UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZESTY.AI, INC.
Petitioner,

v.

AON RE, INC.
Patent Owner.

Case No. IPR2025-01359
U.S. Patent No. 11,195,058

PATENT OWNER'S MOTION TO SEAL

I. INTRODUCTION

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Patent Owner respectfully submits this Motion to Seal Exhibit 2022 and portions of Patent Owner's Reply in Support of Its Request for Discretionary Denial.

As explained below, Exhibit 2022 is a confidential marketing agreement. Additionally, Patent Owner's Reply quotes from licensing communications that had previously been filed under seal. Petitioner was contacted and does not oppose this Motion to Seal.

II. REQUEST TO SEAL

Patent Owner asks the Board to seal Exhibit 2022 in its entirety and portions of Patent Owner's Reply in Support of Its Request for Discretionary Denial. The portions which Patent Owner seeks to seal have been redacted from the publicly filed version of Patent Owner's Reply in Support of Its Request for Discretionary Denial.

A. Governing Rules and PTAB Guidance

Under 35 U.S.C. § 316(a)(1), all papers and documents filed in an *inter partes* review are open and publicly available by default. However, a motion to seal may be filed with a party's confidential paper or document, and the information at issue is treated as sealed pending the outcome of the motion. 35 U.S.C. § 316(a)(1). Only "confidential information" is protected from disclosure. 35 U.S.C. § 316(a)(7) ("The Director shall prescribe regulations . . . providing for protective orders governing the

exchange and submission of confidential information"). In that regard, the Consolidated Trial Practice Guide ("CTPG")[1] provides:

> 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.
>
> . . .
>
> Confidential Information: 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. 37 C.F.R § 42.54.

CTPG at 19.

The standard for granting a motion to seal is "good cause." 37 C.F.R. § 42.54. "The 'good cause' standard for granting a motion to seal reflects the strong public policy for making all information in an *inter partes* review open to the public." *Argentum Pharm. LLC v. Alcon Res., Ltd.*, IPR2017-01053, Paper 27 at 3 (PTAB Jan. 19, 2018) (informative).

B. Good Cause Exists to Seal

Good cause exists to seal Exhibit 2022 in its entirety and portions of Patent Owner's Reply in Support of Its Request for Discretionary Denial as they include

[1] PTAB Consolidated Trial Practice Guide (Nov. 2019), available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

confidential business information and reference licensing communications exchanged between Patent Owner and Petitioner. Such communications were understood to be confidential and should remain sealed.

The sealed documents or sealed portions thereof neither relate to the merits of Petitioner's unpatentability arguments nor affect the otherwise complete and understandable file history of this proceeding and are limited to the confidential licensing communications between the parties. As such, the public's interest in accessing such information is minimal, if any. *See Garmin Int'l, Inc. v. Cuozzo Speed Techs. LLC*, IPR2012-00001, Paper 37 at 8-9 (PTAB Apr. 5, 2013) (finding that the public's interest in having access to a party's confidential business information, not related to patent validity, is "minimal").

III. CERTIFICATION OF NON-PUBLICATION

Petitioner and Patent Owner have both taken appropriate steps to maintain the confidentiality of the above-referenced information.

IV. CERTIFICATION OF CONFERENCE WITH COUNSEL FOR PATENT OWNER PURSUANT TO 37 CFR § 42.54

The undersigned has conferred in good faith with counsel for Petitioner and has reached an agreement as to this Motion and the confidentiality of Exhibit 2022 in its entirety and portions of Patent Owner's Reply in Support of Its Request for Discretionary Denial.

V. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that Exhibit 2022 in its entirety and portions of Patent Owner's Reply in Support of Its Request for Discretionary Denial be placed under seal by the Board.

Dated: November 17, 2025

Respectfully submitted,

/Alexis L. Ritzer/

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document, along with any supporting document(s), was served in its entirety by filing through the Patent Trial and Appeal Case Tracking System (P-TACTS) as well as providing a courtesy copy via e-mail to the following attorneys of record for the Petitioner listed below:

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Dated: November 17, 2025

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