

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUMIO CORP.,
Petitioner

v.

FACETEC, INC.,
Patent Owner

Case IPR2025-00109
U.S. Patent No. 11,874,910

PATENT OWNER'S MOTION TO SEAL

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I. Introduction

Patent Owner requests that the confidential version of Patent Owner's Sur-Reply be sealed under 37 C.F.R. § 42.14. FaceTec's Sur-Reply contains business and financial information that FaceTec (or Petitioner) has designated as "PROTECTIVE ORDER MATERIAL – ATTORNEYS' EYES ONLY" under the Protective Order granted by the Board on October 9, 2025. *See* Paper 40; Ex. 1054. FaceTec has filed a public version of Patent Owner's Sur-Reply that includes narrowly tailored redactions, protecting the confidential information.

The confidential version of Patent Owner's Sur-Reply FaceTec seeks to seal includes highly confidential business and financial information, including licensee payments and sensitive technical information about FaceTec's software and products. The materials relate to FaceTec's core business and would cause significant harm to FaceTec's competitive position if released to the public. FaceTec also includes a request to seal information designated by Petitioner as PROTECTIVE ORDER MATERIAL – ATTORNEYS' EYES ONLY, namely agreements and related information between Petitioner and iProov.

FaceTec respectfully requests that this information be shielded from public view at least because of the status of the parties as competitors, the parties' negotiated confidentiality provisions in the entered Protective Order, and the wide acceptance that highly sensitive and confidential business and financial

information, such as that at stake here, should be afforded protections from disclosure.

Pursuant to 37 C.F.R. § 42.54, FaceTec certifies that it conferred in good faith with Petitioner regarding this motion, and Petitioner does not oppose this motion to seal.

II. Identification of Confidential Information

The confidential information is contained in Patent Owner's Sur-Reply at pages 1, 4, 6, 7, 11, 12, 13, 14, 15, 31, and 32.

III. The Board Should Seal the Sur-Reply

Good causes exists to allow FaceTec to file its Sur-Reply under seal. The confidential material falls into three categories: (1) non-public financial information; (2) non-public business information; and (3) non-public business agreements.

Each of these categories contains highly sensitive, non-public, commercial information. Disclosure of such information would create an elevated risk of commercial or apparent harm to FaceTec (or in each category, to Petitioner and/or another party, iProov). The parties have conferred and the Board has entered a Protective Order to protect this type of confidential information. Moreover, FaceTec has submitted concurrent public versions of its Sur-Reply, striking the necessary balance between the public's interest in maintaining a complete and

understandable record and the parties' interest in protecting truly sensitive information. 77 Fed. Reg. 48756, 48760, 48770 (Aug. 14, 2012).

Regarding the first category—confidential financial information—FaceTec requests that the Board seal its Sur-Reply, which contains FaceTec's highly sensitive, non-public financial information, including sales information involving Petitioner.

Regarding the second category—business strategy information—FaceTec requests that the Board seal its Sur-Reply, which contains FaceTec's highly sensitive business information involving FaceTec's technical and software descriptions and testing procedures (including confidential information relating to another party (*i.e.*, discussions of Exs. 2051-2056, which FaceTec previously moved to seal in Paper 42)).

Regarding the third category—business agreements—FaceTec requests that the Board seal its Sur-Reply, containing business strategy and sensitive service agreements involving FaceTec and containing Petitioner's confidential indemnity agreement with another party.

FaceTec has taken steps to guard against the disclosure of this information but relies on each category of information to show the operation of FaceTec's commercial product, and to establish nexus and specific objective evidence of non-obviousness. FaceTec also relies on evidence of Petitioner's indemnity agreement

to establish that another party, iProov, is a real party in interest and/or is in privity with Petitioner.

For each of the above categories of information, the potential harm from disclosure of this information substantially outweighs the public's interest in a fully open record. This financial, technical, and business information is highly sensitive to FaceTec (and to Petitioner) and the disclosure of such information could cause serious competitive harm, at the very least by providing competitors with a strategic and unfair advantage against FaceTec in the marketplace.

The Board should accordingly grant this motion.

IV. Certification of Non-Publication

The undersigned counsel certifies the information sought to be sealed by this motion to seal has not, to their knowledge, been published or otherwise made public.

V. Conclusion

For the reasons set forth above, Patent Owner respectfully requests that the Board grant this motion to seal.

Date: February 24, 2026

Respectfully submitted,

/Jason Stach/

Jason Stach

Reg. No. 54,464

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that the foregoing
PATENT OWNER'S MOTION TO SEAL was served on February 24, 2026, via
email directed to counsel of record for Petitioner at the following:

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Dated: February 24, 2026

By: /Lisa C. Hines/
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