

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BAZOOKA-FARMSTAR, LLC,

Petitioner,

v.

NUHN INDUSTRIES LTD.,

Patent Owner.

Case No. IPR2024-00098
U.S. Patent No. 11,541,708

JOINT MOTION TO SEAL

Patent Owner Nuhn Industries Ltd. (“Patent Owner”) and Petitioner Bazooka-Farmstar, LLC (“Petitioner”) (collectively “the parties”), jointly file this Joint Motion to Seal.

Patent Owner previously filed Paper 21, EX2055-EX2059, EX2075-2078, and EX2083 with an associated Motion to Seal (Paper 19). Patent Owner requests the Board grant that Motion (Paper 19) for the reasons discussed in Paper 19. Petitioner does not oppose Patent Owner’s request to seal the above referenced documents.

Petitioner previously filed Papers 29 and 43, EX1079-1081, and EX1096-1098 under seal, but without an associated motion to seal. This Joint Motion to Seal is being filed by the parties to maintain some, but not all of those documents under seal, as identified below.

Documents Filed by Petitioner Under Seal That Are To Remain Sealed:

Document	Reason for Sealing
Paper 29 - REPLY TO PATENT OWNER RESPONSE IN INTER PARTES REVIEW OF U.S. PATENT NO. 11,541,708	<p>Pg. 6-7 contain screen captures from Nuhn’s proprietary CAD files (EX1080-1081). Contains confidential technical details. Patent Owner does not make this information available to the public and doing so would risk Patent Owner’s competitive position in the market.</p> <p>Pg. 34 contains a description of Nuhn’s deposition testimony [EX1096] related the amount of money Nuhn has spent on advertising. This is confidential</p>

	<p>financial information. Patent Owner does not make this information available to the public and doing so would risk Patent Owner's competitive position in the market.</p> <p>A redacted version has been publicly filed at Paper 30.</p>
Paper 43 – CONFIDENTIAL '708 IPR Hearing Demonstratives	<p>Slide 42 contains a description of Nuhn's deposition testimony [EX1096] related the amount of money Nuhn has spent on advertising. This is confidential financial information. Patent Owner does not make this information available to the public and doing so would risk Patent Owner's competitive position in the market. A redacted version has been publicly filed at Paper 41.</p>
EX1079 - Declaration of Eric Winkel, Dated November 6, 2024	<p>Pg. 22 of expert declaration contains screen captures from Nuhn's proprietary CAD files (EX1080-1081). Contains confidential technical details. Patent Owner does not make this information available to the public and doing so would risk Patent Owner's competitive position in the market. A redacted version has been publicly filed.</p>
EX1080 - CAD Image Depicting Lagoon Crawler Side View Produced as NUHN15000127406 in the '015 Litigation	<p>Screen capture from Nuhn's proprietary CAD files. Contains confidential technical details. Patent Owner does not make this information available to the public and doing so would risk Patent Owner's competitive position in the market. The entire exhibit should be sealed because redaction of image is not possible (entire image is confidential).</p>
EX1081 - CAD Image Depicting Lagoon Crawler Top View Produced as	<p>Screen capture from Nuhn's proprietary CAD files. Contains confidential technical details. Patent Owner does</p>

NUHN15000127407 in the '015 Litigation	not make this information available to the public and doing so would risk Patent Owner's competitive position in the market. The entire exhibit should be sealed because redaction of image is not possible (entire image is confidential).
EX1096 - Deposition Transcript of Ian Nuhn, Taken on October 28, 2024	Pg. 172, lines 24-25, pg. 173, lines 3-18, and pg. 174, lines 1, 13, and 15 contain testimony related the amount of money Nuhn has spent on advertising. This is confidential financial information. Patent Owner does not make this information available to the public and doing so would risk Patent Owner's competitive position in the market. A redacted version has been publicly filed.

The parties wish for the above documents to remain sealed and file the present Joint Motion requesting an Order sealing the above identified documents.

Documents Filed by Petitioner Under Seal that No Longer Require Sealing:

Document
EX1097 - Deposition Transcript of Ian Nuhn, Taken on September 26, 2024
EX1098 - Deposition Transcript of Ian Nuhn, Taken on May 30, 2024

Upon review and conferral, the parties notify the Board that they are no longer seeking to seal the documents listed above.

Date: March 20, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on Counsel for Patent Owner as detailed below.

<i>Date of service</i>	March 20, 2025
<i>Manner of service</i>	Electronic mail addressed to: bluchsinger@harnessip.com syackey@harnessip.com mcutler@harnessip.com
<i>Documents served</i>	Joint Motion to Seal
<i>Persons served</i>	James B. Luchsinger HARNESS, DICKEY & PIERCE P.L.C. 5445 Corporate Dr., Suite 200 Troy, MI 48098 Phone: 248-641-1600 Fax: 248-641-0270 bluchsinger@harnessip.com Scott E. Yackey HARNESS, DICKEY & PIERCE, P.L.C. 2801 Network Blvd., Suite 600 Frisco, TX 75034 syackey@harnessip.com Matthew L. Cutler HARNESS, DICKEY & PIERCE, P.L.C. 7700 Bonhomme, Suite 400 Clayton, MO 63105 mcutler@harnessip.com <u>/Thoms J. Leach/</u> Thomas J. Leach, Registration No. 53,188