

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ZTE (USA), INC. AND  
SAMSUNG ELECTRONICS CO., LTD.,  
Petitioners

v.

BELL NORTHERN RESEARCH, LLC,  
Patent Owner

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Case: IPR2019-01365  
U.S. Patent No. 7,039,435

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**PETITIONER'S MOTION TO SEAL**

## **I. INTRODUCTION**

Pursuant to 37 CFR § 42.14 and 42.54 and Patent Owner Bell Northern Research, LLC's ("BNR") unopposed Motion for Entry of a Modified Protective Order (Paper 16, "Motion"), Petitioner Samsung Electronics Co., Ltd. respectfully submits this Motion to Seal a portion of Petitioner's Reply to Patent Owner's Response ("Reply") that refers to license agreements and a related declaration that BNR previously filed under seal. (Exs. 2024, 2025, 2027.)

Petitioner submits that good cause exists for placing the portion of the Reply under seal as BNR has contended this information should be sealed under the Modified Protective Order because it is related to BNR's licensing of certain patents, and the Modified Protective Order requires that Petitioner file this information under seal. Petitioners take no position on whether the underlying information satisfies the Board's requirements for filing under seal, as it is BNR that contends this information should be kept confidential.

## **II. DOCUMENT TO BE SEALED**

BNR contends that certain license agreements (Exs. 2024, 2027) and a related declaration (Ex. 2025) are confidential business information, and that some of the licenses now belong to third party Broadcom Inc. and have been protected as such throughout this proceeding and all related proceedings of which BNR is

aware. (Paper 21, 3-4.)

The Reply refers to these license agreements and the related declaration. As a result, Petitioner understands that BNR contends good cause exists to seal portions of the Reply discussing these documents, because public disclosure of the information contained in these documents risks harming each of the licensees/counterparties to the underlying agreements. (Paper 21, 3-4.) Petitioner take no position on the confidentiality of such information but is filing this information under seal pursuant to BNR's pending Motion.

## II. CONCLUSION

For the above reasons, Petitioner respectfully requests that certain portions of the Reply referencing the license agreements and the related declaration be treated as highly confidential information and be placed under seal pursuant to the proposed Modified Protective Order under the designation "PROTECTIVE ORDER MATERIAL – ATTORNEYS EYES ONLY." (Motion, 1.)

Respectfully submitted,

Dated: September 8, 2020

By: /Naveen Modi/  
Naveen Modi (Reg. No. 46,224)

*Counsel for Petitioner*  
*Samsung Electronics Co., Ltd.*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 8, 2020, I caused a true and correct copy of the foregoing Petitioner's Motion to Seal to be served electronically on the following:

Steven W. Hartsell  
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A copy of the foregoing Petitioner's Motion to Seal has been served by electronic means upon the following counsel of record for Petitioner ZTE:

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