UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RØDE MICROPHONES, LLC AND
FREEDMAN ELECTRONICS PTY LTD,
Petitioners,

v.

ZAXCOM, INC.,
Patent Owner.

IPR2025-00230

Patent 7,711,443

PETITIONERS' MOTION TO SEAL PATENT OWNER'S NOVEMBER 28, 2025 EXHIBITS

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.54, 35 U.S.C. § 316(a)(1), the Patent Trial and Appeal Board's ("PTAB") Consolidated Trial Practice Guide, Section I.E., and an unopposed Motion for Protective Order (Paper 39), Petitioners move to seal confidential portions of Exhibits 2171, 2172, and 2186 to Patent Owner's November 28, 2025 Motion for Sanctions and Vacatur of Institution/Termination (Paper 42) ("Motion").

II. PENDING UNOPPOSED MOTION FOR PROTECTIVE ORDER

On November 26, 2025, Patent Owner filed an unopposed motion for entry of an attached protective order in this IPR2025-00230 (Paper 39). Counsel for all parties agreed upon the procedures set forth in the Proposed Protective Order, which awaits Board review. The proposed order at paragraph 5(a)(i) states that, if a party intends to file documents that the opposing party designated "CONFIDENTIAL" OR "HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL'S EYES ONLY" with the Board under seal, then the party whose confidential information is at issue shall have 15 business days to file its own motion to seal. At paragraph 5(a)(ii), the proposed order also requires a party seeking only partial sealing of a document to submit both redacted and unredacted versions of the document, with redactions clearly marked.

III. GOOD CAUSE EXISTS FOR SEALING CERTAIN CONFIDENTIAL INFORMATION

The Consolidated Trial Practice Guide provides that "[t]he rules aim to 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 (Nov. 2019) § I(E). The rules also "identify confidential information in a manner consistent with Federal Rule of Civil Procedure 26(c)(1)(G), which provides for protective orders for trade secret or other confidential research, development or commercial information. *Id*., § I(E)(2) (citing 37 C.F.R. § 42.54).

"The standard for granting a motion to seal is 'for good cause.'" *Eunsung Global Corp. v. HydraFacial LLC,* IPR2024-01491, Paper 17 at 18 (PTAB Apr. 11, 2025) (citing 37 C.F.R. § 42.54(a)). The movant must establish "whether the information at issue is truly confidential, whether harm would result upon public disclosure, and whether the interest in maintaining confidentiality as to the information outweighs the strong public interest in an open record." *Id.* The fact that the public would be able to discern the relevant information pertaining to a sealed document from the party's public brief is a factor supporting the sealing of the document's confidential information. *Id*. at 18-19.

In this case, good cause exists to seal portions of exhibits 2171, 2172, and 2186 of Patent Owner's Motion for Sanctions and Vacatur of Institution/ Termination, dated November 28, 2025 (Paper 42) under 35 U.S.C. § 315(b).

Exhibit 2171: Exhibit 2171 is a Confidential Information Memorandum dated November 2024 that was provided on a confidential basis from Lectrosonics, Inc. ("Lectrosonics") to Petitioners as part of their negotiations that led to Petitioners' acquisition of Lectrosonics in early May 2025. Lectrosonics is a direct competitor to Patent Owner in the field of high-end audio equipment. Petitioners produced the document in redacted form to Patent Owner in this IPR at the highest "HIGHLY CONFIDENTIAL-OUTSIDE COUNSEL'S EYES ONLY" designation pursuant to the agreed Proposed Protective Order (redacting highly confidential sales, financial, and marketing information on pages 6 and 45-51). The version attached to this Motion to Seal at Exhibit 1086 adds redactions on page 24 for highly confidential product pipeline information. Public disclosure of this redacted highly confidential sales, financial, marketing and product information would competitively harm Lectrosonics and Petitioners. Patent Owner cited the document solely for the fact that Lectrosonics provided it to Petitioner Freedman last year. Motion, p. 3 (Paper 42) ("The parties thereafter shared a Confidential Information Memorandum sometime on or about December 9, 2024. *See* IPR2025-00230 Exs-2170, 2171."). Given the limited redactions of highly confidential information

from Exhibit 2171, that the redacted information is not cited or described in or relevant to Patent Owner's motion, and the harm that would occur from public disclosure of the confidential information, there is good cause for sealing of the redacted portion of the exhibit (attached here as Exhibit 1086).

