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Paper 53
Date: June 2, 2026

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 Patent Owner's Motion to Expunge
37 C.F.R. § 42.56

During trial, we entered the Parties' proposed protective order and granted the Motions to Seal. *See* Papers 37, 38, 48. Patent Owner has now filed a Motion to Expunge Confidential Information.[1] Paper 52 ("Motion" or "Mot."). The Motion seaks to expunge or maintain the confidentiality of the following documents:

- The sealed versions of Exhibits 1036, 2015, 2032, 2043, 2046, 2068–2070, 2072–2075, 2077, 2079, 2081, 2082, 2084, 2115, 2204; and
- Papers 19 and 24.

Id. at 1–2.

A strong public policy exists for making information filed in an *inter partes* review publicly available. 37 C.F.R. § 42.14; *see also* Consolidated Trial Practice Guide[2] at 19; 84 Fed. Reg. 64,280 (Nov. 21, 2019). The public's interest in maintaining a complete and understandable file history is balanced with the party's interest in protecting its truly sensitive, confidential information. Consolidated Trial Practice Guide at 19. "The rule balances the needs of the parties to submit confidential information with the public interest in maintaining a complete and understandable file history for public notice purposes." *Id.* A party wishing to preserve its confidential information may file a motion to expunge the information from the record. *Id.* at 21–22; 37 C.F.R. § 42.56.

We previously determined good cause existed to seal the confidential versions of the noted documents. Further, unsealed, redacted versions of the noted documents are of record.

[1] The Motion states that Petitioner does not oppose. Mot. 1.
[2] Available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

The Motion states that "none of the Confidential Documents are cited, referenced, or implicated by the Board's Final Written Decision." Mot. 3. It also highlights a footnote in the Final Written Decision that "explicitly states, 'we do not rely on any of the confidential information under seal.'" *Id.* (quoting Paper 47, 2–3, nn. 2–3). Thus, Patent Owner requests that all the noted documents be expunged because "the Confidential Documents are not necessary to allow the public to fully understand the Board's reasons for finding the Challenged Claims not unpatentable." *Id.*

We agree that none of the sealed versions of the noted documents are necessary for a complete understanding of the trial record. Accordingly, we grant Patent Owner's request and expunge the sealed version of the noted Exhibits and Party Papers from the record.

Accordingly, it is

ORDERED that Patent Owner's Motion to Expunge is *granted*; and

FURTHER ORDERED that the sealed versions of Exhibits 1036, 2015, 2032, 2043, 2046, 2068–2070, 2072–2075, 2077, 2079, 2081, 2082, 2084, 2115, 2204 and Papers 19 and 24 are expunged.

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