

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 8,934,535 B2

Before KEVIN W. CHERRY, GARTH D. BAER, and
NABEEL U. KHAN, *Administrative Patent Judges*.

KHAN, *Administrative Patent Judge*.

DECISION
Granting the Parties' Joint Motion to Seal
37 C.F.R. § 42.5; 42.54

On October 11, 2018, we entered a Decision to Institute in the above-captioned case. Because the Decision to Institute cites several papers and exhibits that Patent Owner and Petitioner filed under seal, we preliminarily entered the Decision to Institute as a non-public version. We also issued an Order (Paper 31) granting the parties' motions to seal certain exhibits and portions of Patent Owner Supplemental Brief (Paper 22) and Petitioner's Response Brief (Paper 25). As part of that Order we directed the parties to file a Joint Motion to Seal the Decision to Institute and to include a public version of the Decision to Institute with jointly proposed redactions in an exhibit to the Joint Motion to Seal. On October 18, 2018, the parties filed the Joint Motion to Seal and the proposed redactions to the Decision to Institute.

“There is a strong public policy for making all information filed in a quasi-judicial administrative proceeding open to the public.” *Garmin Int'l v. Cuozzo Speed Techs., LLC*, IPR2012–00001, slip op. at 1–2 (PTAB Mar. 14, 2013) (Paper 34). The standard for granting a motion to seal is “good cause.” 37 C.F.R. § 42.54. That standard includes showing that the information addressed in the motion to seal is truly confidential, and that such confidentiality outweighs the strong public interest in having the record open to the public. *See Garmin*, slip op. at 2–3.

We have reviewed the parties' proposed redacted version of the Decision to Institute and the explanation in the Joint Motion to Seal. The parties argue that the redactions are limited to statements that reveal sensitive and confidential information and provide reasons for each redaction. Specifically, the redactions relate to information that is subject to confidentiality provisions of third-party agreements, sensitive financial and

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commercial information, and confidential settlement or license information. Having reviewed the parties' submission, we agree that good cause exists to seal this information as it relates to confidential and sensitive business information.

ORDER

It is:

ORDERED that the parties' Joint Motions to Seal is *granted*;

FURTHER ORDERED that the non-public version of the Decision to Institute shall be held under seal; and

FURTHER ORDERED that a redacted version of the Decision to Institute is entered in this case.

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