

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACTIVISION BLIZZARD, INC.,
ELECTRONIC ARTS INC.,
TAKE-TWO INTERACTIVE SOFTWARE, INC.,
2K SPORTS, INC., ROCKSTAR GAMES, INC., and
BUNGIE, INC.,
Petitioners,

v.

ACCELERATION BAY, LLC,
Patent Owner.

Case IPR2015-01972¹
Patent No. 6,701,344 B1

Before the Honorable SALLY C. MEDLEY, LYNNE E. PETTIGREW, and
WILLIAM M. FINK, *Administrative Patent Judges*.

**PETITIONERS' CONSOLIDATED MOTION TO FILE DOCUMENTS
UNDER SEAL PURSUANT TO 37 C.F.R. §§ 42.14 & 42.54**

¹ Bungie, Inc., who filed a Petition in IPR2016-00934, has been joined as a
petitioner in this proceeding.

Pursuant to 37 C.F.R. §§ 42.14 and 42.54 and the Board’s December 12, 2016 Order (Pap. 101), Petitioners Activision Blizzard, Inc., Electronic Arts Inc., Take-Two Interactive Software, Inc., 2K Sports, Inc., Rockstar Games, Inc., and Bungie, Inc. (the “Petitioners”) respectfully move to seal portions of Exhibits 1124-1125 (collectively, Petitioners’ “Subject Exhibits”), non-confidential, redacted versions of which are being filed concurrently herewith.²

I. BACKGROUND

Pursuant to the Board’s December 12, 2016 Order (Pap. 101), Patent Owner Acceleration Bay, LLC (“PO”) filed a Motion for Entry of the Proposed Stipulated Protective Order and to Seal Certain Exhibits (Pap. 105, “Motion to Seal”) seeking to seal portions of its Patent Owner Response, Patent Owner’s Opposition to Petitioner’s Motion to Exclude, and Exhibits 2023-2026, 2028-2029, 2048-49, 2083, 2094, and 2107 that PO alleges contain “highly confidential information.”

Because Petitioners’ Subject Exhibits cite to the papers and exhibits that PO alleges contain “highly confidential information,” Petitioners move to file under seal the portions of their Subject Exhibits that cite to the purportedly “highly

² In addition, pursuant to the Board’s December 12, 2016 Order (Pap. 101), Petitioners will notify the Board via email of the papers and exhibits that Petitioners wish to de-designate as confidential.

confidential information.” If the Board denies PO’s Motion to Seal in whole or in part, Petitioners would adjust their request to seal portions of their Subject Exhibits accordingly. Petitioners agree to be bound by the terms of the Board’s Default Protective Order, which PO filed as Exhibit 2118.

II. GOOD CAUSE EXISTS FOR SEALING CERTAIN CONFIDENTIAL INFORMATION

Good cause for sealing portions of Petitioners’ Subject Exhibits exists to the extent that the Board determines that good cause exists for sealing the papers and exhibits that are the subject of PO’s Motion to Seal.

III. CERTIFICATION OF CONFERENCE WITH OPPOSING PARTY PURSUANT TO 37 C.F.R. § 42.54

Petitioners and PO previously conferred and Petitioners did not oppose PO’s request for entry of the Default Protective Order. Petitioners also notified PO of Petitioners’ proposed redactions and de-designations on January 18, 2017. PO responded on January 19, 2017 indicating that PO agrees to Petitioners’ proposed redactions and de-designations.

Dated: January 20, 2017

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing PETITIONERS' CONSOLIDATED MOTION TO FILE DOCUMENTS UNDER SEAL PURSUANT TO 37 C.F.R. §§ 42.14 & 42.54 was served on January 20, 2017 in its entirety by causing the aforementioned document to be electronically mailed, pursuant to the parties' agreement, to the following attorneys of record:

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