

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,

v.

REALTIME ADAPTIVE STREAMING LLC,
Patent Owner.

Case IPR2018-00883
Patent No. 8,934,535

PATENT OWNER'S MOTION TO SEAL

Pursuant to the Protective Order entered by the Board on August 21, 2018 (Paper 19), Patent Owner respectfully moves to seal Exhibits 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, and 2012, and the portions of Patent Owner's Supplemental Brief that reference those exhibits, which contain information marked "Confidential" by Petitioner as described below. A Protective Order has been previously submitted in this proceeding and the Board has entered that Protective Order. *See* Paper 19.

In accordance with Section 8.a.i of the Protective Order, Patent Owner provides the following non-confidential descriptions the exhibits and reasons Patent Owner is moving to seal those exhibits.

Exhibit 2003 is a copy of Petitioner's Voluntary Interrogatory Responses. Petitioner has marked these responses "HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY" under the Protective Order in this case.

Exhibit 2004 is an excerpt of the transcript of the deposition of Kevin Jakel taken in IPR2014-01252. Petitioner has marked the deposition "HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY" under the Protective Order in this case.

Exhibit 2005 is a presentation distributed to a Unified member describing Unified's spending and business activities that Petitioner has marked "HIGHLY

CONFIDENTIAL—ATTORNEYS' EYES ONLY” under the Protective Order in this case.

Exhibit 2006 is a presentation distributed by Unified to one of its members describing its business strategy that Petitioner has marked “HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY” under the Protective Order in this case.

Exhibit 2007 is an email between Google and Petitioner that Petitioner has marked “HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY” under the Protective Order in this case.

Exhibit 2008 is a Presentation Unified sent to Google describing Unified's spending and business activities which Petitioner has marked “HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY” under the Protective Order in this case.

Exhibit 2009 is an email and attached presentation describing Unified's business model sent by a Unified member. Petitioner has marked Exhibit 2009

“HIGHLY CONFIDENTIAL—ATTORNEYS’ EYES ONLY” under the Protective Order in this case.¹

Exhibit 2010 is a Presentation Unified sent to a Unified member describing Unified’s spending and business activities. Petitioner has marked Exhibit 2010 “HIGHLY CONFIDENTIAL—ATTORNEYS’ EYES ONLY” under the Protective Order in this case.

Exhibit 2012 is a written agreement between Google and Petitioner that Petitioner has marked “HIGHLY CONFIDENTIAL—ATTORNEYS’ EYES ONLY” under the Protective Order in this case.

In accordance with Section 8.a.ii of the Protective Order, Patent Owner has provided attached confidential and non-confidential versions of its Supplemental Brief. The redacted portions of Patent Owner’s Supplemental brief refer to information from the above-described exhibits, which Petitioner has marked “HIGHLY CONFIDENTIAL—ATTORNEYS’ EYES ONLY” under the Protective Order in this case.

¹ Patent Owner takes no position on whether Exhibit 2009 is confidential and notes that the email describing the presentation indicates that the exhibit is not confidential.

For the foregoing reasons, Patent Owner requests that the Board seal Exhibits 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, and 2012 and the portions of Patent Owner's Preliminary Response referencing those exhibits.

Respectfully submitted,

/s/ William P. Rothwell

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Date: August 30, 2018

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