

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

QUASAR SCIENCE LLC

Petitioner,

v.

COLT INTERNATIONAL CLOTHING, INC. d/b/a COLT LED

Patent Owner.

Case: IPR2023-00614

U.S. Patent No. 10,566,895

PETITIONER'S MOTION TO SEAL

I. INTRODUCTION

Pursuant to 37 C.F.R. §§ 42.14, 42.54, and 42.55, Petitioner Quasar Science LLC (“Petitioner”) hereby respectfully moves to seal the document(s) identified in §II(a), below, which document(s) are being filed concurrently with Petitioner’s Reply. The Board has already issued an Order approving Petitioner’s and Patent Owner’s Joint Motion for Entry of a Modified Protective Order. (Paper 25.)

II. MOTION TO SEAL

A. Document(s) to be Sealed

1. Exhibits 1027-1030

Exhibits 1027-1030 are understood to be non-public business papers relating to the business entity Motion Picture Expendables and Services and its interactions with the predecessor to Quasar Science, LLC.

2. Exhibit 1044 (Hoffman Deposition Transcript)

Exhibit 1044 is the transcript of the deposition of counsel for Patent Owner, Mr. David Hoffman, held on April 16, 2024 in *Quasar Science LLC v. Colt International Clothing, Inc. d/b/a Colt LED* IPR2023-00611, IPR2023-00613, and IPR2023-00614, and designated as protective order material in those cases. According to Patent Owner’s counsel, Exhibit 1044 contains sensitive information pertaining to Patent Owner’s business.

3. Exhibit 1045 (Silva Deposition Transcript)

Exhibit 1045 is the transcript of the deposition of Mr. Fernando Silva, held on April 16, 2024 in *Quasar Science LLC v. Colt International Clothing, Inc. d/b/a Colt LED* IPR2023-00611, IPR2023-00613, and IPR2023-00614, and designated as protective order material in those cases. According to Patent Owner's counsel, Exhibit 1045 contains sensitive information pertaining to Patent Owner's business.

4. Exhibit 1046 (Wonderlick Deposition Transcript)

Exhibit 1046 is the transcript of the deposition of Mr. Bruce Wonderlick held on April 17, 2024 in *Quasar Science LLC v. Colt International Clothing, Inc. d/b/a Colt LED* IPR2023-00613 and IPR2023-00614, and designated as protective order material in those cases. According to Patent Owner's counsel, Exhibit 1046 contains sensitive information pertaining to Patent Owner's business.

5. Exhibit 1047 (Macias Deposition Transcript)

Exhibit 1047 is the transcript of the deposition of Guillermo Macias held on May 3, 2024 in *Quasar Science LLC v. Colt International Clothing, Inc. d/b/a Colt LED* IPR2023-00611, IPR2023-00613, and IPR2023-00614, and designated as protective order material in those cases. According to Patent Owner's counsel, Exhibit 1047 contains sensitive information pertaining to Patent Owner's business.

B. Good Cause Exists for Sealing the Identified Document(s)

Good cause exists to seal the above-identified document(s). The non-public business papers relating to the business entity *Motion Picture Expendables and*

Services and its interactions with the predecessor to Quasar Science, LLC (Exhibits 1027-1030) include sensitive business information unnecessary for public consumption. Counsel for Patent Owner has indicated portions of the deposition transcripts (Exhibits 1044-1047) are confidential and a concrete harm would result upon public disclosure.¹ There exists a genuine need for Petitioner to rely in the trial on the specific information sought to be sealed. Accordingly, on balance, an interest in maintaining confidentiality outweighs the strong public interest in having an open record.

III. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Board grant this motion and seal the above-identified documents, with a public redacted version of each deposition transcript to be filed at a later date.

Date: May 17, 2023

By: /s/ Heath J. Briggs
Heath J. Briggs (Reg. No. 54,919)
1144 15th St. Suite 3300
Denver, CO 80202
Telephone: 303-685-7418
BriggsH@gtlaw.com
Counsel for Petitioner

¹ Except for the Silva deposition transcript, Patent Owner has not yet identified the specific portions of the documents that are confidential.

CERTIFICATE OF SERVICE

In accordance with § 42.6(e)(1), the undersigned certifies that on the 17th day of May 2024, the above **PETITIONER’S MOTION TO SEAL** was served, via electronic mail upon the following counsel for Patent Owner:

- David Hoffman: dhoffman@nolanheimann.com
- Robert Katz: rkatz@katzfirm.com

Date: May 17, 2023

By: /s/ Heath J. Briggs
Heath J. Briggs (Reg. No. 54,919)
1144 15th St. Suite 3300
Denver, CO 80202
Telephone: 303-685-7418
BriggsH@gtlaw.com

Counsel for Petitioner