

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT TRIAL AND APPEAL BOARD

SOLARIS OILFIELD SITE SERVICES OPERATING, LLC, and
SOLARIS OILFIELD SITE SERVICES PERSONNEL, LLC,

Petitioners

v.

MASABA, INC.,

Patent Owner

Case No. 2024-01179

Patent No. 11,780,689

**PETITIONERS' UNOPPOSED MOTION TO SEAL PURSUANT TO
37 C.F.R. §§ 42.14 & 42.54**

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Solaris Oilfield Site Services Operating, LLC (“SOSSO”) and Solaris Oilfield Site Services Personnel, LLC (“SOSSP”) (collectively, “Solaris” or “Petitioners”) hereby move to seal Petitioners’ Exhibits 1043, 1046, 1103, 1104, 1107, 1108, 1115, 1116, 1122, 1123, 1124, and 1129, which are being filed concurrently with this motion. Counsel for Petitioners met and conferred with counsel for Patent Owner Masaba, Inc. (“Patent Owner”) regarding this motion. Counsel for Patent Owner indicated that it does not oppose Petitioners’ motion.

I. Background

The Office Trial Practice Guide states that “a document or thing will be made publicly available, unless a party files a motion to seal that is then granted by the Board.” Office Trial Practice Guide (Nov. 2019) at 19; *see also* 35 U.S.C. § 316(a)(7). “The document or thing will be protected on receipt of the motion and remain so, pending the outcome of the decision on motion.” *Id.* at 20. Petitioners and Patent Owner jointly moved for entry of a Stipulated Protective Order on July 21, 2025. (Paper 18.)

II. Exhibits to Be Sealed

Petitioners move to seal twelve exhibits. Exhibit 1115 includes the transcript of the deposition of a third-party witness, Mike Stanton. During Mr. Stanton’s deposition, Petitioners introduced and marked Exhibits 1107 and 1108, which

include purchase orders submitted by Petitioners to a third-party—Anchor Technical Services, LLC (“Anchor”)—for a system that allegedly embodies the challenged patent claims. Exhibits 1107 and 1108 contain detailed specifications and pricing information relating to those systems that, to Petitioners’ knowledge, have not been made public. Certain of that pricing information was also discussed during Mr. Stanton’s deposition and thus is contained in Exhibit 1115.¹ Petitioners also introduced and marked Exhibit 1103² during Mr. Stanton’s deposition. Like Exhibits 1107 and 1108, Exhibit 1103 also contains information regarding third-party Anchor’s pricing. To Petitioners’ knowledge, Exhibits 1043, 1046, 1103, 1107, 1108, and 1115 have not been made public.

Exhibit 1104³ is a specification document that Petitioners’ created to communicate to Anchor detailed technical specifications for a portable conveyor system for filling silos. To Petitioners’ knowledge, Exhibit 1104 has not been made public.

¹ Since the “PROTECTIVE ORDER MATERIAL” in Exhibit 1115 represents a very small portion of its content, Petitioners also intend to file a public version of Exhibit 1115 redacting the limited amount of “PROTECTIVE ORDER MATERIAL” therein.

² Petitioners’ Exhibit 1043 was introduced and marked during the earlier deposition of Patent Owner’s employee, Dan Brinkman, and is the same document as Exhibit 1103. Thus, Exhibit 1043 should be sealed for the same reasons as Exhibit 1103.

³ Exhibit 1046 is the same document as Exhibit 1104, and was marked under similar circumstances as above. *See supra* n.2. Thus, Exhibit 1046 should be sealed for the same reasons as Exhibit 1104.

Exhibits 1116, 1122, 1123, 1124, and 1129 are documents referenced in the Declaration of Jeremy Weinstein.⁴ Exhibits 1116 and 1123 are email communications between Petitioners and Anchor that discuss pricing information of Anchor and cost information of PO similar to that discussed in Exhibits 1103, 1107, and 1108. Exhibits 1124 and 1129 are detailed engineering drawings for certain equipment of Petitioners that are related to systems that allegedly embody the challenged patent claims. To Petitioners' knowledge, Exhibits 1116, 1123, 1124, and 1129 have not been made public.

Finally, Exhibit 1122 contains the personal contact information of Mike Stanton. Petitioners seek to seal Exhibit 1122 to protect the personal contact information of third-party Mr. Stanton from public disclosure.

III. Considerations for Sealing

In designating Exhibits 1043, 1046, 1103, 1104, 1107, 1108, 1115, 1116, 1122, 1123, 1124, and 1129 as "PROTECTIVE ORDER MATERIAL", Petitioners assert that they include information properly protected as such under the Stipulated Protective Order, and Petitioners believe that good cause exists for maintaining the above exhibits under seal.

No redactions are necessary to Petitioners' Reply or to the Declaration of Jeremy Weinstein because neither Reply nor Mr. Weinstein's Declaration relies on

⁴ Exhibit 1112, which is also being filed concurrently with this motion.

the “PROTECTIVE ORDER MATERIAL” contained in these exhibits. Petitioners submit that their underlying arguments and evidence remain clearly discernable from the filings, and sealing the aforementioned exhibits will not compromise the public’s ability to fully comprehend Petitioners’ arguments. Sealing the aforementioned exhibits merely protects sensitive business information—including that of a third party—from public disclosure.

IV. Conclusion

For the foregoing reasons, Petitioners submit that there is good cause to grant this motion to partially seal and respectfully request that the Board grant this motion to seal. Therefore, Petitioners request that the Board seal Exhibits 1043, 1046, 1103, 1104, 1107, 1108, 1115, 1116, 1122, 1123, 1124, and 1129.

Dated: July 28, 2025

Respectfully Submitted,

/Elizabeth D. Flannery/

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Lead Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2025 a true and correct copy of the foregoing document was served electronically via e-mail in its entirety on counsel identified below by Patent Owner for service at:

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