

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TERUMO BCT INC.,
Petitioner,

v.

HAEMONETICS CORP.,
Patent Owner.

IPR2025-01391
Patent 10,758,652 B2

Before JAMES A. TARTAL, ZHENYU YANG, and
CYNTHIA M. HARDMAN, *Administrative Patent Judges*.

HARDMAN, *Administrative Patent Judge*.

DECISION
Granting Petitioner's Motion to Seal and
Entering Modified Default Standing Protective Order
37 C.F.R. § 42.54

Petitioner Terumo BCT, Inc. filed a Motion to Seal, requesting sealing and *in camera* review of its Voluntary Search Disclosure Declaration (“SDD”). Paper 10 at 1. The Motion also requests entry of a proposed modified version of the Board’s Default Standing Protective Order (“Modified Protective Order”). *See id.* Petitioner represents that Patent Owner does not oppose the Motion and consents to the Modified Protective Order. *See id.* at 2.

For the reasons set forth below, we grant Petitioner’s motion.

A. Request to Seal SDD (Exhibit 1017)

The standard for granting a motion to seal is “for good cause.” 37 C.F.R. § 42.54(a); *Argentum Pharms. LLC v. Alcon Research, Ltd.*, IPR2017-01053, Paper 27 (PTAB Jan. 19, 2018) (informative), 2–3. Petitioner, as the moving party, has the burden of proving entitlement to the requested relief. 37 C.F.R. § 42.20(c).

Petitioner asserts that it is submitting the SDD according to Director Squires’ November 17, 2025 Memorandum regarding Voluntary Search Disclosure Declarations as a Favorable Factor in Institution Decisions (“Memorandum”).¹ Petitioner asserts that

Good cause exists to seal, and the Memorandum authorizes sealing, the redacted portions of Terumo’s SDD. Good cause further exists for granting Terumo’s request for *in camera* review of Terumo’s SDD, as the redacted portions of Terumo’s SDD includes Terumo’s information that is protected by the attorney work product privilege.

¹ Available at https://www.uspto.gov/sites/default/files/documents/vsdd_as_a_favorable_factor_in_institution_decisions.pdf.

Paper 10, 1–2. Petitioner represents that it “is not relying on its SDD in support of any of its invalidity arguments.” *Id.* at 4. Petitioner filed a public, redacted version of the SDD as Exhibit 1018.

In accordance with the Memorandum and based on Petitioner’s representations in the Motion, we find that good cause exists to seal the SDD (Exhibit 1017).

B. Proposed Modified Protective Order

Petitioner requests entry of the Modified Protective Order attached to the Motion as Exhibit A. The Modified Protective Order seeks to modify the Board’s Default Standing Protective Order to add a designation of “PROTECTIVE ORDER MATERIAL – FILING PARTY & BOARD ONLY,” and as required by the Memorandum, “indicates that the Office may use the information in Terumo’s SDD for internal training, improving examination processes, and analytics.” *See* Mot. 5; Memorandum at 2.

Because the Modified Protective Order complies with the Memorandum, we enter it.

ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the Modified Protective Order is entered in this proceeding and shall govern the conduct of the proceeding unless otherwise modified; and

ORDERED that Exhibit 1017 is sealed and accessible to Board and Petitioner only, in accordance with the Modified Protective Order.

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