UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC

Petitioner

v.

DDC TECHNOLOGY, LLC,

Patent Owner

U.S. Patent No. 11,093,001

Case No.: IPR2023-00711

PETITIONER'S MOTION TO SEAL

Pursuant to 37 C.F.R. §§ 42.14, Petitioner Google hereby moves to seal various portions of Patent Owner's surreply because it contains confidential information.

I. Protective Order

Pursuant to the Board's order (Exhibit 3008), Petitioner has filed a modified protective order and is waiting for the Board to enter it. See Petitioner's Motion to Seal ("MTS"), paper 46, Exhibits 1 and 2.

II. Patent Owner's Surreply

Petitioner moves to seal various parts of Patent Owner's surreply. 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. Patent Owner's surreply refers to financial information derived from EX1024. This exhibit reflects the sales and revenue information for all WWGC members and has been marked HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY MATERIAL. A Motion to Seal is currently pending for this exhibit. See Paper 51. Sales and revenue information is the very essence of what organizations keep

confidential. It has no bearing on patentability, and thus, the redacted portions of Patent Owner's surreply should remain under seal.

III. Certification of Non-Publication

To the best of Petitioner's knowledge, the information sought to be sealed has not been published or otherwise made public.

Respectfully Submitted,

Dated: June 5, 2024

Michael L. Kiklis____

Michael L. Kiklis
Reg. No. 38,939
Attorney for Petitioner
Google LLC

CERTIFICATE OF SERVICE

The undersigned certifies service pursuant to 37 C.F.R. §§ 42.6(e) of PETITIONER'S MOTION TO SEAL by filing this document through the USPTO Patent Trial and Appeal Case Tracking System and by emailing a copy to the following email addresses:

cortneyalexander@kentrisley.com
haller@haller-iplaw.com

Respectfully Submitted,

Dated: June 5, 2024

Michael L. Kiklis_____

Michael L. Kiklis
Reg. No. 38,939
Attorney for Petitioner
Google LLC