

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TERMAX COMPANY,
Petitioner,

v.

ILLINOIS TOOL WORKS INC.,
Patent Owner.

Case IPR2024-00072
U.S. Patent 11,578,740

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

*Joint Request That Agreement Be Treated As
Business Confidential Information And Kept
Separate Under 35 U.S.C. § 317(b)
IPR2024-00072*

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Termax Company (“Petitioner”) and Patent Owner Illinois Tool Works Inc. (“Patent Owner”) jointly request that a true and correct copy of their agreement made in connection with, or in contemplation of, the termination of this proceeding, filed as Exhibit 1017, be treated as business confidential information and be kept separate from the file of this *inter partes* review proceeding. Concurrently, the parties are filing a Joint Motion to Terminate the proceeding due to the agreement between the parties.

The parties consider their agreement (Exhibit 1017) to contain highly sensitive business confidential information that would substantially harm their business interests if publicly disclosed. As such, the parties jointly request that the agreement (Exhibit 1017) be kept as a separate paper to be made available only under the provisions of 35 U.S.C § 327(b) and 37 C.F.R. § 42.74(c). The agreement (Exhibit 1017) has been filed for access by the “Parties and Board Only.” The parties further jointly request 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 agreement (Exhibit 1017), that any such written request be served upon the parties on the day the written request is provided to the Board.

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Dated: January 2, 2024

Respectfully submitted,

By: /Raymond R. Ricordati, III/
Raymond Ricordati, III
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Counsel for Petitioner

By: /Eligio C. Pimentel/
Eligio C. Pimentel
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Counsel for Patent Owner

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Joint Request That Agreement Be Treated As Business Confidential Information And Kept Separate Under 35 U.S.C. § 317(b)** was served on January 2, 2024, via email to the Petitioner as indicated below:

Eligio C. Pimentel – epimentel@mcandrews-ip.com
Christopher M. Scharff – cscharff@mcandrews-ip.com

/Raymond R. Ricordati, III, Reg No. 62,856/
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