

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YEALINK (USA) NETWORK TECHNOLOGY CO.,
LTD., and
YEALINK NETWORK TECHNOLOGY CO., LTD.
Petitioners,

v.

BARCO N.V.
Patent Owner

U.S. Patent No. 10,684,972
IPR2025-00491

PETITIONER'S MOTION TO SEAL

I. Introduction

Petitioner requests that the Petitioner's Response to Patent Owner's Request for Director Review be sealed under 37 C.F.R. § 42.54. Good cause to seal the Response exists because it contains highly confidential and competitively sensitive business information, including confidential licensing terms, financial information, and testimony designated as "Highly Confidential – Attorneys' Eyes Only" under the Protective Order. A redacted version of the Response is being filed herewith.

Petitioner certifies that it has conferred with Patent Owner through counsel, to which Patent Owner stated it was not opposed to this Motion.

II. Good Cause

The Board must find "good cause" to seal documents and must "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." *Garmin v. Cuozzo*, IPR2012-00001, Paper 36 (PTAB Apr. 5, 2013). Good cause to seal a document is governed by the balance of the following factors: whether (1) the information sought to be sealed is truly confidential, (2) concrete harm would result upon public disclosure, (3) there exists a genuine need to rely in the trial on the specific information sought to be sealed, and (4) the interest in maintaining the confidentiality outweighs the strong public interest in having an open record. *See Argentum Pharms, LLC v. Alcon Research, Ltd.*, IPR2017-01053, Paper 27 at 4

(PTAB Jan. 19, 2018) (informative); *Corning Optical Communication RF, LLC v. PPC Broadband, Inc.*, IPR2014-00440, Paper 47 at 3 (PTAB Apr. 14, 2015).

III. There is Good Cause To Seal Petitioner’s Response to Patent Owner’s Request for Director Review

Petitioner’s Response to Patent Owner’s Request for Director Review includes confidential information that has been designated as “Highly Confidential – Attorneys’ Eyes Only” under the Protective Order filed in this case and as agreed-upon by the parties. The information concerns, among other things, the Crestron License Agreement between Patent Owner and Crestron Electronics, Inc., including the specific royalty rates, minimum payment commitments, and license terms, as well as witness testimony regarding the commercial value of the patents-in-suit and revenue information related to the ClickShare product line. Petitioner cites to and quotes from confidential deposition testimony and licensing documentation in its Response to Patent Owner’s Request for Director Review. The balance of the *Argentum* factors favor sealing the Response, as discussed below.

A. The Information is Truly Confidential

The information Petitioner seeks to seal is truly confidential. The Trial Practice Guide provides that “the 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.” 77 Fed. Reg. 48756, 48760 (Aug. 14, 2012). Those rules “identify confidential information in a manner consistent

with the 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.* (citing 37 C.F.R. § 42.54).

The information that Petitioner seeks to seal with this Motion relates to highly sensitive and confidential business information, including: (1) the specific terms of the Crestron License Agreement between Patent Owner and Crestron Electronics, Inc., including the royalty rates and the minimum commitments; (2) testimony from Crestron’s representative, Mr. Ludke, regarding the business rationale for entering the license; (3) testimony from Patent Owner’s Technology and Innovation Director, Erwin Six, regarding the commercial value of the product features; and (4) revenue information related to Patent Owner’s ClickShare product line. This information constitutes trade secrets and highly confidential business practices, including sensitive financial information regarding the contractual and licensing dealings between Patent Owner and third-parties. The Response quotes from and discusses information that is subject to the confidentiality provisions of the patent license agreement itself.

Accordingly, the unredacted version of the Response was designated as “Highly Confidential – Attorneys’ Eyes Only” in this proceeding pursuant to an agreement between the parties. Petitioner understands that neither Patent Owner, nor Crestron, made or intend to make this information publicly available. The

Crestron License Agreement itself contains confidentiality provisions, and public disclosure of its specific terms would breach those provisions.

B. Concrete Harm Would Result if the Information was Publicly Disclosed

Patent Owner and Crestron would suffer concrete harm from the public disclosure of the confidential information Petitioner seeks to seal. The Response discloses the specific financial terms of a patent license, including royalty rates, minimum commitments, and the overall license structure. Competitors would gain otherwise unavailable insight into Patent Owner's licensing terms, conditions, which would place Patent Owner and the third-party at a disadvantage in future negotiations.

C. The Information is Genuinely Relied on in the Trial

Petitioner submits that there is a genuine need to rely on the information sought to be sealed. The confidential information is central to Petitioner's response to Patent Owner's arguments regarding secondary considerations of nonobviousness. Patent Owner's Request for Director Review relies heavily on the Crestron License as evidence of the '972 Patent's validity. Petitioner relies on the confidential testimony and documentation to demonstrate that the license was driven by business factors, that Crestron had no evidence of specific need for the '972 Patent over other patents in the portfolio, and that the license covered twenty patents across three families, not just the challenged patent. Similarly, the dongle-usage statistics cited by Patent Owner in its

Request for Director Review are addressed by Petitioner's Response, which explains why this figure is unreliable and does not establish nexus. License agreements and financial information, such as that Petitioner relies upon herewith, is the type of information for which motions to seal are regularly granted. *See Beckman Coulter, Inc. at Sirigen II Ltd.*, IPR2022-01206, Paper 69 at *72-74 (PTAB Feb. 6 2024).

D. The Need to Keep the Information Confidential Outweighs the Public Interest of an Open Record

Balancing the *Argentum* factors, the interest in maintaining the confidentiality of the information Petitioner seeks to seal outweighs the strong public interest in having an open record. Disclosure of the confidential information Petitioner seeks to seal would have a chilling effect on the open exchange of information between parties in business transactions. The public interest is well-served in keeping business information readily available and exchangeable between parties, without the fear of incidental exposure of a party's confidential business information.

By contrast, the public interest in having access to the confidential information Petitioner seeks to seal is minimal. The substance of Petitioner's arguments and the key legal issues are fully available in the redacted version of the Response. Petitioner seeks to seal only the minimal amount of information necessary to maintain the information's confidentiality and the confidentiality obligations of the underlying patent license agreement. The public will have full

access to the legal arguments and analysis; only the specific financial terms and commercially sensitive details will be redacted.

I. Conclusion

For the above reasons, Petitioner respectfully requests that the Board seal and protect the confidential information contained in the Petitioner's Response to Patent Owner's Request for Director Review.

Date: September 4, 2026

Respectfully submitted,

/Stephen Yang/
Stephen Yang
Registration No. 70,589
Dentons US LLP
Attorney for Petitioners

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

The undersigned hereby certifies that the foregoing MOTION TO SEAL is being served electronically via e-mail on September 4, 2026 in its entirety on the following counsel of record for Patent Owner:

Christopher Centurelli (Chris.Centurelli@klgates.com)

Erik J. Halverson (Erik.Halverson@klgates.com)

Joshua N. Andrews (Joshua.Andrews@klgates.com)

Dated: September 4, 2026

Respectfully submitted,

/Stephen Yang/

Stephen Yang

Reg. No. 70,589

Dentons US LLP

Attorney for Petitioners