

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FIRST ALERT, INC. and BRK BRANDS INC.,
Petitioner,

v.

WALTER KIDDE PORTABLE EQUIPMENT, INC.,
Patent Owner.

IPR2023-00896 (Patent 7,123,158 B2)
IPR2023-00898 (Patent 7,525,445 B2)¹

Before MEREDITH C. PETRAVICK, GREGG I. ANDERSON, and
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

ORDER

Denying Petitioner's Motion to Seal
37 C.F.R. §§ 42.14, 42.54

¹ This Order pertains to all of these cases. Therefore, we exercise our discretion to issue a single Order to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

I. INTRODUCTION

Petitioner filed a Motion to Seal Exhibit 1027 in the above cases. IPR2023-00896, Paper 3; IPR2023-00898, Paper 3 (collectively, “Motion” or “Mot.”). For the following reasons, the Motion is *denied*.

II. ANALYSIS

Petitioner asserts that “there is good cause to seal Exhibit 1027” because it “contains deposition testimony from the co-pending litigation that . . . reflects highly sensitive business or personal information.” Mot. 2–3. Nonetheless, we issued decisions denying institution of *inter partes* review in the above cases. IPR2023-00896, Paper 14; IPR2023-00898, Paper 14 (collectively, “Decisions”). The Decisions do not rely on Exhibit 1027, and thus the public interest in Exhibit 1027 is limited. Under the circumstances, we determine that it is appropriate to deny the Motion and expunge Exhibit 1027 from the record.

III. ORDER

It is hereby

ORDERED that the Motion is *denied*; and

FURTHER ORDERED that Exhibit 1027 is expunged from the record of the above cases.

IPR2023-00896 (Patent 7,123,158 B2)

IPR2023-00898 (Patent 7,525,445 B2)

FOR PETITIONER:

Erik J. Halverson

Nathan J. Fuller

K&L GATES LLP

erik.halverson@klgates.com

nathan.fuller@klgates.com

FOR PATENT OWNER:

Karan Jhurani

Vivian Chew Keller

Michael Autuoro

FISH & RICHARDSON P.C.

jhurani@fr.com

keller@fr.com

autuoro@fr.com