

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

FALL LINE PATENTS, LLC
Patent Owner

Case IPR2018-00043
Patent 9,454,748

PATENT OWNER'S RESPONSE TO PETITIONER'S
MOTION TO EXPUNGE

Unified Patents omits key history from its motion to expunge filed earlier today (Paper No. 40):

1. In view of the default rule of public access, the PTAB already ruled that a sufficient showing had not been made as to why the subject materials (Paper 30, Paper 31, and Exhibit 2009) should be sealed. Nevertheless, the PTAB provided Unified Patents an additional opportunity to show that these materials should be sealed. *See* Paper 33 at 2-3.

2. Despite being provided this opportunity to meet its burden, Unified Patents failed to do so. *See* Paper 36.

3. Patent Owner specifically opposed Unified Patents' bid to have these materials sealed given Unified Patents' failure to establish good cause to depart from the default rule of public access. *See* Paper 39 at 2-3.

In its motion to expunge, Unified Patents mentions none of this. Because Unified Patents failed to meet its burden to justify sealing these materials as an initial matter, the Board should reject its bid to now have them expunged.

Dated: May 14, 2019

Respectfully submitted,

/Michael D. Ellis/
Michael D. Ellis
Reg. No. 72,628
Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on May 14, 2019,
the foregoing document was served via email on counsel for Petitioner:

HAYNES AND BOONE, LLP

David O'Brien (David.obrien.ipr@haynesboone.com)

Raghav Bajaj (Raghav.bajaj.ipr@haynesboone.com)

David McCombs (David.mccombs.ipr@haynesboone.com)

UNIFIED PATENTS INC.

Jonathan Stroud (jonathan@unifiedpatents.com)

Roshan Mansinghani (roshan@unifiedpatents.com)

Jonathan Bowser (jbowser@unifiedpatents.com)

/Michael D. Ellis/

Michael D. Ellis

Counsel for Patent Owner

Reg. No. 72,628