

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.

IPR2025-00231

Patent 7,929,902

PATENT OWNER'S MOTION TO SEAL

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 the proposed protective order filed on May 27, 2025 ("Proposed Protective Order") along with an unopposed Motion for Protective Order (Paper 14), Patent Owner moves to seal: 1) portions of its Motion to Terminate IPR2025-00231 Pursuant to 35 U.S.C. 315(b) ("Motion to Terminate"); and 2) Exhibits 2030, 2031, 2032, 2033, 2034, 2035, 2036, and 2037.

II. COOPERATION WITH PETITIONERS' COUNSEL/PROPOSED PROTECTIVE ORDER

Counsel for Patent Owner, Zaxcom, has conferred with counsel for Petitioners over its intent to attach documents designated by Petitioners as "HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL ONLY" ("OCO Information") to its Motion to Terminate. Counsel for both parties agreed upon the procedures set forth in the Proposed Protective Order (Paper 14), which is awaiting the Board's approval, to govern this Motion to Seal. Under the Proposed Protective Order (Paper 14), the parties agreed that if Zaxcom "intends to file a document that the opposing party designated as OCO Information with the Board, then the filing party (Zaxcom) shall file the confidential document...together with a Motion to Seal." Additionally, in "its Motion to Seal, the filing party shall acknowledge that

the party whose confidential information is at issue shall have an opportunity to file its own motion to seal” within 15 business days. Additionally, the “submitting party shall file confidential and non-confidential versions of its submission together with a Motion to Seal the confidential version setting for the reasons why information redacted from the non-confidential version is confidential and should not be made available to the public.”

III. GOOD CAUSE EXISTS FOR SEALING THE IDENTIFIED INFORMATION

Patent Owner seeks to seal redacted information in the Motion to Terminate as well as Exhibits 2030, 2031, 2032, 2033, 2034, 2035, 2036, and 2037 (the “Proposed Sealed Information”). Good cause exists for sealing the identified information as the information contained within the redacted portions of the Motion to Terminate and Exhibits 2030, 2031, 2032, 2033, 2034, 2035, 2036, and 2037 is information, that has been designated “HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL ONLY” by Petitioners pursuant to the Proposed Protective Order (Paper 14). Petitioners have not opposed Zaxcom’s use of the OCO Information subject to the Proposed Protective Order (Paper 14), however, Petitioners seek to maintain the OCO Information in confidence as it includes information the Petitioners deem to be confidential, internal information of Petitioners. Petitioners have agreed in the Proposed Protective Order (Paper 14)

that is pending the Board's review and approval to submit its own Motion to Seal the Proposed Sealed Information as it is in the best position to argue for this action.

IV. Conclusion

Patent Owner respectfully requests that the Board grant this Motion to Seal pending Petitioners' Motion to Seal to be provided pursuant to the Proposed Protective Order (Paper 14).

Dated: June 2, 2025

/Rita C. Chipperson/

Rita C. Chipperson

Reg. No. 54,031

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Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies that on June 2, 2025, a complete and entire copy of the foregoing “Motion to Seal” is being served on the petitioners at the electronic addresses shown below per consent.

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