

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAMSUNG ELECTRONICS CO., LTD.; AND  
SAMSUNG ELECTRONICS AMERICA, INC.  
Petitioner

v.

IMAGE PROCESSING TECHNOLOGIES, LLC  
Patent Owner

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Patent No. 6,717,518

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**MOTION TO SEAL**

Petitioner moves to seal concurrently filed Exhibit 1012, which is an excerpt from Patent Owner's infringement expert report filed in a parallel district court proceedings. Exhibit 1012 discusses the operation of Petitioner's highly confidential, nonpublic source code in Petitioner's products, which are accused of infringing U.S. Patent No. 6,717,518 in the district court proceedings. Public disclosure of the information in Exhibit 1012 may cause serious competitive harm to Petitioner. This motion is filed pursuant to an email from the Board authorizing filing of this motion and Exhibit 1012 on August 1, 2017 at 10:15 AM EST. Exhibit 1012 includes blue highlighting added by Petitioner to indicate the particularly relevant material.

Petitioner concurrently files as Exhibit 1013 a proposed Protective Order.

The only changes from the default Protective Order are that paragraphs 3 and 4 are newly added.<sup>1</sup> In paragraph 3, the Order creates an additional category of designated material that may not be shared with the non-disclosing party or its employees. In paragraph 4, the Order implements a prosecution bar. Petitioner and Patent Owner have agreed to similar provisions in a protective order entered in the parallel district court proceedings. Moreover, Exhibit 1012 was designated under those provisions of the district court's protective order, and Patent Owner has never challenged its confidentiality designation in the district court proceedings.

The undersigned certifies that Petitioner met and conferred with Patent Owner and Patent Owner opposes this motion and the proposed Protective Order.

Dated: August 3, 2017

By: /s/ John Kappos  
John Kappos (Reg. No. 37,861)

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<sup>1</sup> Concurrently filed Exhibit 1014 is a redline comparing the proposed Protective Order (Exhibit 1013) to the default Protective Order.

**CERTIFICATE OF SERVICE**

The undersigned certifies pursuant to 37 C.F.R. § 42.6(e) and § 42.105 that on August 3, 2017, a true and correct copy of Petitioner **Motion to Seal** was served via express mail on the Petitioner at the following correspondence address of record:

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Courtesy copies were also sent to Patent Owner's litigation counsel via electronic mail:

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Motion to Seal  
Patent No. 6,717,518

Respectfully submitted,

/s/ John Kappos

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