

Case No. IPR2022-01293

Patent No. 10,334,499

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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COMMSCOPE TECHNOLOGIES LLC  
CORNING OPTICAL COMMUNICATIONS LLC  
Petitioners

v.

DALI WIRELESS, INC.  
Patent Owner

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Case No. IPR2022-01293  
Patent No. 10,334,499

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**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 Corning Optical Communications LLC (“Corning”) and Patent Owner Dali Wireless, Inc. (“Dali”) (collectively, “Parties”) have settled their dispute with respect to U.S. Patent No. 10,334,499 (Case No. IPR2022-01293). The Settlement Agreement fully resolves all disputes relating to U.S. Patent No. 10,334,499 before the district court and the Patent Trial and Appeal Board. *See* Ex. 1045. Pursuant to 37 C.F.R. § 42.74(b), any agreement or understanding between the parties made in connection with, or in contemplation of, the termination of a proceeding shall be in writing and a true copy shall be filed with the Board before the termination of the trial. Accordingly, the Parties have filed the Settlement Agreement herewith as Exhibit 1045.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.72(c), the Parties hereby jointly request that Exhibit 1045 is treated as business confidential information, kept separate from the files of the involved patent, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause. The Board authorized the Parties to file this Joint Request on January 18, 2023, via email.

The terms require the Parties to treat the Settlement Agreement as confidential information and limit the Parties’ ability to share the Settlement Agreement, or to disclose its contents with third parties. *See* Ex. 1045. Moreover, the Settlement Agreement does not contain any information material to patentability. As such, the

Parties respectfully request that the Board treat Exhibit 1045 as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Date: January 19, 2023

Respectfully submitted,

/David D. Schumann/

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## **CERTIFICATION OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above-captioned “**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)**” was served in its entirety on January 19, 2023 on Counsel for Patent Owner and Co-Petitioner via filing through the PTACTS System, as well as by delivering a copy via electronic mail to the following:

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(The below counsel were not served with Exhibit 1045 (Confidential).)

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