UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,

Petitioner,

v.

DIALECT, LLC,

Patent Owner.

Case IPR2025-00659
U.S. Patent No. 9,495,957

PETITIONER'S UNOPPOSED MOTION TO FILE UNDER SEAL PURSUANT TO 37 C.F.R. §§ 42.14 AND 42.54

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Petitioner respectfully submits this Petitioner's Unopposed Motion to File Under Seal, requesting that the following information remain under seal:

- Exhibit 1046.

The under-seal version of Exhibit 1046 is being filed concurrently with this motion.

Petitioner has conferred with the Patent Owner, and the Patent Owner does not oppose this motion.

Petitioner respectfully requests that the Board enter the default protective order (see Consolidated Trial Practice Guide at 107-122 (App. B)) in the above captioned case to govern treatment of the documents and information identified herein.

I. Good Cause

For good cause, the Board may "issue an order to protect a party or person from disclosing confidential information." 37 C.F.R. § 42.54. The rules "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." Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48760 (Aug. 14, 2012).

Each of the sets of information below meets this standard, and for the reasons explained there is good cause for why those documents should remain under seal.

This information fits within the kinds of information that the Trial Practice Guide considers to be "confidential information," such as "confidential research, development, or commercial information." 77 Fed. Reg. 48756, 48760.

There is good cause for keeping the redacted information under seal. Publicly revealing the confidential, sensitive, competitive information could put Petitioner at a disadvantage in the marketplace.

There is good cause for keeping these documents under seal.

II. <u>Certification of Conference</u>

Pursuant to 37 C.F.R. §§ 42.54(a), Petitioner certifies that it has in good faith conferred with Patent Owner's counsel. Patent Owner's counsel does not oppose this motion to seal.

Both Petitioner and Patent Owner agree to abide by the parties' default Protective Order pending a decision by the Board on the motion for entry thereof.

III. Request for Conference Call with the Board

Should the Board not be inclined to grant the present Unopposed Motion to File Under Seal, Petitioner hereby requests a conference call with the Board to discuss any concerns prior to the Board issuing a decision on the Motion.

IV. Conclusion

Petitioner respectfully requests that the Board grant this Unopposed Motion to File Under Seal, and keep the following documents under seal: the under-seal, unredacted version of Exhibit 1046.

Dated: July 16, 2025

Respectfully submitted,

/Scott M. Border/
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a), I certify that, on July 16, 2025, I caused to be served true and correct copy of the foregoing "PETITIONER'S UNOPPOSED MOTION TO FILE UNDER SEAL PURSUANT TO 37 C.F.R. §§ 42.14 AND 42.54" by electronic mail on counsel of record for Patent Owner as follows:

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