

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GE HEALTHCARE LTD.,
Petitioner

v.

THE JOHNS HOPKINS UNIVERSITY,
Patent Owner

Case IPR2026-00069
U.S. Patent No. 11,938,201

JOINT MOTION FOR ENTRY OF MODIFIED PROTECTIVE ORDER

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Per 37 C.F.R. § 42.54 and consistent with the Scheduling Order entered in this proceeding (Paper 10), Patent Owner The Johns Hopkins University and Petitioner GE Healthcare, Inc. jointly move the Board to enter the Proposed Modified Protective Order attached hereto as Appendix A. Patent Owner submits that the proposed modifications to the Board's Default Protective Order are necessary to protect its highly confidential technical information that may be exchanged in this proceeding. Patent Owner and Petitioner have conferred regarding the modified terms and come to an agreement as to the modifications. A redline comparison of the Proposed Modified Protective Order against the Board's Default Protective Order is attached as Appendix B.

The parties have agreed to modify the Board's Default Protective Order to provide the receiving party's access to PROTECTIVE ORDER MATERIAL produced in this proceeding to outside counsel at the law firm of record for the receiving party but not in-house counsel of the receiving party. The Proposed Modified Protective Order maintains access to "PROTECTIVE ORDER MATERIAL" in line with the provisions of the Board's Default Protective Order for the producing party, retained experts in this proceeding, other employees of a party, the Office, and support personnel. The Proposed Modified Protective Order also provides for the receiving party to seek the producing party's authorization to provide the receiving party's in-house counsel with information that has been

designated as confidential or requesting that the producing party remove the “PROTECTIVE ORDER MATERIAL” designation from information the receiving party does not believe to be confidential.

Patent Owner submits that good cause exists for the proposed modifications because (1) Patent Owner has been ordered to produce information that it believes to be highly confidential research and development information in related proceeding PGR2025-00059 (*see* PGR2025-00059, Paper 19), which will also need to be produced in this proceeding; and (2) Petitioner and Patent Owner are competitors in the field of technology at issue in this proceeding. Petitioner, moreover, has agreed to the proposed modifications.

For the foregoing reasons, the parties respectfully request that the Board
enter the Proposed Modified Protective Order attached as Appendix A.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Christopher M. Gallo/

Christopher M. Gallo, Ph.D.
Registration No. 70,291
Back-up Counsel for Patent Owner

Date: July 1, 2026

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Date: July 1, 2026

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **JOINT MOTION FOR ENTRY OF
MODIFIED PROTECTIVE ORDER** was served in its entirety on July 1, 2026,
upon the following parties via electronic mail:

Jeffrey P. Kushan (Lead Counsel)
Lauren Katzeff (Back-up Counsel)
Amit Bhatla (Back-up Counsel)
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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Christopher M. Gallo/

Christopher M. Gallo, Ph.D.
Registration No. 70,291
Back-up Counsel for Patent Owner

Date: July 1, 2026

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10th Floor
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APPENDIX A

Protective Order

This protective order governs the treatment and filing of confidential information, including documents and testimony.

1. Confidential information shall be clearly marked “PROTECTIVE ORDER MATERIAL.”

2. Access to confidential information is limited to the following individuals who have executed the acknowledgment appended to this order (except where indicated):

(A) Parties. The producing party who is a named party to the proceeding and any named real parties-in-interest associated with the producing party, none of whom need execute the Acknowledgement but are nonetheless bound by this Order.

(B) Party Representatives. Representatives of the producing party and outside counsel at the law firm of record for the receiving party in the proceeding, none of whom need execute the Acknowledgement but are nonetheless bound by this Order.

(C) Experts. Retained experts of a party in the proceeding who further certify in the Acknowledgement that they are not a competitor to any party, or a

consultant for, or employed by, such a competitor with respect to the subject matter of the proceeding.

(D) Other Employees of a Party. Employees, consultants or other persons performing work for a party who sign the Acknowledgement shall be extended access to confidential information only upon agreement of the parties or by order of the Board upon a motion brought by the party seeking to disclose confidential information to that person. The party opposing disclosure to that person shall have the burden of proving that such person should be restricted from access to confidential information.

(E) The Office. Employees and representatives of the Office who have a need for access to the confidential information shall have such access without the requirement to sign an Acknowledgement. Such employees and representatives shall include the Director, members of the Board and their clerical staff, other support personnel, court reporters, and other persons acting on behalf of the Office.

(F) Support Personnel. Administrative assistants, clerical staff, court reporters and other administrative support personnel of the foregoing persons who are reasonably necessary to assist those persons in the proceeding shall not be required to sign an Acknowledgement, but shall be informed of the terms and

requirements of the Protective Order by the person they are supporting who receives confidential information.

