UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

DDC TECHNOLOGY, LLC,

Patent Owner.

IPR2023-00709

U.S. Patent 10,528,199

PATENT OWNER DDC TECHNOLOGY, LLC'S MOTION TO SEAL

Pursuant to 37 C.F.R. § 42.14, Patent Owner DDC Technology, LLC ("DDC" or "Patent Owner") hereby moves to seal Patent Owner's Sur-Reply in Support of its Preliminary Response. This document contains confidential information pertaining to confidential mediation.

I. GOOD CAUSE EXISTS FOR SEALING THE SUR-REPLY BRIEF

In deciding whether to seal documents, the Board must find "good cause," and must "strike a balance between the public's interest in maintaining a complete and understandable file history and the parties' interest in protecting truly sensitive information." *Garmin v. Cuozzo*, IPR2012-00001, Paper 36 (April 5, 2013).

Here, the balance tips in favor of protecting this confidential information. The portions of Patent Owner's Sur-Reply sought to be sealed reflect information that Petitioner Google LLC ("Google") has previously designated as confidential, including information related to Google's business relationships with third parties and information related to a confidential mediation involving DDC, Google and a third party. The information sought to be sealed also reflects prior confidential settlement discussions between DDC and a third party.

Accordingly, good cause exists to maintain the designated portions of DDC's Sur-Reply under seal.

II. NON-CONFIDENTIAL VERSION OF THE SUR-REPLY

Patent Owner is concurrently filing a non-confidential version of its Sur-Reply.

III. PROTECTIVE ORDER

The parties have agreed to a protective order, which is an exhibit to Patent Owner's Motion to Seal, Paper 13. This motion to seal is pending.

IV. CERTIFICATION OF NON-PUBLICATION

The information sought to be sealed has not been published or otherwise made public.

Respectfully submitted,

Dated: September 8, 2023

/MATTHEW C. HOLOHAN/

Matthew C. Holohan, Lead Counsel
Reg. No. 73,288
Sheridan Ross P.C.
1560 Broadway, Suite 1200
Denver, CO 80202-5141
303-863-9700
mholohan@sheridanross.com

CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. § 42.24(d), we certify that this **PATENT OWNER DDC TECHNOLOGY, LLC'S MOTION TO SEAL** complies with the type-volume limitation of 37 C.F.R. § 42.24(b) because it contains 246 words, as determined by the word-processing program used to prepare the motion, excluding the parts of the motion exempted by 37 C.F.R. § 42.24(a)(1).

Dated: September 8, 2023

/JOELLE ENOCH/

Joelle Enoch
Paralegal
Sheridan Ross P.C.
1560 Broadway, Suite 1200
Denver, CO 80202
(303) 863-9700
(303) 863-0223 (fax)
jenoch@sheridanross.com

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a) and (b), I certify that on September 8, 2023, a true and accurate copy of this paper, **PATENT OWNER DDC TECHNOLOGY, LLC'S MOTION TO SEAL**, was served on the following counsel for Petitioner via e-mail, pursuant to Petitioner's consent to e-mail service:

Michael L. Kiklis
Kiklis and Clark, PLLC
1800 Diagonal Rd., Suite 600
Alexandria, VA 22314
E-mail: michael@kiklisclark.com

Dated: September 8, 2023

/JOELLE ENOCH/
Joelle Enoch
Paralegal
Sheridan Ross P.C.
1560 Broadway, Suite 1200
Denver, CO 80202
(303) 863-9700
(303) 863-0223 (fax)
jenoch@sheridanross.com