UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AVANOS MEDICAL, INC.,

Petitioner,

v.

STRATUS MEDICAL, LLC,

Patent Owner.

Case IPR2024-01211
Patent 10,736,688

PETITIONER'S SECOND MOTION TO SEAL
(Petitioner's Demonstrative Exhibits)

Pursuant to the parties' proposed Protective Order (Ex-2017) and 37 C.F.R. § 42.14, Petitioner Avanos Medical Inc. submits this Second Motion to Seal concurrent with the filing of Petitioner's Demonstrative Exhibits. There are four pending IPR proceedings between these parties, IPR2024-01209 through -01212 (the "IPRs"), and the identical Demonstrative Exhibits papers are at issue in each one. Avanos submits an identical copy of this motion in each proceeding (other than case style and headers).

Avanos respectfully requests that certain designed confidential business information in its Demonstrative Exhibits be sealed. Both parties have designed certain information (or arguments) and filed earlier motions to seal supporting the claimed confidentiality of that information. Slides 56-58 of Petitioner's Demonstrative Exhibits reference or reproduce some of this information:

1. Slide 56 includes data (produced by Stratus) reflecting Stratus's gross revenue for the years 2020 through 2024 for its separate electrode and probe products;

2. Slide 57 contains (1) quotations from Stratus's Patent Owner Response characterizing its competitive position within the market and (2) quotes specific sales revenue from both parties for identified products; and

3. Slide 58 contains a characterization of Stratus's revenue growth rate.

In each instance, the parties' previous papers explain their respective bases for (or indicate partial opposition to) sealing the designated information. For brevity, Avanos does not repeat those arguments here.[1] Redacted, public versions of Petitioner's Demonstrative Exhibits are filed contemporaneous to this motion and filing of the provisionally sealed paper. To aid identifying designated confidential information in Petitioner's Demonstrative Exhibits, the designated information in the *confidential, outside counsel only* versions is highlighted with pink background over the text. In the public, redacted versions, the material does not appear.

The Board should grant this Motion to maintain Petitioner's Demonstrative Exhibits under seal and maintain PAvanos and Stratus's claimed confidential information under seal pending a ruling on the parties' respective original motions to seal.

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[1] Avanos's prior motion argued for the confidentiality of its own sales data, and Avanos does not oppose sealing Stratus's sales data. However, Avanos's partial opposition to Stratus's original motion to seal contended self-serving opinions and characterizations do not merit sealing because they are "argumentative statements and opinions" without competitive or commercial significance, rather than "facts or figures." Petitioner's Opp'n to Patent Owner Mot. to Seal, 13.

Respectfully submitted,

/Warren Thomas/
Warren J. Thomas (Reg. No. 70,581)

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and agreement of the parties, I certify that: on November 3, 2025, a copy of Petitioner's Updated Exhibit List was served on counsel for the Patent Owner by email to:

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dhiggs@lpiplaw.com;
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/Warren Thomas/
Warren J. Thomas (Reg. No. 70,581)