UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

OURARING, INC.,
Patent Owner.

Case No. IPR2024-01077
U.S. Patent No. 10,139,859

JOINT MOTION TO PRESERVE THE RECORD PENDING APPEAL AND EXTEND THE TIME TO FILE MOTION TO EXPUNGE

I. THE REQUESTED RELIEF

Ouraring, Inc. ("Patent Owner") and Samsung Electronics Co. Ltd., and Samsung Electronics America, Inc. ("Petitioner") jointly request that (1) the record of this inter partes review proceeding be preserved pending a possible appeal, including that all sealed documents be preserved in non-public form, and (2) the deadline for filing motions to expunge sealed confidential information be extended until fourteen (14) days after the termination of any appeal or, if no appeal is taken, fourteen (14) days after the expiration of the time to file a notice of appeal.

II. ARGUMENT IN SUPPORT OF THE REQUESTED RELIEF

In this proceeding, the parties filed confidential and public versions of exhibits[1] and papers that contain confidential business and technical information pursuant to the agreed-upon Protective Order. Ex. 2034 shows confidential internal technical schematics of Patent Owner's Oura Ring Gen. 1 product. The remaining Confidential Documents contain or discuss confidential business information concerning Patent Owner's success in the marketplace. The documents include Patent Owner's income statements which lay bare Patent Owner's revenues and costs. Redacted versions of the Confidential Documents are available to the public,

[1] Confidential Documents include Papers 18, 23, 37 and Exhibits 1079, 1080, 1081, 1083, 1370, 2019, 2024, 2034, 2063, 2107, 2108, 2109, 2110, 2111, 2112, 2135, and 2137.

and information regarding the contents of the redacted and sealed information is in the record. No Confidential Information was cited in the Board's final written decision (Paper 47).

The Consolidated Trial Practice Guide states that "Confidential information that is subject to a protective order **ordinarily** would become public 45 days after . . . final judgment in a trial." Additionally the Consolidated Trail Practice Guide explains that a motion to expunge is timely if, a party files "a motion to expunge the information from the record prior to the information becoming public."

The Board entered a final written decision in this proceeding on December 15, 2025. (Paper 47). Petitioner has until February 16, 2026 (63 days from the Final Written Decision) to file a notice of appeal. *See* 35 U.S.C. § 141(c); 37 C.F.R. § 90.3(a)(1). A motion to expunge would ordinarily be timely if filed by January 29, 2025.

Federal Circuit Rule 17(a) requires the Board to retain the entire record of the proceeding pending appeal, thus the parties believe that expungement of portions of the record would be premature at this point, particularly since the sealed confidential information was discussed by the parties in their respective papers.

In lieu of expungement, the parties respectfully request that the entire record of the proceeding be preserved pending a possible appeal, including that all sealed documents be preserved in non-public form. The parties further request that the

deadline for moving to expunge sealed confidential information be extended until 14 days after the termination of any appeal or, if no appeal is taken, 14 days after the expiration of the time to file a notice of appeal.

III. CONCLUSION

For the foregoing reasons, the parties respectfully request that this joint motion be granted.

As agreed by the Parties, Patent Owner files this motion on behalf of both Parties, and undersigned counsel is authorized to sign this motion on behalf of both parties.

Dated: January 5, 2026

Respectfully submitted,

/s/ Jasjit S. Vidwan

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on January 5, 2026, I caused a true and correct copy of the Joint Motion to Preserve the Record Pending Appeal and Extend the Time for Filing a Motion to Expunge to be served via email to the following address:

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