

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SKYWALKER HOLDINGS, LLC
Petitioner,

v.

BOARD & BATTEN INTERNATIONAL INC.
Patent Owner

Case IPR2023-00350

Patent No. 7,854,687

PETITIONER AND PATENT OWNER'S JOINT REQUEST TO FILE
SETTLEMENT AGREEMENT AS
BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Skywalker Holdings, LLC (“Petitioner”) and Board & Batten International Inc. (“Patent Owner”) jointly request to file and treat the settlement agreement between the parties, as referenced in the Joint Motion to Terminate Proceedings Pursuant to 35 U.S.C. § 317, (the “Settlement Agreement”), as business confidential information. The Parties further jointly request that the confidential Settlement Agreement be kept separate from the file of the subject patent in the captioned proceeding and be made available only to Federal Government agencies on written request or to persons showing good cause. *See* 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c).

A true copy of the Settlement Agreement entered into between the Parties on October 27, 2023 has been submitted as Exhibit 1015 with the Parties’ Joint Motion to Terminate. That Settlement Agreement contains business confidential information of both Parties. Additionally, the Parties have agreed to not disclose the terms of the Settlement Agreement. *See* Exhibit 1015 at 7-8 (Section 10).

DATED: November 6, 2023

Respectfully submitted,

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Lead Counsel for Petitioner

/s/ Kelly J. Kubasta
Kelly J. Kubasta
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Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of November, 2023, a copy of the foregoing document was served to the email addresses provided by Patent Owner pursuant to 37 C.F.R. §§ 42.6(e) and 42.8:

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/Brian D. Tucker/