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Filed on behalf of Unified Patents Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

UNILOC LUXEMBOURG S.A. & UNILOC USA
Patent Owner

IPR2018-00199
Patent 7,092,671

MOTION TO SEAL PETITIONER'S REPLY AND EXHIBIT 1022

I. Introduction

Petitioner requests that Petitioner's Reply to Patent Owner's Response, and Exhibit 1022, filed herewith, be sealed under 37 C.F.R. § 42.54 and the Default Standing Protective Order (EX1017). Good cause to seal these documents exists because they contain sensitive, non-public information.

II. Good Cause Exists for Sealing Certain Confidential Information

The Office Patent Trial Practice Guide provides that “the rules aim to strike a balance between the public’s interest in maintaining a complete and understandable file history and the parties’ interest in protecting truly sensitive information.” 77 FED. REG. 48756, 48760 (Aug. 14, 2012). Further, those rules “identify confidential information in a manner consistent with Federal Rule of Civil Procedure 26(c)(1)(G), which provides for protective orders for trade secret or other confidential research, development, or commercial information.” *Id.* (citing 37 C.F.R. § 42.54).

Petitioner's Reply and Exhibit 1022 contain information that Petitioner has identified as confidential business information.

Petitioner's Reply to Patent Owner's Response references and describes the content of certain confidential materials, that Petitioner requests by the present motion to file under seal and has been marked “PROTECTIVE ORDER MATERIAL” under the Protective Order in this case. A public version of

Petitioner's Reply, from which the confidential information has been redacted, has also been filed in this proceeding.

Exhibit 1022 is a Declaration of Kevin Jakel and has been marked "PROTECTIVE ORDER MATERIAL" under the Protective Order in this case. This declaration includes sensitive business information which Petitioner asserts has not been published or otherwise been made public. A public version of Exhibit 1022, from which the confidential information has been redacted, has also been filed in this proceeding.

III. Conclusion

For the above reasons, Petitioner requests that the unredacted and complete versions of Petitioner's Reply and Exhibit 1022 be placed under seal.

Unified Patents Inc.

By: Daniel V. Williams/

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CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2018, I caused a true and correct copy of the foregoing Motion to Seal to be served via electronic mail to the attorneys of record at the following email addresses:

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Respectfully submitted,

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