

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

HEADWATER RESEARCH LLC,

Patent Owner

IPR2026-00137

Patent 9,647,918

MODIFIED AGREED PROTECTIVE ORDER

This modified agreed protective order governs the treatment of Exhibit 2001.

1. Exhibit 2001 is marked “HIGHLY CONFIDENTIAL - ATTORNEYS’ EYES ONLY.”
2. Access to Exhibit 2001 is limited to the following individuals who have executed the acknowledgment appended to this order:
 - (A) Party Representatives. Representatives of record for a party in the proceeding.

(B) Support Personnel. Administrative assistants, clerical staff, court reporters and other support personnel of the foregoing persons who are reasonably necessary to assist those persons in the proceeding shall not be required to sign an Acknowledgement, but shall be informed of the terms and requirements of the Modified Agreed Protective Order by the person they are supporting who receives Exhibit 2001.

(C) The Office. Employees and representatives of the United States Patent and Trademark Office who have a need for access to Exhibit 2001 shall have such access without the requirement to sign an Acknowledgement. Such employees and representatives shall include the Director, members of the Board and their clerical staff, other support personnel, court reporters, and other persons acting on behalf of the Office.

3. Persons receiving Exhibit 2001 shall use reasonable efforts to maintain the confidentiality of Exhibit 2001, including:

(A) Maintaining Exhibit 2001 in a secure location to which persons not authorized to receive the information shall not have access;

(B) Otherwise using reasonable efforts to maintain the confidentiality of Exhibit 2001, which efforts shall be no less rigorous than those the recipient uses to maintain the confidentiality of information not received from the disclosing party;

(C) Ensuring that support personnel of the recipient who have access to Exhibit 2001 understand and abide by the obligation to maintain the confidentiality of Exhibit 2001; and

(D) Limiting the copying of Exhibit 2001 to a reasonable number of copies needed for conduct of the proceeding and maintaining a record of the locations of such copies.

4. Within 60 days after the final disposition of this action, including the exhaustion of all appeals and motions, each party receiving Exhibit 2001 must return, or certify the destruction of, all copies of Exhibit 2001 to the producing party.

5. Standard Acknowledgement of Protective Order. The following form may be used to acknowledge the Modified Agreed Protective Order and gain access to Exhibit 2001:

STANDARD ACKNOWLEDGMENT FOR ACCESS TO EXHIBIT 2001

I _____, affirm that I have read the Modified Agreed Protective Order; that I will abide by its terms; that I will use Exhibit 2001 only in connection with this proceeding and for no other purpose; that I will only allow access to support staff who are reasonably necessary to assist me in this proceeding; that prior to any disclosure to such support staff I informed or will inform them of the requirements of the Modified Agreed Protective Order; that I am personally responsible for the requirements of the terms of the Modified Agreed Protective Order and I agree to submit to the jurisdiction of the Office and the United States District Court for the Eastern District of Virginia for purposes of enforcing the terms of the Modified Agreed Protective Order and providing remedies for its breach.

[Signature]

Name: _____

Date: _____