

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UNIFIED PATENTS INC.,  
Petitioner,

v.

VILOX TECHNOLOGIES LLC,  
Patent Owner.

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Case IPR2018-00044  
Patent 7,302,423 B2

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Before SALLY C. MEDLEY, ROBERT J. WEINSCHENK, and  
JOHN D. HAMANN, *Administrative Patent Judges*.

HAMANN, *Administrative Patent Judge*.

ORDER

*Granting Motion to Seal and Entering Protective Order*  
*37 C.F.R. §§ 42.14, 42.54*

## I. INTRODUCTION

On January 9, 2019, Judges Medley, Weinschenk, and Hamann held a conference call with counsel for Unified Patents Inc. (“Petitioner”) and counsel for Vilox Technologies, LLC (“Patent Owner”). The purpose of the conference call was to address Patent Owner’s desire for additional discovery relating to real parties in interest. A court reporter was present on the conference call, and Patent Owner has filed an unredacted (Paper 59) and a redacted (Paper 62) copy of the court reporter’s transcript.

On January 22, 2019, Patent Owner filed a Motion to Seal the unredacted transcript. Paper 60. Along with the Motion to Seal, Patent Owner filed a Motion for Entry of a Modified Default Protective Order. Paper 61 (“Protective Order Motion”). We denied the Protective Order Motion without prejudice because Patent Owner did “not show[] that the parties’ proposed definition for ‘confidential information’ contained in the proposed Modified Default Protective Order is appropriate.” Paper 65, 2.

On February 14, 2019, in response to the denial of the Protective Order Motion, the parties sent an email to the Board jointly requesting the entry of the “Default Protective Order” set forth in Appendix B to the Trial Practice Guide, 77 Fed. Reg. 157, 48769–48771 (Aug. 4, 2012). Ex. 3004. The parties submit that the entry of the Default Protective Order would address the concerns we raised in denying the parties’ Modified Default Protective Order. *Id.*; *see also* Paper 65, 2–3. The parties also jointly request that the unredacted transcript (Paper 59) be treated as confidential pursuant to the Default Protective Order.

## II. ANALYSIS

After considering Patent Owner's Motion to Seal and the parties' February 14, 2019 email, we determine that good cause exists for entry of the Default Protective Order, as constituted in Ex. 3005. We also find good cause for Paper 59 to remain sealed under the protections afforded by the Default Protective Order, as the redacted transcript (Paper 62) contains minimal redactions while largely allowing the public access to the arguments and information discussed during the conference. We also find that the parties have not shown good cause that Paper 58, which provides an overview of the January 9, 2019 conference and its purpose, should remain sealed.

## III. ORDER

Accordingly, it is:

ORDERED that the Default Protective Order, filed as Exhibit 3005, is entered in this proceeding;

FURTHER ORDERED that Petitioner's Motion to Seal (Paper 60) is *granted*;

FURTHER ORDERED that Paper 59 shall remain sealed; and

FURTHER ORDERED that limitations on access to Paper 58 by the public are removed.

IPR2018-00044  
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