

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARGOS USA LLC, DOLE FOOD COMPANY, INC., THE GILLETTE
COMPANY, LLC, MILACRON LLC, PLY GEM INDUSTRIES, INC.,
REVLON CONSUMER PRODUCTS CORPORATION, CALPINE
CORPORATION, WATTS WATER TECHNOLOGIES, INC., LIBERTY
MUTUAL INSURANCE COMPANY, INTERNATIONAL PAPER
COMPANY, STATE INDUSTRIAL PRODUCTS CORP., BASSETT
FURNITURE INDUSTRIES, INC.,
Petitioners,

v.

GUADA TECHNOLOGIES LLC,
Patent Owner,

Case IPR2021-00771
Patent 7,231,379

JOINT REQUEST TO FILE SETTLEMENT AGREEMENTS
AS BUSINESS CONFIDENTIAL INFORMATION
UNDER 35 U.S.C. § 317(b) and 37 C.F.R. § 42.72(c)

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioners Argos USA LLC, Dole Food Company, Inc., The Gillette Company, LLC, Milacron LLC, Ply Gem Industries, Inc., Revlon Consumer Products Corporation, Calpine Corporation, Watts Water Technologies, Inc., Liberty Mutual Insurance Company, International Paper Company, State Industrial Products Corp. and Bassett Furniture Industries, Inc., and Patent Owner Guada Technologies LLC (collectively the “Parties”) jointly request to treat as business confidential information, and to keep separate from the file of the involved patent, the true and complete copy of the Settlement Agreements (Confidential Exhibit 1030), between the parties as referenced in the Joint Motion to Dismiss Petition pursuant to 35 U.S.C. § 317(b) 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 Agreements, is timely and in accordance with the foregoing authority. Therefore, parties request that the Settlement Agreements (Confidential Exhibit 1030) (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).

Respectfully submitted,

Date: August 30, 2021

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08/26/2021
Date: _____

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