

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CPI CARD GROUP INC.  
Petitioner

v.

Gemalto S.A.  
Patent Owner

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Case: IPR2017-01320  
U.S. PATENT 6,786,418

**MOTION TO SEAL**

Mail Stop PATENT BOARD  
Patent Trial and Appeal Board  
United States Patent and Trademark Office  
PO Box 1450  
Alexandria, Virginia 22313-1450  
*Submitted Electronically via the Patent Review Processing System*

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Petitioner, CPI Card Group Inc., respectfully submits this Motion to Seal all of its Exhibit 1013 and portions of its Exhibit 1006, which are being filed concurrently with this Motion. Good cause exists for sealing the identified documents in accordance with the Board's Default Protective Order, to which Petitioner agrees to be bound.

### **I. Good Cause Exists For Sealing The Identified Information**

Exhibit 1006 is Exhibit A to Gemalto S.A.'s Amended Infringement Contentions, dated October 13, 2016, served in co-pending litigation in the District of Colorado, Civil Action No. 1:16-cv-01006-RBJ, under a protective order.

Exhibit 1013 is Transcript of Deposition Of François Maurel held April 20, 2017, in the above identified co-pending litigation in the District of Colorado. Pursuant to the protective order in that litigation, counsel for the purported patent owner has requested that the entire deposition transcript be marked Confidential, Attorneys' Eyes Only.

Portion of Exhibit 1006 contain Petitioner's confidential trade secret, business, and commercial information. More specifically, Exhibit 1006 contains confidential business and technical information about the composition and operation of Petitioner's Card@Once® system. Public disclosure of this information would be commercially harmful to Petitioner. Moreover, the particular technical details of

this document are largely unimportant to the substantive merits of this proceeding, and the public's interest in having access to the exhibit is minimal.

The Petition references a few statements in Exhibit 1006 made by the purported Patent Owner, Gemalto, S.A. in regard to claim construction and in regard to the Goman reference (Exhibit 1001). None of the portions of Exhibit 1006 cited by Petitioner contain confidential information.

Similarly, the Petition references a few statements in Exhibit 1013 made by Mr. François Maurel, the inventor identified on U.S. Patent 6,786,418. None of the portions of Exhibit 1013 cited by Petitioner contain confidential information.

After counsel for the patent owner has been identified, Petitioner's undersigned representative will contact said counsel to confer regarding the preparation and filing of redacted, non-confidential copies of Exhibits 1006 and 1013, hopefully obviating the need for this motion and the sealing of Exhibits 1006 and 1013.

Accordingly, Petitioner requests an order sealing Exhibits 1006 and 1013.

Respectfully submitted,

Dated: May 1, 2017

/Michael J. Scheer/  
Michael J. Scheer, Lead Counsel  
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Case IPR2017-01320  
Patent No. 6,786,418

The Law Office Of Michael J. Scheer  
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818-616-3363,  
*Counsel for Petitioner*

### CERTIFICATION OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a), this is to certify that on May 1, 2017, I caused to be served a true and correct copy of the foregoing “MOTION TO SEAL” by overnight courier on the alleged Patent Owner at the correspondence address of record for U.S. Patent No. 6,786,418, as follows:

Correspondence Address:	Buchanan, Ingersoll & Rooney PC Post Office Box 1404 Alexandria VA 22313-1404
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I further caused to be served a true and correct copy of the foregoing “MOTION TO SEAL” by overnight courier on known litigation counsel for the purported Patent Owner for U.S. Patent No. 6,786,418, as follows:

Litigation Counsel:	Peter C. Schechter Osha Liang LLP Two Houston Center Suite 3500 909 Fannin Street Houston, TX 77010
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Respectfully submitted,

Dated: May 1, 2017

/Deomattie Kumar/

Deomattie Kumar  
*PARALEGAL FOR PETITIONER*