

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CURTIS INDUSTRIES, LLC

Petitioner

v.

B & D TECHNOLOGIES, LLC

Patent Owner

Case IPR2024-01150

Patent 10,632,815

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), Petitioner and Patent Owner (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 Agreement (Confidential Exhibit 1024) between the Parties, as referenced in the Joint Motion to Terminate Proceeding 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 Agreement, is timely and in accordance with the foregoing authority.

Therefore, the Parties request that the Settlement Agreement (Confidential Exhibit

1024) (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: January 21, 2025

/Alexander M. Pechette/

P. Weston Musselman, Reg. No. 31,644
Alexander M. Pechette, Reg. No. 81,247
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402

For Petitioner, Curtis Industries, LLC

Date: January 21, 202

/Douglas L. Bridges/

J. Hunter Adams, Reg. No. 69,994
Douglas L. Bridges, Reg. No. 54,730
AdamsIP, LLC
453 Dauphin St., 2nd Floor
Mobile, AL 36602

For Patent Owner,
B&D Technologies, LLC

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on January 21, 2025, a complete and entire copy of this Joint Request to File Settlement Agreement as Business Confidential Information was provided via email to the Patent Owner by serving the correspondence email addresses of record as follows:

J. Hunter Adams (Reg. No. 69,994)
Douglas Bridges (Reg. No. 54,730)
AdamsIP, LLC
453 Dauphin St., 2nd Floor
Mobile, AL 36602

Email: hunter@adamsiplaw.com
doug@adamsiplaw.com

/Anastasia Renard/
Anastasia Renard
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
renard@fr.com