

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARISTA NETWORKS, INC.,
Petitioner

v.

CISCO SYSTEMS, INC.,
Patent Owner

Case IPR2016-00309
Patent 7,224,668

UNOPPOSED MOTION TO SEAL UNDER 37 C.F.R. § 42.14

Pursuant to 37 C.F.R. §§ 42.14, 42.54(a) Petitioner Arista Networks, Inc., (“Arista”) hereby submits this Motion To Seal portions of its demonstrative exhibits, which are being filed concurrently herewith. Specifically, Arista moves to file under seal those portions of its demonstratives that disclose information designated by Patent Owner as for “the Board and Parties’ Eyes Only” under the Default Protective Order in connection with Patent Owner’s Motion to Seal (Paper No. 20), filed concurrently with the Patent Owner response. This motion does not seek to designate any new information as confidential. Patent Owner does not oppose this motion.

The Board may seal documents where there is “good cause” that “strike[s] a balance between the public’s interest in maintaining a complete and understandable file history and the parties’ interest in protecting truly sensitive information.” *The Office Trial Practice Guide*, 77 Fed. Reg. 48756,48760 (August 14, 2012). On September 29, 2016, Patent Owner filed its Patent Owner Response and, concurrently therewith, filed a Motion To Seal portions of the Patent Owner Response and certain exhibits thereto pursuant to the Default Protective Order (Paper Nos. 19, 20). Patent Owner redacted portions of its Patent Owner Response and designated exhibits 2008-2012, 2046, and 2047 as for “the Board and Parties’ Eyes Only,” contending that those exhibits and related portions of the Patent Owner Response contained Patent Owner’s financial and technical confidential

business information. On February 1, 2016, in connection with the filing of Arista's Reply to the Patent Owner Response, Arista filed a Motion To Seal those portions of its Reply discussing the materials that were the subject of Patent Owner's Motion To Seal. The Board has not yet issued a decision on the parties' previous Motions To Seal.

Arista's demonstrative exhibits address arguments by Patent Owner that rely on Patent Owner's confidential information. Thus, the demonstrative exhibits disclose information subject to Patent Owner's confidentiality designations. Accordingly, consistent with the parties' previous Motions To Seal, Petitioner moves that the Board seal those portions of its demonstratives at least until such time as the Board rules on the previously-filed Motions To Seal, in order to preserve the confidentiality of that information pending a decision on Patent Owner's initial motion. Arista does not request that any other portions of its demonstrative exhibits be sealed.

In accordance with the Default Protective Order, Petitioner is submitting herewith both a sealed version of its demonstrative exhibits and a redacted, public version of the same demonstrative exhibits.

Respectfully submitted,

Date: March 3, 2017

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on March 3, 2017, a complete and entire copy of this Petitioner's Motion to Seal Under 37 C.F.R. § 42.14, was provided via email, to the Petitioner by serving the email correspondence addresses of record as follows:

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