

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UNIFIED PATENTS, LLC,  
Petitioner,

v.

ELECTRONICS AND TELECOMMUNICATIONS  
RESEARCH INSTITUTRE,  
KWANGWOON UNIVERSITY INDUSTRY-ACADEMIC  
COLLABORATION FOUNDATION, AND  
UNIVERSITY-INDUSTRY COOPERATION GROUP  
OF KYUNG HEE UNIVERSITY,  
Patent Owner.

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IPR2020-01048  
Patents 8,867,854 B2

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Before JAMESON LEE and NATHAN A. ENGELS,  
*Administrative Patent Judges.*

LEE, *Administrative Patent Judge.*

Decision  
Granting Second Motion for Entry of Modified Protective Order  
and Second Motion to Seal  
*37 C.F.R. §§ 42.54, 42.55*

### Introduction

On May 18, 2021, Petitioner filed a Second Motion for Entry of Modified Protective Order. Paper 31. Petitioner's First Motion for Entry of Modified Protective Order (Paper 27) was denied. Paper 28.

Also on May 18, 2021, Petitioner filed a Second Motion to Seal Patent Owner's Response (Paper 21) and Exhibits 2019–2024 and 2029. Paper 30. Petitioner's First Motion to Seal Patent Owner's Response and Exhibits 2019-2024 and 2029 was denied. Paper 29.

The modified protective order sought to be entered by the Second Motion for Entry of Modified Protective Order is not the Board's default protective order and has been submitted as Exhibit 1036. The differences from the Board's default protective order are shown in redline in an attachment, Attachment A, to the Second Motion for Entry of Modified Protective Order. Paper 31.

Petitioner represents that Patent Owner has agreed to entry of the proposed modified protective order (Exhibit 1036) and that Patent Owner does not oppose the Second Motion to Seal Patent Owner's Response and Exhibits 2019–2024 and 2029. Paper 30, 2; Paper 31, 2.

### Discussion

We have reviewed the Second Motion to Seal and the Second Motion for Entry of Modified Protective Order. The deficiencies we articulated in denying Petitioner's First Motion for Entry of Modified Protective Order and First Motion to Seal have been cured. Good cause exists for entry of the proposed protective order now submitted as Exhibit 1036. We are persuaded that Patent Owner's Response (Paper 21) contains confidential information that should be protected under the Modified Protective Order,

and Petitioner filed a redacted version of Patent Owner’s Response that is available to the public (Paper 26). Also, we are persuaded that Exhibit 2019 should be sealed in its entirety and Exhibits 2020–2024 and 2029 should be partially sealed.

Petitioner has filed redacted public versions of Exhibits 2020–2024 and 2029 as Exhibits 1030, 1034, 1032, 1033, 1031, and 1035, respectively. Petitioner submitted a table showing the correspondence between sealed exhibits and redacted public versions of the same. Paper 30, 15. The table is reproduced below:

<b>Confidential Exhibit</b>	<b>Redacted Version</b>
Exhibit 2020	Exhibit 1030
Exhibit 2021	Exhibit 1034
Exhibit 2022	Exhibit 1032
Exhibit 2023	Exhibit 1033
Exhibit 2024	Exhibit 1031
Exhibit 2029	Exhibit 1035
Exhibit 2019	N/A ( <i>see supra</i> § II.a.)

Order

It is

ORDERED that Petitioner’s Second Motion for Entry of Modified Protective Order is *granted*;<sup>1</sup> and

FURTHER ORDERED that Petitioner’s Second Motion to Seal, seeking to seal Patent Owner’s Response (Paper 21) and Exhibits 2019–2024 and 2029 is *granted*.

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<sup>1</sup> The entered modified protective order is Exhibit 1036.

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