

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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ROKU, INC. and VIZIO, INC.,  
Petitioners,

v.

ANCORA TECHNOLOGIES, INC.,  
Patent Owner.

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Case IPR2021-01406  
U.S. Patent No. 6,411,941 B1

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

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

Case No. IPR2021-01406

Patent No. 6,411,941

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 Patent Owner Response and certain exhibits thereto, including Exhibits 2029-2032 and 2037, all of which are being concurrently filed with this Motion. In addition, Ancora respectfully requests the Board grant the parties’ concurrently filed joint motion for entry of protective order. Ancora is concurrently filing a redacted version of the Patent Owner Response and Ex. 2030, each of which refer to third party confidential information in Exhibits 2029 and 2031, and 2032. Each of Exhibits 2029, 2031, and 2032 are considered highly confidential to third parties and therefore no public redacted versions of these documents are being filed. Exhibit 2037 while publicly available, if released in the context of this argument could be understood to disclose third party confidential information and therefore no public redacted version of this document is being filed.

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**

Ancora is concurrently submitting with its Patent Owner Response certain exhibits evidencing licensing history for the patent at issue in this IPR as part of the objective evidence of non-obviousness. These exhibits include 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 each of the Proposed Exhibits summarized in the table below contain confidential business information or if publicly disclosed in the context of the Patent Owner's Response would disclose confidential business information, the disclosure of which is likely to significantly harm that person's competitive position, or the disclosure of which would contravene an obligation of confidentiality. Ancora provides good cause reasons below to the extent currently known or available for sealing each of the listed Exhibits. Patent Owner's Response cites the subject matter of the Proposed Exhibits and should be sealed for the same reasons.

<b>Exhibit</b>	<b>Good Cause for Filing Under Seal</b>
2029	The exhibit includes third party confidential information related to patent licensing
2030	The exhibit refers to third party confidential information related to patent licensing
2031	The exhibit includes third party confidential information related to patent licensing

2032	The exhibit includes third party confidential information related to patent licensing
2037	This exhibit if disclosed relative to the argument in the Patent Owner Response would disclose confidential information related to patent licensing

### III. Additional Third Party Request

The third party for which Exhibit 2032 contains confidential information requests that if the Board is inclined to determine that the information in Exhibit 2032 does not qualify for confidential treatment, that such third party be provided with notice, for example, through Patent Owner, and the opportunity to be heard prior to disclosure.

Respectfully submitted,  
FITCH EVEN TABIN & FLANNERY LLP

Dated: May 3, 2022

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on May 3, 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:

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