

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EIKO GLOBAL, LLC and
HALCO LIGHTING TECHNOLOGIES, LLC

Petitioners,

v.

BLACKBIRD TECH, LLC,

Patent Owner.

Trial No.: IPR2017-00980
U.S. Patent No. 7,086,747 B2

**JOINT REQUEST TO MAINTAIN CONFIDENTIALITY
AND TO KEEP SEPARATE
PURSUANT TO 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74**

I. INTRODUCTION

Patent Owner Blackbird Tech LLC d/b/a Blackbird Technologies (“Blackbird”) and Petitioner Halco Lighting Technologies, LLC (“Halco”) (collectively, “the Parties”) have executed a Settlement Agreement regarding this proceeding. Pursuant to 35 U.S.C. § 317(b), the Parties jointly request that the Board treat the Settlement Agreement as business confidential information and keep it separate from the file of the involved patent.

II. STATEMENT OF PRECISE RELIEF REQUESTED

The Parties jointly request that the Board treat the Settlement Agreement (Exhibit 1014) as business confidential information and keep it separate from the file of the involved patent. The Parties further request the Board to not make the Settlement Agreement available to any third party, except as provided for in 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74.

III. STATEMENT OF REASONS FOR THE RELIEF REQUESTED

The Parties have previously filed a stipulation of dismissal in their related district court litigation concerning U.S. Patent 7,086,747 (the “’747 patent”), and jointly request termination of this proceeding as to Halco for the ’747 patent.

The Settlement Agreement provides that its terms are confidential and the Parties have treated them as such. The Parties have filed, concurrently herewith, a true and correct copy of the Settlement Agreement (Exhibit 1014), as required by

35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. The Exhibit was filed via the PRPS system to provide availability to “Parties and Board Only.” The Parties jointly request that the Settlement Agreement be treated as business confidential information and be kept separate from the file of the involved patent, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Respectfully submitted,

For Patent Owner:
BLACKBIRD TECH, LLC

For Petitioner:
HALCO LIGHTING TECHNOLOGIES,
LLC

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Dated: May 25, 2017

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above-captioned **JOINT REQUEST TO MAINTAIN CONFIDENTIALITY AND TO KEEP SEPARATE PURSUANT TO 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74** was served electronically via e-mail on May 25, 2017 in its entirety on the following counsel for Patent Owner:

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