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Paper 41
Date: November 4, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

MAXELL, LTD.,
Patent Owner.

IPR2024-00867
Patent 10,176,848 B2

Before NEIL T. POWELL, TERRENCE W. McMILLIN, and
KEVIN C. TROCK, *Administrative Patent Judges.*

TROCK, *Administrative Patent Judge*.

ORDER
Granting Motion for Protective Order
Denying Motion to Seal
37 C.F.R. § 42.54

I. INTRODUCTION

On October 6, 2025, the parties filed a "Joint Motion for Entry of Default Protective Order and to Seal" ("Motion") under 37 C.F.R. § 42.54. Paper 38. The Motion states the parties "hereby jointly move pursuant to 37 C.F.R. § 42.54 for entry of the Default Protective Order and authorization to file under seal anticipated filings using the Board's standard protective order." *Id.* at 1. For reasons discussed below, the Motion is conditionally granted with respect to entry of the Board's Default Protective Order, and denied with respect to filing under seal of certain anticipated documents. As a whole, the Motion is granted-in-part and denied-in-part.

II. DISCUSSION

A. Request for Entry of Protective Order

On October 9, 2025, a copy of the Board's Default Protective Order was filed as an exhibit within seven days of the date of entry of this Order. *See* Ex. 1023. Accordingly, the Motion is *granted* with respect to the requested entry of the Board's Default Protective Order.

B. Request to Seal

The record of an *inter partes* review shall be made available to the public, except as otherwise ordered, and any documents filed with a motion to seal shall be treated as sealed until the motion is decided. 35 U.S.C. § 316(a)(1); 37 C.F.R. § 42.14. Only "confidential information" may be protected against public disclosure. 35 U.S.C. § 316(a)(7); 37 C.F.R. § 42.54. The Board observes a strong public policy in favor of making information filed in its proceedings open to the public. *See Argentum*

Pharms. LLC v. Alcon Research, Ltd., IPR2017-01053, Paper 27 at 3–4 (PTAB Jan. 19, 2018) (informative).

The standard for granting a motion to seal is "good cause." 37 C.F.R. § 42.54(a). The moving party bears the burden of showing that the relief requested should be granted. 37 C.F.R. § 42.20(c). For a sufficient showing for a motion to seal, the Board has required that (1) the information sought to be sealed is truly confidential, (2) a concrete harm would result upon public disclosure, (3) there exists a genuine need to rely in the trial on the specific information sought to be sealed, and (4), on balance, an interest in maintaining confidentiality outweighs the strong public interest in having an open record. *Argentum*, Paper 27 at 3–4; *see also Corning Optical Commc'ns RF, LLC v. PPC Broadband, Inc.*, IPR2014-00440, Paper 46 at 2 (PTAB April 6, 2015) (requiring a showing that information has not been "excessively redacted").

The Motion does not identify which papers or exhibits are subject to the request for authorization to seal, much less which portions of such papers or exhibits are subject to the request for authorization to seal. Neither does the Motion provide reasons why certain information should be sealed when balanced against the public interest in a complete and understandable record. Accordingly, the Motion is *denied* with respect to the request to have unidentified filings placed under seal.

III. ORDER

It is

ORDERED that the Motion is *granted* with respect to the requested entry of the Board's Default Protective Order; and

FURTHER ORDERED that the Motion is *denied* with respect to the requested filing under seal of anticipated documents.

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