

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

COREPHOTONICS, LTD.,
Patent Owner

IPR2020-00906
U.S. Patent 10,225,479

PETITIONER'S MOTION TO SEAL

I. Introduction

In view of Patent Owner's prior (and still pending) motion to seal certain documents, and out of an abundance of caution, Petitioner respectfully moves to seal the additional document(s) listed below pursuant to 37 C.F.R. §§ 42.14, 42.54. The document(s) are being filed concurrently herewith as "Board and Parties Only" documents and reference portions of documents that Patent Owner has itself previously sought to seal. Good cause to seal exists in view of the provisionally sealed status of the reference documents pending the outcome of a decision on Patent Owner's prior motion to seal.

Patent Owner has also requested (in Paper 17) entry of a Proposed Protective Order, which it represents is substantively identical to the Board's Default Protective Order set forth in Appendix B to the Board's July 2019 Trial Practice Guide Update. This motion to seal below-listed additional document(s) is made subject to, and incorporates, that Proposed Protective Order (paper 17, pp. 6-10).

II. Additional Document(s) to be Sealed under the Previously Proposed Protective Order

The following documents include sensitive information that has been redacted (in a “Public” version) and for which a “Board and Parties Only” version is to be sealed:

1. Petitioner's Reply;
2. Declaration of Fredo Durand, Ph.D. under 37 C.F.R. 1.68 in support of Petitioner's Reply (APPL-1038); and
3. Deposition Transcript of John Hart, Ph.D., April 29, 2021 (APPL-1037).

All redactions are made consistent with Patent Owner's representations in its pending motion to seal that the material to be sealed and/or redacted reflects Patent Owner's confidential business information, include the identities of third parties who have allegedly licensed Patent Owner's technology (together with alleged license grant dates) or include communications or documents in the course of confidential business and licensing discussions between Petitioner and Patent Owner.

III. Conclusion

For the above reasons, Petitioner requests that the above-listed additional document(s) be placed under seal.

Respectfully submitted,

Dated: May 7, 2021

/Michael S. Parsons/
Michael S. Parsons
Lead Counsel for Petitioner
Registration No. 58,767

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on the Patent Owner as detailed below.

Date of service May 7, 2021

Manner of service Electronic Service by E-Mail

Documents served PETITIONER'S MOTION TO SEAL

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