

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NINTENDO CO., LTD., and NINTENDO OF AMERICA INC.,
Petitioners,

v.

ANCORA TECHNOLOGIES, INC.,
Patent Owner.

Case IPR2021-01338
U.S. Patent No. 6,411,941 B1

**ANCORA'S UNOPPOSED MOTION TO FILE CONFIDENTIAL
DOCUMENTS UNDER SEAL
PURSUANT TO 37 C.F.R. §§ 42.14 AND 42.54**

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Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Patent Owner Ancora Technologies, Inc. (“Ancora”) respectfully submits this Motion to Seal Ancora’s Oral Hearing Demonstrative Exhibit 2052 filed concurrently with this Motion. Ancora is concurrently filing a redacted version of Exhibit 2052. Petitioners do not oppose this motion.

Pursuant to the Trial Practice Guide July 2019 Update, “[t]he terms of a protective order take effect upon the filing of a Motion to Seal by a party, and remain in place until lifted or modified by the Board either on the motion of a party for good cause shown or sua sponte by the Board.” (Appendix B, § (b).) Accordingly, Ancora understands that the protective order (Ex. 2038) proposed by the parties will take effect upon filing of this motion.

I. Background

Evidence in this case relates to licensing history for the patent at issue in this IPR, and is relied upon as part of the objective evidence of non-obviousness. Ancora’s oral hearing demonstrative exhibit incorporates some of this information, which includes third party confidential information that the third parties wish to remain confidential.

II. Good Causes Exists for Sealing the Exhibits Containing Confidential Information

Ancora submits that Proposed Exhibit 2052 incorporates confidential business information, the disclosure of which is likely to significantly harm one or more third

IPR2021-01338
U.S. Patent No. 6,411,941

party's competitive position, or the disclosure of which would contravene an obligation of confidentiality.

Respectfully submitted,
FITCHEVEN TABIN & FLANNERY LLP

Dated: September 29, 2022

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 29, 2022, a complete and entire copy of the ANCORA'S MOTION TO FILE CONFIDENTIAL DOCUMENTS UNDER SEAL PURSUANT TO 37 C.F.R. §§ 42.14 AND 42.54, was served via electronic mail to the attorneys listed below at PerkinsService-Nintendo-Ancora-IPR@perkinscoie.com:

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IPR2021-01338
U.S. Patent No. 6,411,941

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