Exhibit 2172: Exhibit 2172 is a January 20, 2025 jointly executed letter of intent by which Lectrosonics and Petitioner Freedman set out the proposed purchase amount and other terms for Freedman's acquisition of Lectrosonics, pending further negotiations. Petitioners produced the letter in redacted form to Patent Owner in this proceeding at the highest "HIGHLY CONFIDENTIAL-OUTSIDE COUNSEL'S EYES ONLY" designation pursuant to the Proposed Protective Order, redacting the proposed acquisition purchase amounts on the second page. The version submitted with this Petitioners' Motion to Seal at Exhibit 1087 adds as redactions the other confidential proposed business terms of the acquisition on pages 2 and 3. All of the foregoing redacted information—the financial and nonfinancial terms under which Petitioners were tentatively willing to undertake a corporate acquisition—would cause serious economic harm to Petitioners were it to become public. For example, it would harm Petitioners negotiating position with other potential acquisition subjects. Patent Owner cited the document solely for the fact that Petitioner Freedman and Lectrosonics executed it, and not for any proposed financial or nonfinancial term of the potential

transaction listed in the document. Motion, p. 3 (Paper 42) ("A Letter of Intent for Freedman's purchase of 100% of the equity of Lectrosonics was executed on or about January 21, 2025. *See* IPR2025-00230, Ex-2172."). Given the limited redactions of highly confidential information from Exhibit 2172, the irrelevance of the redacted information to Patent Owner's motion, and the harm that would occur from public disclosure of the confidential information, there is good cause for sealing of the redacted portion of the exhibit (attached here as Exhibit 1087).

Ex. 2186: Exhibit 2186 is a Securities Purchase Agreement dated May 5, 2025, by which Petitioners acquired Lectrosonics. Petitioners produced the agreement in redacted form to Patent Owner in this proceeding at the highest "HIGHLY CONFIDENTIAL-OUTSIDE COUNSEL'S EYES ONLY" designation pursuant to the Proposed Protective Order (redacting the acquisition purchase amount, other financial amounts, and employee and other personal information on pages 6, 14, 19, 20, 31, 33-35, 41, 56-57, 60-61, 74 and 78). The version of the exhibit submitted with this Motion to Seal as Exhibit 1088 adds as redactions the names (and associated financial trusts) and signatures of the individual selling shareholders and signature of Petitioners' signatory. *See* Exhibit 2186/1088 pages 88-127. Public disclosure of the confidential financial information—relating both to the financial status of the parties and the terms under which they were willing and able to undertake a corporate acquisition—would seriously harm both

Petitioners and Lectrosonics, including by harming their negotiating positions with other potential acquisition targets. Public disclosure, including through the Board's website, of the names, associated trusts and personal signatures of the individual shareholders and signature of Petitioners' signatory could reasonably subject these individuals to fraud and/or harassment. Patent Owner cited the agreement solely for the fact that Petitioner RØDE acquired Lectrosonics, and not for any particular information in the agreement. Motion, p. 3 (Paper 42) ("RØDE acquired Lectrosonics as a wholly owned subsidiary on or about May 5, 2025. *See* IPR2025-00230, Exs-2173, 2186."). Given the limited redactions of highly confidential information from Exhibit 2186, the irrelevance of the redacted information to Patent Owner's motion, and the harm that would occur from public disclosure of the confidential financial and personal information, there is good cause for sealing of the redacted portions of the exhibit (attached here as Exhibit 1088).

Patent Owner's sealed Motion (Paper 42) and Exhibits 2167, 2169, 2170, and 2173: Pursuant to the Proposed Protective Order, Patent Owner filed a public version of its motion redacting the information Petitioners designated as confidential under the Proposed Protective Order, as well as sealing entirely the confidentially-designated Exhibits 2167, 2169, 2170, and 2173. Petitioners have reviewed those materials and do not seek continued sealing of any portion of them.

IV. CONCLUSION

For the foregoing reasons, Petitioners respectfully request that the Board grant this Motion to Seal the redacted portions of the attached versions of Exhibits 2171, 2172, and 2186 to Patent Owner's Motion for Sanctions and Vacatur of Institution/Termination under 35 U.S.C. § 315(b).

Dated: December 18, 2025

/ Jeffrey B. Plies /
Jeffrey B. Plies, reg. no. 46,999
Michael A. Fisher, reg. no. 42,536
DECHERT LLP
Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that today in:

RØDE Microphones, LLC., et al. v, Zaxcom, Inc., IPR2025-00230 (U.S. Patent 7,711,443)

I caused to be served a copy of:

Petitioners' Motion to Seal Patent Owner's November 28, 2025 Exhibits

upon:

ZAXCOM INC., c/o:

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Patent Owner agreed to have the above-listed counsel accept electronic service in its December 23, 2004 Mandatory Notices. *See* 37 CFR § 42.105(b) ("Upon agreement of the parties, service may be made electronically….").

Dated: December 18, 2025

By: */ Michael A. Fisher /*

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