

Filed: January 16, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HID GLOBAL CORPORATION,
Petitioner,

v.

DATAMARS SA,
Patent Owner.

Case IPR2023-01445
Patent No. 11,128,027

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

I. INTRODUCTION

Petitioner and Patent Owner are filing a Joint Motion to Terminate along with a settlement agreement that resolves all underlying disputes between the parties, including this proceeding. In an email dated January 16, 2024, the Board authorized the parties to file a true copy of the agreement between Petitioner and Patent Owner made in connection with or in contemplation of termination of this proceeding. As authorized by the Board, the parties are submitting a true copy of the settlement agreement as Exhibit 1029.

II. RELIEF REQUESTED

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner and Patent Owner hereby jointly request that the Board treat as business confidential information, and keep separate from the file of the involved patent, the true and complete copy of the settlement agreement (Confidential Exhibit 1029).

The rules permit the parties to have any filed agreement treated as business confidential information and kept separate from the files of the involved patent.

37 C.F.R. § 42.74(c). The statute requires:

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.

35 U.S.C. § 317(b).

Pursuant to 37 C.F.R. § 42.74(c) and 35 U.S.C. § 317(b), Petitioner and Patent Owner jointly request that the Office treat the settlement agreement (Exhibit 1029) as business confidential information, that the settlement agreement be kept separate from the file of the involved patent, and that the settlement agreement be made available only to Federal Government agencies on written request, or to other persons only on a showing of good cause.

Dated: January 16, 2024

Respectfully submitted,

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Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that the foregoing,
**JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS BUSINESS
CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317(b)** was
served via e-mail on counsel of record for the Patent Owner on January 16, 2024,
at the following addresses:

Daniel G. Nguyen
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Mark Hannemann
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Dated: January 16, 2024

/Lisa C. Hines/

Lisa C. Hines
Case Manager
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