

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ASSA ABLOY AB, ASSA ABLOY INC., ASSA ABLOY RESIDENTIAL  
GROUP, INC., AUGUST HOME, INC., HID GLOBAL CORPORATION,  
ASSA ABLOY GLOBAL SOLUTIONS, INC.,  
Petitioner,

v.

CPC PATENT TECHNOLOGIES PTY LTD.,  
Patent Owner.

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Case IPR2022-01094  
Patent 8,620,039

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**REVISED JOINT MOTION FOR PROTECTIVE ORDER**

## **I. INTRODUCTION**

Pursuant to the Board’s email of November 16, 2022 in related IPR2022-01006; 01045; 01089, Petitioners ASSA ABLOY AB, ASSA ABLOY Inc., ASSA ABLOY Residential Group, Inc., August Home, Inc., HID Global Corporation, and ASSA ABLOY Global Solutions, Inc. (collectively, “Petitioners”) and Patent Owner CPC Patent Technologies Pty Ltd. (“CPC” or “Patent Owner”) respectfully submit this Revised Joint Motion for Protective Order. The Parties have agreed upon entry of a [Proposed] Stipulated Protective Order (“Stipulated Protective Order”) in this proceeding. The Stipulated Protective Order is attached hereto as Appendix A. A mark-up showing the differences between the Stipulated Protective Order and the PTAB’s default protective order is also provided and attached hereto as Appendix B. Appendices A and B have been revised in accordance with the Board’s instructions in the aforementioned email.

## **II. GOOD CAUSE EXISTS FOR ENTERING THE STIPULATED PROTECTIVE ORDER**

A party seeking to protect confidential information may seek entry of a protective order in a proceeding before the Board. *See, e.g., Garmin Int’l, Inc. v. Cuozzo Speed Techs, LLC*, IPR2012-00001, Paper 34 (PTAB Mar. 14, 2013). Upon a showing of good cause, the Board may enter a protective order to protect from public disclosure such confidential information as disclosed by a party during the course of a proceeding before the Board. *See* 37 CFR § 42.54.

Patent Owner and Petitioners have agreed to use the Stipulated Protective Order in Appendix A to govern the handling of confidential information in this proceeding. The Stipulated Protective Order corresponds to the default protective order set forth in the Office Patent Trial Practice Guide, but has been amended to 1) revise confidential information designations; 2) preclude access by the Parties and limit in-house counsel access to the protected information; and 3) provide for notice provisions if disclosure of the protected information to an independent consultant or expert is sought. *See* Appendix B (mark-up showing amendments of the Stipulated Protective Order relative to the language in the Board's default protective order).

Amendment 1) is analogous to an outside-counsel-eyes-only designation and is necessary because the information sought to be protected is considered by the designating party to be highly sensitive technical and business trade secret information.

Amendment 2) provides minor revisions to the provisions relating to who may access the protected material, including precluding access by the Parties and provisions relating to limiting the number of in-house counsel who have access to the protected information, as well as prior approval of the opposing party of in-house counsel before disclosure. These minor revisions are designed to avoid inadvertent disclosure of each party's protected information.

Amendment 3) pertains to notice provisions regarding disclosure of protected information to independent consultants or experts. This revision is typical in standard protective orders and ensures there is no conflict of interest.

In view of the foregoing, good cause exists to enter the Stipulated Protective Order. Accordingly, Patent Owner and Petitioners respectfully request entry of the Stipulated Protective Order.

Dated: November 17, 2022

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on this 17th day of November, 2022, service of the foregoing document was made on counsel of record by filing this document through the Patent Trial and Appeal Board's P-TACTS platform.

Dated: November 17, 2022

By: /Andrew C. Ryan/  
Andrew C. Ryan  
Reg. No. 43,070

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