; Universal Mobile Telecommunications (UMTS); Characteristics of the USIM application (Release 6) (3GPP TS 31.102 V6.8.0) (“TS-31.102 V6.8.0”)
2008	<i>“The North American Official Cellular User’s Guide” Available to Help Cellular Telephone Users</i> , Business Wire, December 18, 1990
2009	Amy Zuckerman, <i>Those Black Holes in Your Mobile Phone Service</i> , New York Times, December 24, 2000
2010	Nancy Gohring, <i>Falling Short of Replacement: Wireless Carrier Plans Compete with Landline but Don’t Cut it Out of the Equation</i> , Telephony, April 27, 2008
2011	Judy Strausbaugh, <i>Oh, Give me a Cell Phone Where the Signals Won’t Roam</i> , Sunday News (Lancaster, PA), May 19, 2002
2012	Settlement Agreement dated August 4, 2021

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner constituents ZTE Corporation and ZTE (USA) Inc. ("the ZTE entities"), and Patent Owner, 3G Licensing S.A. (collectively "the Joint Movants"), hereby jointly request that the true copy of their settlement agreement, filed concurrently herewith as Ex. 2012 be treated as business confidential information and be kept separate from the file of the involved patent. Concurrently with the filing of this Request, the Joint Movants are filing a Joint Motion to Terminate the ZTE entities due to the settlement between the parties.

The Joint Movants consider the settlement and licensing agreements to contain highly sensitive business confidential information that would substantially harm their business interests if publicly disclosed. As such, the Joint Movants 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 "Available only to board." The Joint Movants 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 settlement agreement, that any such written request be served upon the parties on the day the written request is provided to the Board.

Respectfully submitted,

Dated: August 24, 2021

By: /John R. Hutchins /
John R. Hutchins, Reg. No. 43,686
Counsel for Petitioner ZTE
Corporation and ZTE (USA) Inc.

Respectfully submitted,

Dated: August 24, 2021

By: /Timothy Devlin /
Timothy Devlin, Reg. No. 41,706
Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on August 24, 2021 the foregoing document is being served via electronic mail upon the following counsel of record for Petitioner:

Counsel for ZTE (USA) Inc. and ZTE Corporation	
LEAD COUNSEL John R. Hutchins (Reg. 43,686) jhutchins@bannerwitcoff.com Banner & Witcoff, Ltd. 1100 13th Street, NW, Suite 1200 Washington, DC 20005 Tel: 202-824-3000 Fax: 202-824-3001	BACKUP COUNSEL C. Andy Mu (Reg. 58,216) amu@bannerwitcoff.com Wesley W. Jones (Reg. 56,552) wjones@bannerwitcoff.com Banner & Witcoff, Ltd. 1100 13th Street, NW, Suite 1200 Washington, DC 20005 Tel: 202-824-3000 Fax: 202-824-3001
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