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IPR2024-01491, Paper 23
IPR2025-00452, Paper 21
IPR2025-00453, Paper 21
Date: August 18, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EUNSUNG GLOBAL CORP.,
Petitioner,

v.

HYDRAFACIAL LLC,
Patent Owner.

IPR2024-01491 (Patent 11,865,287 B2)
IPR2025-00452 (Patent 12,053,607 B2)
IPR2025-00453 (Patent 11,446,477 B2)[1]

Before ERIC C. JESCHKE, CYNTHIA M. HARDMAN, and JAMIE T. WISZ, *Administrative Patent Judges*.

JESCHKE, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motion to Expunge
37 C.F.R. § 42.56

[1] Because this Order addresses issues common to all three proceedings, we issue one Order to be entered in each proceeding. The parties are not authorized to use this caption.

BACKGROUND

The Board did not institute trial in any of these proceedings. In IPR2024-01491, we denied institution (Paper 17) and the Acting Director denied review of the panel's decision (Paper 21). In IPR2025-00452 and IPR2025-00453, we granted joint motions to terminate the proceedings prior to institution. *See* IPR2025-00452, Paper 19; IPR2025-00453, Paper 19.

With prior authorization, Patent Owner filed, in each of these proceedings, a Motion to Expunge. IPR2024-01491, Ex. 3002 (authorization); IPR2025-00452, Paper 19 at 4 (authorization); IPR2025-00453, Paper 19 at 4 (authorization); *see* IPR2024-01491, Paper 22; IPR2025-00452, Paper 20; IPR2025-00453, Paper 20 (the "Motion" or "Mot."). Petitioner does not oppose the Motions. IPR2024-01491, Ex. 3003; IPR2025-00452, Ex. 3003; IPR2025-00453, Ex. 3003. Upon consideration of the arguments presented and for the reasons below, we *grant* the Motions to Expunge.

DISCUSSION

A party may file a motion to expunge confidential information from the record to preserve its confidentiality. 37 C.F.R. § 42.56. A party seeking expungement must show good cause by demonstrating "that any information sought to be expunged constitutes confidential information, and that [the party's] interest in expunging it outweighs the public's interest in maintaining a complete and understandable history of th[e] *inter partes* review." *Atlanta Gas Light Co. v. Bennett Regulator Guards, Inc.*, IPR2013-00453, Paper 97 at 2 (PTAB Apr. 15, 2015).

Patent Owner seeks to expunge in each proceeding (1) the confidential version of its preliminary response, (2) the confidential version of

Exhibit 2009, and (3) Exhibit 2010 (filed only under seal). *See* Mot. 1–3. Exhibit 2010 is a pdf printout of a spreadsheet of financial information related to global sales (revenue and units sold) of certain of Patent Owner's products. *See* Mot. 2. Patent Owner filed Exhibit 2010 as "Parties and Board" only with no redacted public version. Exhibit 2009 is a Declaration provided by Mr. Vipul Savsani, Patent Owner's Global Vice President of Financial Planning and Analysis. *Id.* In certain passages of his Declaration, Mr. Savsani summarizes confidential financial data contained in Exhibit 2010. In each proceeding, Patent Owner filed a confidential version of Exhibit 2009 and a public version of Exhibit 2009 with the passages at issue redacted. Patent Owner filed a confidential version of the preliminary response and a public version of the preliminary response with redacted passages relating to information from Exhibits 2009 and 2010. *See* IPR2024-01491, Paper 6 (confidential version of preliminary response) & Paper 7 (public version); IPR2025-00452, Paper 9 (confidential) & Paper 10 (public); IPR2025-00453, Paper 9 (confidential) & Paper 10 (public). According to Patent Owner, "[n]one of the confidential financial data contained in sealed Exhibit 2010, the redacted portions of unsealed Exhibit 2009, or the redacted portions of the public POPR have been made public or were discussed in" the decisions ending these three proceedings. Mot. 2–3.

We agree with Patent Owner and find that good cause has been shown to expunge the information at issue. First, the information at issue was determined to be confidential and sealed in each proceeding. *See* IPR2024-01491, Paper 17 at 17–19; IPR2025-00452, Paper 13; IPR2025-00453, Paper 13. Second, as noted by Patent Owner, none of the information at

issue was cited in, discussed in, or relevant to the decisions ending these three proceedings.

We agree with Patent Owner that, given the circumstances here, Patent Owner's interest in protecting its confidential information outweighs any public interest in accessing this confidential information to understand these proceedings. Thus, we grant the Motions and expunge in each proceeding (1) the confidential version of the preliminary response, (2) the confidential version of Exhibit 2009, and (3) Exhibit 2010 (filed only under seal).

ORDER

Accordingly, it is hereby:

ORDERED that Patent Owner's Motions to Expunge are *granted*;

FURTHER ORDERED, in IPR2024-01491, (1) the confidential version of the preliminary response (Paper 6), (2) the confidential version of Exhibit 2009, and (3) Exhibit 2010 (filed only under seal) shall be *expunged* from the record;

FURTHER ORDERED, in IPR2025-00452, (1) the confidential version of the preliminary response (Paper 9), (2) the confidential version of Exhibit 2009, and (3) Exhibit 2010 (filed only under seal) shall be *expunged* from the record; and

FURTHER ORDERED, in IPR2025-00453, (1) the confidential version of the preliminary response (Paper 9), (2) the confidential version of Exhibit 2009, and (3) Exhibit 2010 (filed only under seal) shall be *expunged* from the record.

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