

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PRIME TIME TOYS LLC, PRIME TIME TOYS LTD., and
EASEBON SERVICES LTD,
Petitioner,

v.

SPIN MASTER, INC.,
Patent Owner.

IPR2023-01348
Patent 8,371,282 B2

Before HYUN J. JUNG, NEIL T. POWELL, and BRENT M. DOUGAL,
Administrative Patent Judges.

POWELL, *Administrative Patent Judge.*

ORDER
Granting Petitioner's Motion to Seal
37 C.F.R. § 42.14

Petitioner filed a Motion to Seal. Paper 26 (“Motion” or “Mot.”). Petitioner moves to seal portions of its Reply and portions of Exhibit 1036.¹ Mot. 1–2. Petitioner’s Motion is unopposed.

The standard for granting a motion to seal is “for good cause.” 37 C.F.R. § 42.54(a). The moving party bears the burden to show entitlement to the requested relief and to establish that the information sought to be sealed is confidential information. *Id.* § 42.20(c). The “good cause” standard for granting a motion to seal reflects the strong public policy for making all information in an inter partes review open to the public. *Argentum Pharms. LLC v. Alcon Rsch., Ltd.*, IPR2017-01053, Paper 27 at 3 (PTAB Jan. 19, 2018) (informative).

Petitioner argues that the documents it moves to seal discuss confidential information and confidential exhibits. Mot. 2. Petitioner persuades us that good cause exists for sealing the identified documents.

As a reminder, confidential information that is subject to a protective order ordinarily becomes public forty-five (45) days after final judgment in a trial. Consolidated Trial Practice Guide² at 21–22. After final judgment in a trial, a party may file a motion to expunge confidential information from the record prior to the information becoming public in accordance with 37 C.F.R. § 42.56.

¹ We note that the record includes additional documents (Paper 1, Ex. 1021) filed by Petitioner under seal for which there is no accompanying Motion to Seal.

² USPTO, Patent Trial and Appeal Board Consolidated Trial Practice Guide November 2019, <https://www.uspto.gov/TrialPracticeGuideConsolidated> (“TPG”).

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Accordingly, it is

ORDERED that Petitioner's Motion to Seal is *granted*.

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