

**From:** [Hawthorne, Eric W.](mailto:Hawthorne, Eric W.)  
**To:** [sigmond@mbhb.com](mailto:sigmond@mbhb.com); [richter@mbhb.com](mailto:richter@mbhb.com)  
**Cc:** [rsokohl-ptab@sternekessler.com](mailto:rsokohl-ptab@sternekessler.com); [lgordon-PTAB@skgf.com](mailto:lgordon-PTAB@skgf.com); [rbemben-ptab@sternekessler.com](mailto:rbemben-ptab@sternekessler.com); [CBM41919-0007CP1@fr.com](mailto:CBM41919-0007CP1@fr.com); [gannon@mbhb.com](mailto:gannon@mbhb.com); [kurcz@mbhb.com](mailto:kurcz@mbhb.com); [steve.borsand@tradingtechnologies.com](mailto:steve.borsand@tradingtechnologies.com); [jay.knobloch@tradingtechnologies.com](mailto:jay.knobloch@tradingtechnologies.com)  
**Subject:** CBM2015-00179, CBM2016-00054, CBM2016-00090 Message to Counsel Regarding Motions to Expunge  
**Date:** Wednesday, June 10, 2020 9:00:56 AM

---

Patent Owner's Counsel,

On March 9, 2020, Patent Owner filed motions to expunge confidential information in CBM2015-00179 (Paper 152), CBM2016-00054 (Paper 66), and CBM2016-00090 (Paper 61). The Motions, however, do not set forth with sufficient clarity the numbers of the papers and exhibits Patent Owner seeks to expunge. For example, although the motion in CBM2015-00179 discusses that certain documents and exhibits were covered by motions to seal and the discussion includes as cite to "Papers 69, 101, 106 and Exhibits 2143-51, 2154, and 2156-58," the motion does not explicitly state that the cited papers and exhibits are those that should be expunged. Instead, the motion generally requests "that all confidential information be expunged from the record" and "all sealed materials be expunged from the CBM docket." Paper 152. It is unclear from the motion whether the cited papers and exhibits are all confidential information in the record that should be expunged. We note, for example, that Paper 101 of CBM2015-00179 has already been expunged from the record.

No later than June 26, 2020, Patent Owner should supplement its motions by filing, in each proceeding, an explicit list of all papers and exhibits it seeks to expunge from the records. The list should not include any papers and exhibits that have already been expunged.

Thank you,  
Eric W. Hawthorne  
Supervisory Paralegal Specialist  
Patent Trial and Appeal Board

CBM2016-00054, -00090