

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACTIV FINANCIAL SYSTEMS, INC.,

Petitioner,

v.

IP RESERVOIR, LLC and
EXEGY, INC.

Patent Owner.

Case No. IPR2020-01010
U.S. Patent No. 10,062,115

**JOINT REQUEST TO TREAT SETTLEMENT AGREEMENT AS
BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C.
§317(B)**

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b)-(c), Petitioner ACTIV Financial Systems, Inc. and Patent Owner Exegy, Inc. (collectively “the Parties”), jointly request that the Settlement Agreement, Mutual Releases and Covenants Not to Sue (“the Agreement”) (Exhibit 2101) submitted concurrently herewith be treated as business confidential information and kept separate from the files of the involved patent and *inter partes* review proceeding, and only made available to Federal Government agencies upon written request or to any other person upon written request and a showing of good cause. The Agreement describes the confidential terms resolving the Parties’ disputes, which constitutes confidential information under the Board’s rules. *See* 37 C.F.R. § 42.54; Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,760 (Aug. 14, 2012).

Dated: July 14, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. 42.6(e), I certify that on this 14th day of July, 2021, a true and correct copy of the foregoing **Joint Request to Treat Settlement as Confidential** was served by electronic mail on Petitioner's lead and backup counsel at the following addresses:

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