

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS AMERICA, INC. and
SAMSUNG ELECTRONICS CO., LTD.,
Petitioner

v.

SMARTFLASH LLC,
Patent Owner

Case CBM2014-00199
Patent 8,118,221

**PETITIONER'S OPPOSITION TO
PATENT OWNER'S MOTION TO SEAL**

Pursuant to 37 C.F.R. §§ 42.54 and 42.23, Petitioner, SAMSUNG ELECTRONICS AMERICA, INC. and SAMSUNG ELECTRONICS CO., LTD. (“Petitioner”), hereby submits its Opposition to the Motion to Seal submitted by SMARTFLASH LLC (“Patent Owner”), on June 1, 2015 in connection with CBM2014-00190.

In its Motion to Seal, Patent Owner requested that Exhibit 2057, a transcript containing confidential testimony provided by Dr. Jeffrey Bloom during his deposition of May 20, 2015, be sealed in its entirety¹ and treated as PROTECTIVE ORDER MATERIAL under the Board’s Standing Protective Order. Patent Owner justified its request by referring to its belief that a third party, Dr. Jeffrey Bloom’s employer, Sirius XM, might desire to maintain the confidentiality of the transcript. Exhibit 2057 does contain many pages of material touching on topics that are arguably confidential to Sirius XM. Specifically, the pages of Exhibit 2057 containing arguably confidential material are those marked: 193-95, 219-239, and 243-246. Petitioner does not oppose Patent Owner’s request to seal those specific pages of Exhibit 2057.

The remaining pages of the transcript, however, do not appear to contain testimony touching on confidential topics. As such, Petitioner does oppose Patent

¹ The transcript begins on a page marked 189 and ends on a page marked 287.

Owner's request to seal those remaining pages of Exhibit 2057, which are marked:
189-192, 196-218, 240-42, and 247-287.

Respectfully submitted,

Date: June 19, 2015

/W. Karl Renner/
W. Karl Renner
Reg. No. 41,265

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on June 19, 2015, a complete and entire copy of this Petitioner's Opposition to Patent Owner's Motion to Seal was provided via email to the Patent Owner by serving the correspondence email addresses of record as follows:

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