

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.

REALTIME ADAPTIVE STREAMING, LLC  
Patent Owner

IPR2018-00883  
U.S. Patent 8,934,535

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**JOINT MOTION FOR PROTECTIVE ORDER**

The parties have agreed upon entry of a Protective Order in this case. The agreed Protective Order is attached hereto as Attachment A. The agreed Protective Order deviates from the Board's default Protective Order in one primary respect.

Specifically, the agreed Protective Order differs from the Board's default Protective Order is that it prohibits in-house counsel or other party employees from accessing certain classes of confidential information—designated “HIGHLY CONFIDENTIAL—ATTORNEYS’ EYES ONLY.” Petitioner submits that, in light of the reasons discussed herein, such limitations are necessary in this proceeding.

Petitioner characterizes its business as follows: Unified's core business is adverse to non-practicing entities (NPEs). It reduces NPE litigation risk by protecting key technology sectors. Companies in a technology sector subscribe to Unified's technology-specific deterrence, and in turn, Unified performs many NPE-deterrent activities. Certain Unified confidential information (*e.g.*, the identity of certain members, certain confidential financial or business information, or the like) is held in the strictest of confidence due to confidentiality provisions (*e.g.*, within Unified's membership agreements) and because such information could cause harm to Unified and/or its members (*e.g.*, retaliation against certain members by NPEs). Such harm potentially subjects Unified's members to NPE retaliation, including litigation, and would severely impact Unified's ability to conduct business. Unified

accordingly seeks heightened protection for such materials disclosed in connection with this proceeding. A motion to seal will be forthcoming. These changes do not affect access to confidential information for employees and representatives of the Patent and Trademark Office who have a need for access to the confidential information.

Patent Owner agrees to the language of the proposed protective order, but does not join Petitioner's characterization of its business. Patent Owner reserves its rights to challenge the designation of any particular material as either CONFIDENTIAL - PROTECTIVE ORDER MATERIAL or HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY.

The revisions are noted in redline showing changes from the Board's Protective Order in Attachment B hereto.

Dated: August 20, 2018

By: /Lionel M. Lavenue/

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **Motion for Joint Protective Order** was served on August 20, 2018, via email directed to counsel of record for the Patent Owner at the following:

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# Attachment A

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