

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DJI EUROPE B.V.,
Petitioner

v.

TEXTRON INNOVATIONS INC.,
Patent Owner.

IPR2023-01104

U.S. Patent 8,682,505

**JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS BUSINESS
CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317(b) AND
37 C.F.R. § 42.74(c)**

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and the Board's authorization via email on February 22, 2024, Petitioner DJI Europe B.V. ("Petitioner" or "DJI") and Patent Owner Textron Innovations Inc. ("Patent Owner" or "Textron") hereby jointly request that the true copy of their Settlement Agreement, filed concurrently herewith as DJI-1026, be treated as business confidential information and be kept separate from the file of the involved patent. Pursuant to 37 C.F.R. § 42.74(b), DJI-1026 is the entire agreement or understanding between the parties made in connection with, or in contemplation of, the termination of this proceeding, and further, DJI-1026 is a true and accurate copy of the agreement between the parties that resolves the present proceeding. Concurrently with the filing of this Request, the parties are filing a Joint Motion to Terminate the above-captioned inter partes review.

The parties consider the Settlement Agreement 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 the Settlement Agreement be kept as a separate paper from the file of the involved patent and be made available only to Federal Government agencies on written request, or to any person on a showing of good cause pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). The parties further jointly request that in the event a person or entity makes a request for access to the Settlement Agreement, that such

written request be served upon the parties on the day the request is provided to the Board.

Respectfully submitted,

/Brian W. Oaks/

/Lori A. Gordon/

Brian W. Oaks
Reg. No. 44,981
Attorney for Patent Owner

Lori A. Gordon
Reg. No. 50,633
Attorney for Petitioner

MCDERMOTT WILL & EMERY
303 Colorado Street, Suite 2200
Austin, TX 78701

PERKINS COIE LLP
700 Thirteenth Street, NW, Suite 800
Washington, DC 20005

Date: February 29, 2024

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the **JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74(c)** was served electronically on February 29, 2024, in its entirety on the following counsel of record for Patent Owner:

Brian W. Oaks
boaks@mwe.com
Morgan Mayne
morgan.mayne@bakerbotts.com
Jeffery S. Becker
jeff.becker@bakerbotts.com
Clarke Stavinoha
Clarke.stavinoha@bakerbotts.com

Respectfully submitted,

/Lori A. Gordon/

Lori A. Gordon
Attorney for Petitioner

Date: February 29, 2024