

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

HP INC.,<sup>1</sup>  
Petitioner,

v.

SYNKLOUD TECHNOLOGIES, LLC,  
Patent Owner.

---

IPR2020-01031 (Patent 10,015,254 B1)  
IPR2020-01032 (Patent 10,015,254 B1)<sup>2</sup>

---

Before SALLY C. MEDLEY, LYNNE E. PETTIGREW, and SCOTT  
RAEVSKY, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

ORDER  
Granting Patent Owner's  
Motions to Seal  
*37 C.F.R. §§ 42.5, 42.14, 42.54*

---

<sup>1</sup> Microsoft Corporation was terminated from the proceeding. Paper 31 in both proceedings.

<sup>2</sup> We exercise our discretion to issue one combined Decision to be filed in each case.

*Motions to Seal*

In its unopposed Motions to Seal, Patent Owner seeks to seal Exhibits 2029 and 2030. Paper 18 (“PO Mot.”).<sup>3</sup> Patent Owner represents that Exhibit 2030 is a license agreement with a third party licensee and “is confidential by its terms.” *Id.* at 3.<sup>4</sup> Patent Owner represents that Exhibit 2029 is an “associated claim chart,” that apparently includes information of the third party’s product. *Id.* at 2. Patent Owner argues that making either exhibit public “would potentially vitiate the license as a possible breach thereof and/or expose PO to liability.” *Id.* at 3.

There is a strong public policy that favors making information filed in an *inter partes* review open to the public. *Garmin Int’l, Inc. v. Cuozzo Speed Techs. LLC*, IPR2012-00001, Paper 34, 1–2 (PTAB Mar. 14, 2013). 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* at 2–3.

We have considered the arguments presented by Patent Owner and determine that good cause has been established for sealing the documents identified. Specifically, Patent Owner demonstrates that the information sought to be sealed per the motions contains confidential information regarding “a license between the owner of the ’254 Patent and a recognized corporation, in consideration of payment of fees, along with an associated claim chart.” PO Mot. 2. Accordingly, we grant Patent Owner’s Motions to Seal, including

---

<sup>3</sup> Citations are to IPR2020-01031 unless otherwise indicated.

<sup>4</sup> The pages of the Motion are not numbered. We refer to the numbers of the pages beginning with the title page as number 1.

IPR2020-01031 (Patent 10,015,254 B1)

IPR2020-01032 (Patent 10,015,254 B1)

Patent Owner's unopposed request for entry of the Proposed Stipulated Protective Order (Exhibit 2036), which is similar to the Board's default protective order provided in the Office Patent Trial Practice Guide. *See* Patent Trial and Appeal Board Consolidated Trial Practice Guide (Nov. 2019), <https://www.uspto.gov/TrialPracticeGuideConsolidated>, (Appendix B).

Accordingly, the record will be preserved in its entirety, and Exhibits 2029 and 2030 will not be expunged or made public, pending the outcome of any appeal taken from a final written decision. At the conclusion of any appeal, or, if no appeal is taken, after the time for filing a notice of appeal has expired, the documents may be made public. *See id.* at 21–22. At that time, either party may file a motion to expunge sealed documents from the record pursuant to 37 C.F.R. § 42.56.

*Order*

It is:

ORDERED that Patent Owner's Motions to Seal are *granted*; and

FURTHER ORDERED that Exhibits 2029 and 2030 will remain sealed as outlined per this order.

IPR2020-01031 (Patent 10,015,254 B1)

IPR2020-01032 (Patent 10,015,254 B1)

For PETITIONER:

Joseph Micallef

Scott Border

SIDLEY AUSTIN LLP

[jmicallef@sidley.com](mailto:jmicallef@sidley.com)

[sborder@sidely.com](mailto:sborder@sidely.com)

For PATENT OWNER:

Gregory Gonsalves

Yeasun Yoon

CAPITOL IP LAW GROUP, PLLC

[gonsalves@gonsalveslawfim.com](mailto:gonsalves@gonsalveslawfim.com)

[yoon@capitoliplaw.com](mailto:yoon@capitoliplaw.com)