

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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IBG LLC, INTERACTIVE BROKERS LLC,  
TRADESTATION GROUP, INC., TRADESTATION SECURITIES, INC.,  
TRADESTATION TECHNOLOGIES, INC., and IBFX, INC.,  
Petitioner,

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.,  
Patent Owner.

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Case CBM2015-00179  
Patent 7,533,056 B2

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Before SALLY C. MEDLEY, MEREDITH C. PETRAVICK, and  
JEREMY M. PLENZLER, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

DECISION  
Granting Motions to Seal  
*37 C.F.R. §§ 42.14 and 42.54*

INTRODUCTION

Pursuant to 37 C.F.R. § 42.14, Patent Owner filed two motions to seal  
the papers and exhibits indicated in the table below.

Motion.	Papers to be Sealed	Exhibits to be Sealed
Paper 68	Confidential Version of Motion for Additional Discovery (Paper 69)	Ex. 2143–2151, 2154, 2156–2158
Paper 103	Confidential Version of Motion for Supplemental Evidence (Paper 101)	
Paper 105	Confidential Version of Reply in Support of Motion for Supplemental Evidence (Paper 106)	

Patent Owner represents that Petitioner does not oppose the motions. Paper 68<sup>1</sup>, 1.

There is a strong public policy for making all information filed in an *inter partes* review open to the public. Under 35 U.S.C. § 316(a)(1), the default rule is that all papers filed in an *inter partes* review are open and available for access by the public; a party, however, may file a concurrent motion to seal (37 C.F.R. § 42.14). The standard for granting a motion to seal is “for good cause.” 37 C.F.R. § 42.54. The party moving to seal bears the burden of proof in showing entitlement to the requested relief, and must explain why the information sought to be sealed constitutes confidential information. 37 C.F.R. § 42.20(c).

Patent Owner asserts that there is good cause to seal the papers and exhibits because they contain sensitive business information that would not otherwise be published or made available to the public. *E.g., see* Paper 68, 1–4. We agree. The information Patent Owner seeks to seal was not relied on in the Final Written Decision. As such protecting the confidential information from public disclosure only minimally impacts the public’s interest in maintaining a complete file history. Further, Non-confidential

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<sup>1</sup> Paper 68 is representative of Patent Owner’s motions to seal. All citations are to Paper 68 unless otherwise indicated.

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information will be publically available because non-confidential versions of the papers have been filed. *E.g., see* Paper 67 (redacted version of motion for additional discovery).

A motion to seal is required to include a proposed protective order and a certification that the moving party has in good faith conferred or attempted to confer with the opposing party in an effort to come to an agreement as to the scope of the proposed protective order for this *inter partes* review.

37 C.F.R. § 42.54. Patent Owner indicates that the parties have conferred and agree to entry of the default protective located at Office Trial Practice Guide, 77 Fed. Reg. 48756, 48771 (Aug. 14, 2012) (Appendix B). *E.g., see* Paper 68, 5.

Based on Patent Owner's unopposed representations and the reasonably limited scope of the protection sought, we determine that good cause exists to grant the motions to seal. 37 C.F.R. § 42.54.

It is:

ORDERED that Patent Owner's motions to seal are *granted*.

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