

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CROWDSTRIKE, INC.,
Petitioner

v.

SKYSONG INNOVATIONS, LLC,
Patent Owner

Inter Partes Review Case No. IPR2025-01398
U.S. Patent No. 11,275,900 B2

**PATENT OWNER'S MOTION TO SEAL AND
TO ENTER THE DEFAULT PROTECTIVE ORDER**

Patent Owner Skysong Innovations, LLC (“Skysong”) respectfully submits this Motion to Seal and to enter the Default Protective Order.

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Skysong respectfully requests that the Board seal in part (1) Exhibit 2002, the Declaration of Dr. Paulo Shakarian, and (2) portions of Patent Owner’s Discretionary Denial Brief (Paper 7) that cite or refer to the confidential information contained in Exhibit 2002 (collectively, the “Confidential Documents”).

Skysong further requests entry of the stipulated Default Protective Order as set forth in Appendix B of the Consolidated Trial Practice Guide (“TPG”) and attached as Exhibit 2010.¹

Skysong also requests that the sealing relief apply to any future filings, testimony, exhibits, or demonstratives that contain information designated as confidential under the Default Protective Order (“Future Confidential Materials”), without requiring a separate motion each time such confidential information is included.

The parties have conferred as required by 37 C.F.R. § 42.54(a), and Petitioner CrowdStrike, Inc. (“CrowdStrike”) has stated that it does not oppose this Motion.

¹ The only changes between the Default Protective Order and Exhibit 2010 are to reflect the appropriate case caption.

Good cause exists to seal the Confidential Documents because Exhibit 2002 contains third-party information that is subject to non-disclosure agreements (“NDAs”) between CYR3CON (Dr. Shakarian’s co-founded company) and third parties. Pursuant to NDAs, CYR3CON is obligated to maintain the confidentiality of certain business-sensitive and financial information referenced in his declaration. The cited portions of the Patent Owner’s Discretionary Denial Brief necessarily reference such confidential material.

Future Confidential Materials may likewise contain information that satisfies the criteria for confidential treatment under the Default Protective Order, and Skysong seeks appropriate sealing for such materials as they arise.

II. GOVERNING RULES AND PTAB GUIDANCE

Under 35 U.S.C. § 316(a)(1), papers filed in an *inter partes* review are generally open and available for access by the public; however, a party may file a concurrent Motion to Seal to prevent public disclosure of certain confidential information until the motion is resolved. In determining whether to grant a Motion to Seal, the Board must find “good cause,” 37 C.F.R. § 42.54(a), 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.” TPG at 19 (Nov. 2019). 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.” *Id.*

Based on the procedure set forth in the TPG, Skysong seeks to prevent the disclosure of proprietary and confidential information contained in Exhibit 2002 and the portions of the Discretionary Denial Brief that reference such information. The same procedures apply to Future Confidential Materials, which will be treated under the Default Protective Order and filed with appropriate redactions and a sealed version where required.

III. IDENTIFICATION OF CONFIDENTIAL DOCUMENTS

The Confidential Documents at issue here comprise Exhibit 2002 and Skysong’s Discretionary Denial Brief.

Exhibit 2002 is Declaration of Dr. Paulo Shakarian. Dr. Shakarian is a co-inventor of the challenged patent and co-founder of the company CYR3CON. His declaration includes third-party confidential information provided pursuant to NDAs between CYR3CON and third parties. The confidential information includes business-sensitive details and financial information that the third parties have designated as confidential under NDAs.

Skysong’s Discretionary Denial Brief quotes and discusses portions of Exhibit 2002 that reference the confidential material. Skysong has minimized the inclusion of such material and seeks to seal only the specific portions necessary to protect

confidentiality.

IV. GOOD CAUSE EXISTS FOR SEALING THE CONFIDENTIAL INFORMATION

The standard for granting a motion to seal is “good cause.” *Garmin Int’l, Inc. v. Cuozzo Speed Techs. LLC*, IPR2012-00001, Paper 34 at 3 (P.T.A.B. Mar. 14, 2013). This requires the Board 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.” *Id.* Confidential information in IPR proceedings is identified “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.” TPG at 19. In particular, the Board will protect confidential information after balancing “the public’s interest in maintaining a complete and understandable file history and the parties’ interest in protecting truly sensitive information.” *Id.*

The confidential information in Exhibit 2002 is not publicly available and is protected by binding NDAs. Disclosure would violate contractual confidentiality obligations and could cause competitive harm to the third party whose information is referenced in the declaration.

The requested sealing is narrowly tailored to protect only confidential material and does not unduly restrict public access to the record. The remainder of the documents will remain publicly accessible.

Accordingly, sealing in part of Exhibit 2002 and Patent Owner's Discretionary Denial Brief serves the interests of justice and the protection of legitimate confidentiality interests while maintaining the public's ability to understand the issues in this proceeding.

V. PROPOSED PROTECTIVE ORDER

With this Motion to Seal, Skysong respectfully requests that the Board enter the stipulated Default Protective Order (Exhibit 2010). Skysong submits that the Protective Order is consistent with the integrity and efficient administration of the proceeding, and consistent with the default protective order found in Appendix B of the Consolidated Trial Practice Guide. Entry of the Default Protective Order will ensure uniform treatment of both the currently filed Confidential Documents and any Future Confidential Materials. Good cause therefore exists to enter the proposed Protective Order.

VI. CONCLUSION

For the foregoing reasons, Skysong respectfully requests that the Board seal in part Exhibit 2002 and Patent Owner's Discretionary Denial Brief, extend the sealing relief to Future Confidential Materials designated under the Default Protective Order, and enter the stipulated Default Protective Order.

CERTIFICATE OF COMPLIANCE

Under the provisions of 37 CFR § 42.24(d), the undersigned certifies that the Patent Owner's Motion complies with the type-volume requirements of 37 C.F.R. § 42.24(a)(1)(v) because it is less than 15 pages, excluding the parts of the Response exempted by 37 C.F.R. § 42.24(a).

This Response also complies with the typeface requirements of 37 C.F.R. §42.6(a)(2)(ii) and the type style requirements of 37 C.F.R. § 42.6(a)(2)(iii) and (iv).

Respectfully submitted,

Dated: November 13, 2025

By: /Jay P. Kesan/
Jay P. Kesan
Reg. No. 37,488

Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on the date indicated below, a complete and entire copy of this submission was served by email to Petitioner's counsel via the email addresses of record as provided in Petitioner's Service Information in the August 25, 2025 Petition submission.

Respectfully submitted,

Dated: November 13, 2025

By: /Jay P. Kesan/
Jay P. Kesan
Reg. No. 37,488

Counsel for Patent Owner