UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TABLEAU SOFTWARE, LLC
Petitioner

v.

ICHARTS LLC
Patent Owner

Case IPR2024-01387
U.S. Patent No. 8,271,892

PETITIONER'S MOTION TO SEAL

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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I. INTRODUCTION

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Petitioner Tableau Software, LLC ("Petitioner") respectfully submits this Motion to Seal the confidential versions of its Petitioner Reply and Exhibit 1071. Concurrent with the filing of this Motion, Petitioner is filing public, redacted versions of its Petitioner Reply and Exhibit 1071. Petitioner also respectfully requests entry of the Default Protective Order (Appendix A). The parties have met and conferred regarding the motion to seal and entry of the default protective order, as required by 37 C.F.R. § 42.54(a), and Patent Owner iCharts LLC ("Patent Owner") has stated it will not oppose this motion.

II. GOVERNING RULES AND PTAB GUIDANCE

37 C.F.R. § 42.54 states: "A party intending a document or thing to be sealed shall file a motion to seal concurrent with the filing of the document or thing to be sealed. The document or thing shall be provisionally sealed on receipt of the motion and remain so pending the outcome of the decision on the motion." In determining whether to grant a Motion to Seal, the Board must find "good cause," 37 C.F.R. § 42.54(a), and "strike a balance between the public's interest in maintaining a complete and understandable file history and the parties' interest in protecting truly sensitive information," Consolidated Trial Practice Guide, November 2019 ("TPG"), 19. The Board identifies confidential information in a

manner "consistent with Federal Rule of Civil Procedure 26(c)(1)(G), which provides for protective orders for . . . confidential research, development, or commercial information." TPG, 19.

Based on the procedure provided in the TPG, Petitioner seeks to prevent the disclosure of what Patent Owner has represented is confidential, sensitive business information contained in EX1071.

III. GOOD CAUSE EXISTS FOR SEALING THE CONFIDENTIAL INFORMATION IN EX1071 AND PETITIONER'S REPLY.

The portions of Petitioner's Reply and EX1071 sought to be sealed contain what Patent Owner has characterized as sensitive business information, including company ownership information. EX1071, 94:12-95:5. Petitioner does not dispute this characterization. To the best of the Undersigned's knowledge, the information sought to be sealed has not been published or otherwise made public. If further information is required to establish good cause, Petitioner will rely on Patent Owner to provide that information.

IV. RELIEF REQUESTED

For the reasons stated above, Petitioner requests that the Board seal and protect the confidential, unredacted versions of Petitioner's Reply and Exhibit 1071. Petitioner further requests that the Board seal and protect the confidential information in these documents until such time as it receives and rules on this Motion.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Ryan C. Richardson, Reg. No. 67,254/

Ryan C. Richardson
Registration No. 67,254
Counsel for Petitioner Tableau Software, LLC

Date: October 29, 2025

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PETITIONER'S MOTION TO SEAL** was served in its entirety on October 29, 2025, upon the following parties via electronic mail:

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Respectfully submitted,

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Counsel for Petitioner Tableau Software, LLC

Date: October 29, 2025

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Appendix A

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STANDARD ACKNOWLEDGMENT FOR ACCESS TO PROTECTIVE ORDER MATERIAL

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Standard Acknowledgment for Access to Protective Order Material

I, _____, affirm that I have read the Protective Order; that I will abide by its terms; that I will use the confidential information only in connection with this proceeding and for no other purpose; that I will only allow access to support staff who are reasonably necessary to assist me in this proceeding; that prior to any disclosure to such support staff I informed or will inform them of the requirements of the Protective Order; that I am personally responsible for the requirements of the terms of the Protective Order and I agree to submit to the jurisdiction of the Office and the United States District Court for the Eastern District of Virginia for purposes of enforcing the terms of the Protective Order and providing remedies for its breach.