

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC,  
Petitioner,

v.

SEVEN NETWORKS, LLC,  
Patent Owner.

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Case IPR2018-01116  
Patent 9,351,254 B2

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Before JONI Y. CHANG, THOMAS L. GIANNETTI, and  
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

DECISION  
Granting Motions to Seal  
*37 C.F.R. §§ 42.14, 42.54*

## I. INTRODUCTION

Petitioner filed a Motion to Seal (Paper 17) portions of its Reply (Paper 14) to the Preliminary Response and Exhibits 1040, 1043, 1047, 1048, and 1051.<sup>1</sup> Patent Owner filed a Motion to Seal (Paper 20) portions of its Sur-reply (Paper 18) to the Reply and Exhibits 2056–2058.<sup>2</sup> Neither party filed an opposition to the other party's Motion to Seal. For the following reasons, the Motions to Seal are *granted*.

## II. ANALYSIS

There is a strong public policy that favors making information filed in an *inter partes* review open to the public. *Garmin Int'l, Inc. v. Cuozzo Speed Techs. LLC*, Case IPR2012-00001, slip op. 1–2 (PTAB Mar. 14, 2013) (Paper 34). The standard for granting a motion to seal is good cause. 37 C.F.R. § 42.54. That standard includes showing that the information addressed in the motion to seal is truly confidential, and that such confidentiality outweighs the strong public interest in having the record open to the public. *See Garmin*, Case IPR2012-00001, slip op. 2–3 (Paper 34).

The parties agreed to a Revised Protective Order. Paper 17, 2; Paper 20, 1. The agreed Revised Protective Order (Paper 17, Attachment A; Paper 20, Attachment A) is entered in this proceeding.

The parties argue that the Reply, Sur-reply, and Exhibits 1040, 1043, 1047, 1048, 1051, and 2056–2058 contain confidential information relating to legal agreements and communications between Petitioner and Samsung.

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<sup>1</sup> Petitioner filed a public redacted version of its Reply (Paper 15) and a public redacted version of Exhibit 1040.

<sup>2</sup> Patent Owner filed a public redacted version of its Sur-reply (Paper 19) and public redacted versions of Exhibit 2056–2058.

Paper 17, 3–4; Paper 20, 6–7. The parties also argue that the public’s interest in the confidential information is minimal because it relates to real party in interest and privity issues and otherwise is not relevant to the merits of the case. Paper 17, 4–5; Paper 20, 4. The parties have shown sufficiently that the identified information may be sealed.

Also, the Decision on Institution (Paper 21) discusses some of the confidential information, and, thus, was sealed. The parties jointly filed a proposed redacted version of the Decision on Institution (Exhibit 1056), which was entered in the public record.

### III. ORDER

It is hereby

ORDERED that the Motions to Seal are *granted*;

FURTHER ORDERED that the agreed Protective Order (Paper 17, Attachment A; Paper 20, Attachment A) is entered in this proceeding; and

FURTHER ORDERED that Exhibits 1043, 1047, 1048, and 1051, and the confidential versions of the Reply (Paper 14), Sur-reply (Paper 18), and Exhibits 1040 and 2056–2058 are sealed.

IPR2018-01116  
Patent 9,351,254 B2

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