

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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INTEL CORP., and  
CAVIUM, INC.,  
Petitioner,

v.

ALACRITECH, INC.,  
*Patent Owner*

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Case IPR2018-00234<sup>1</sup>  
U.S. Patent No. 8,805,948

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**MOTION TO FILE UNDER SEAL  
PURSUANT TO 37 C.F.R. §§ 42.14 AND 42.54**

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<sup>1</sup> Cavium, who filed a Petition in Case IPR2018-00403, has been joined as a petitioner in this proceeding.

Pursuant to 37 C.F.R. §§ 42.114 and 42.54, Patent Owner Alacritech, Inc. (“PO”) respectfully moves to file Exhibit 2038 under seal. PO has good cause to request the sealing of this exhibit because it contains confidential business information of PO and third parties. Specifically, Exhibit 2038 includes a number of license agreements (each with associated payment terms) that PO regards as confidential. PO would be placed in a competitive disadvantage should the terms of these license agreements become public.

Pursuant to 37 C.F.R. § 42.54, **Appendix A** attached to this motion includes a proposed protective order. Same protective order was filed and entered in previous cases (IPR2017-01391, -01391, -01393, -01405, -01406, -01409, and -01410).

PO certifies that it has conferred in good faith with Petitioners via email both on August 26, 2018 and August 28, 2018 in an effort to come to an agreement as to the scope of the proposed protective order. Petitioners Intel Corporation and Cavium, Inc. do not oppose the proposed protective order in **Appendix A**. On September 19, 2018, the Board granted Patent Owner’s request for authorization to file the same stipulated protective order as entered before. In the meantime, PO requests that Exhibit 2038 be sealed and treated as a confidential outside attorneys’ eyes only document.

For the above reasons, PO requests that the Board enter the protective order in **Appendix A** and authorize Exhibit 2038 to be filed under seal.

Date: September 19, 2018

Respectfully submitted,

By: /s/ James M. Glass, Reg. No. 46,729  
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*Lead Attorney for Patent Owner –  
Alacritech, Inc.*

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certify that MOTION TO FILE UNDER SEAL PURSUANT TO 37 C.F.R. §§ 42.14 AND 42.54 was served on September 19, 2018 by filing it through the Patent Review Processing System, as well as by e-mailing copies to:

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Date: September 19, 2018

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