

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.; INSTAGRAM, INC.; WHATSAP LLC;
META PLATFORMS TECHNOLOGIES, LLC; AND GIPHY, INC.,
Petitioner,

v.

VL COLLECTIVE IP LLC,
Patent Owner.

IPR2023-00924
Patent 7,436,980 B2

Before KARL D. EASTHOM, JEFFREY S. SMITH, and
DAVID C. McKONE, *Administrative Patent Judges*.

SMITH, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Unopposed Motion for a Protective Order
37 C.F.R. § 42.14, 42.54

On June 25, 2024, Petitioner filed a Request for Entry of Protective Order. Paper 34. The Request proposes entry of a Protective Order, included in the Motion as Appendix A, along with Appendix B, which shows changes from the default protective order. *Id.* The Protective Order introduces, primarily, further clarification that:

Information produced and designated as “PROTECTIVE ORDER MATERIAL” shall be used only for this proceeding (IPR2023-00924), the parallel district court action (C.A. No. 1:22-cv-00680-JHS (D. Del.)), and any dispute between one or more of Petitioners and Patent Owner with respect to U.S Patent No. 7,436,980 where a comparable protective order has been entered.

Paper 34, App. A, 1. Petitioner indicates that the Motion and proposed Protective Order are unopposed. *Id.* at 1.

According to the Board’s Trial Practice Guide, the Board will presumptively accept the parties’ agreed modifications to the Default Protective Order “if they are consistent with the integrity and efficient administration of the proceedings.” PTAB Consolidated Trial Practice Guide (“TPG”), 115 (November 2019) (<https://go.usa.gov/xpvPF>). This includes adding additional tiers or categories of confidentiality “as long as they are reasonable and adequately define what types of materials are to be included in the additional categories.” *Id.* at 115–116.

The parameters of the modified Protective Order are consistent with the TPG guidelines. Accordingly, we grant Petitioner’s Request to enter the proffered Protective Order.

IPR2023-00924
Patent 7,436,980 B2

ORDER

For the foregoing reasons, it is hereby:

ORDERED that Petitioner's Request for Entry of a Protective Order is
granted.

IPR2023-00924
Patent 7,436,980 B2

For PETITIONER:

W. Todd Baker
Ellisen Shelton Turner
Jonathan D. Brit
KIRKLAND & ELLIS LLP
todd.baker@kirkland.com
ellisen.turner@kirkland.com
jonathan.brit@kirkland.com

Jennifer R. Bush
FENWICK & WEST LLP
jbush@fenwick.com

For PATENT OWNER:

Christine Lehman
Philip Eklem
Michael Matulewicz-Crowley
Jaime Cardenas-Navia
REICHMAN JORGENSEN LEHMAN & FELDBERG LLP
clehman@reichmanjorgensen.com
peklem@reichmanjorgensen.com
mmatulewicz-crowley@reichmanjorgensen.com
jcardenas-navia@reichmanjorgensen.com