

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALBANY INTERNATIONAL CORP.,
Petitioner,

v.

VOITH PATENT GMBH,
Patent Owner.

Case IPR2025-01367
Patent 9,982,388

PETITIONER'S MOTION TO SEAL

Pursuant to 37 C.F.R. §§ 42.14, 42.55, Petitioner Albany International Corp. respectfully moves to seal Exhibits 1028 and 1029, which contain Petitioner's confidential information as described below. Petitioner hereby requests entry of the Board's Default Protective Order.

I. GOOD CAUSE EXISTS FOR SEALING CERTAIN CONFIDENTIAL INFORMATION

In determining whether to grant a Motion to Seal, the Board must find “good cause” and “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.” 37 C.F.R. § 42.54(a). As described in the Office Trial Practice Guide, the Board identifies 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.” Patent Trial & Appeal Board, Consolidated Trial Practice Guide at § 1(E)(2).¹

The Board has explained that “a movant to seal must demonstrate adequately that (1) the information sought to be sealed is truly confidential, (2) a 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), on balance, an

¹ <https://www.uspto.gov/patents/ptab/trial-practice-guide>.

interest in maintaining confidentiality outweighs the strong public interest in having an open record.” *Argentum Pharmaceuticals LLC v. Alcon Research, Ltd.*, IPR2017-01053, Paper 27 at 4 (PTAB Jan. 19, 2018) (informative).

A. Documents Requested to be Sealed

Albany respectfully moves to seal the following documents:

1. *Exhibit 1028*

This document is titled “Multiple Patent License Agreement,” and it is an agreement that was entered into between Petitioner Albany and Patent Owner Voith in 2018 (retroactive to 2017) wherein Petitioner Albany took a license to numerous Voith patents. Regarding the *Argentum* factors, good cause exists to seal this document because it reflects competitively sensitive financial information and licensing information. This information is not public and is drawn from Albany’s proprietary business information. Therefore, any public disclosure of Albany’s sensitive financial and licensing information would cause competitive harm to Albany. Further, Albany has a genuine need to rely in this trial on the information sought to be sealed, as it forms the evidentiary basis for Albany’s arguments regarding the parties’ settled expectations and timeliness of Albany’s Petition.

2. *Exhibit 1029*

This document is an email sent from Petitioner Albany’s in-house counsel, Jenn O’Connell, to Patent Owner Voith’s in-house counsel, regarding royalties

paid from the Multiple Cross License discussed above (EX1028). Regarding the *Argentum* factors, good cause exists to seal this document because it reflects competitively sensitive financial information and licensing information, including specific sums of royalties paid by Albany to Voith. This information is not public and is drawn from Albany's proprietary business information. Therefore, any public disclosure of Albany's sensitive financial and licensing information would cause competitive harm to Albany. Further, Albany has a genuine need to rely in this trial on the information sought to be sealed, as it forms the evidentiary basis for Albany's arguments regarding the history of the negotiations between the parties, as well as the parties' settled expectations and timeliness of Albany's Petition.

THEREFORE, Petitioner respectfully requests that the Board grant
Petitioner's Motion to Seal.

Respectfully submitted,

Dated: November 12, 2025

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR §42.6(e)(4), the undersigned certifies that on November 12, 2025, a complete and entire copy of this Petitioner's Motion to Seal were provided via email, to the Patent Owner by serving the email correspondence addresses of record as follows:

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