3. Persons receiving confidential information shall use reasonable efforts to maintain the confidentiality of the information, including:

(A) Maintaining such information in a secure location to which persons not authorized to receive the information shall not have access;

(B) Otherwise using reasonable efforts to maintain the confidentiality of the information, which efforts shall be no less rigorous than those the recipient uses to maintain the confidentiality of information not received from the disclosing party;

(C) Ensuring that support personnel of the recipient who have access to the confidential information understand and abide by the obligation to maintain the confidentiality of information received that is designated as confidential; and

(D) Limiting the copying of confidential information to a reasonable number of copies needed for conduct of the proceeding and maintaining a record of the locations of such copies.

4. Persons receiving confidential information shall use the following procedures to maintain the confidentiality of the information:

(A) Documents and Information Filed With the Board.

(i) A party may file documents or information with the Board under seal, together with a non-confidential description of the nature of the confidential information that is under seal and the reasons why the information is confidential and should not be made available to the public. The submission shall be treated as confidential and remain under seal, unless, upon motion of a party and after a hearing on the issue, or sua sponte, the Board determines that the documents or information do not to qualify for confidential treatment.

(ii) Where confidentiality is alleged as to some but not all of the information submitted to the Board, the submitting party shall file confidential and non-confidential versions of its submission, together with a Motion to Seal the confidential version setting forth the reasons why the information redacted from the non-confidential version is confidential and should not be made available to the public. The nonconfidential version of the submission shall clearly indicate the locations of information that has been redacted. The confidential version of the submission shall be filed under seal. The redacted information shall remain under seal unless, upon motion of a party and after

a hearing on the issue, or sua sponte, the Board determines that some or all of the redacted information does not qualify for confidential treatment.

(B) Documents and Information Exchanged Among the Parties. Information designated as confidential that is disclosed to another party during discovery or other proceedings before the Board shall be clearly marked as “PROTECTIVE ORDER MATERIAL” and shall be produced in a manner that maintains its confidentiality. Nothing in this Protective Order shall prevent the receiving party from seeking the producing party’s authorization to provide in-house counsel with information that has been designated as confidential, or from requesting that the producing party remove the “PROTECTIVE ORDER MATERIAL” designation from information the receiving party does not believe to be confidential.

(j) Standard Acknowledgement of Protective Order. The following form may be used to acknowledge a protective order and gain access to information covered by the protective order:

[CAPTION]

Standard Acknowledgment for Access to Protective Order Material

I _____, affirm that I have read the Protective Order; that I will abide by its terms; that I will use the confidential information only in connection with this proceeding and for no other purpose; that I will only allow access to support staff who are reasonably necessary to assist me in this proceeding; that prior to any disclosure to such support staff I informed or will inform them of the requirements of the Protective Order; that I am personally responsible for the requirements of the terms of the Protective Order and I agree to submit to the jurisdiction of the Office and the United States District Court for the Eastern District of Virginia for purposes of enforcing the terms of the Protective Order and providing remedies for its breach.

[Signature]

APPENDIX B

~~Standing~~ Protective Order

This ~~standing~~ protective order governs the treatment and filing of confidential information, including documents and testimony.

1. Confidential information shall be clearly marked “PROTECTIVE ORDER MATERIAL.”

2. Access to confidential information is limited to the following individuals who have executed the acknowledgment appended to this order (except where indicated):

(A) Parties. ~~Persons who are owners of a patent involved in the proceeding and other persons who are named parties to the proceeding~~The producing party who is a named party to the proceeding and any named real parties-in-interest associated with the producing party, none of whom need execute the Acknowledgement but are nonetheless bound by this Order.

(B) Party Representatives. ~~Representatives of the producing party and Representatives Outside representatives~~counsel at the law firm of record for ~~a~~the receiving party in the proceeding, none of whom need execute the Acknowledgement but are nonetheless bound by this Order.

(C) Experts. Retained experts of a party in the proceeding who further certify in the Acknowledgement that they are not a competitor to any party, or a

consultant for, or employed by, such a competitor with respect to the subject matter of the proceeding.

~~(D) In-house counsel. In-house counsel of a party.~~

~~(ED)~~ Other Employees of a Party. Employees, consultants or other persons performing work for a party, ~~other than in-house counsel and in-house counsel's support staff,~~ who sign the Acknowledgement shall be extended access to confidential information only upon agreement of the parties or by order of the Board upon a motion brought by the party seeking to disclose confidential information to that person. The party opposing disclosure to that person shall have the burden of proving that such person should be restricted from access to confidential information.

~~(EF)~~ The Office. Employees and representatives of the Office who have a need for access to the confidential information shall have such access without the requirement to sign an Acknowledgement. Such employees and representatives shall include the Director, members of the Board and their clerical staff, other support personnel, court reporters, and other persons acting on behalf of the Office.

~~(FG)~~ Support Personnel. Administrative assistants, clerical staff, court reporters and other administrative support personnel of the foregoing persons

who are reasonably necessary to assist those persons in the proceeding shall not be required to sign an Acknowledgement, but shall be informed of the terms and requirements of the Protective Order by the person they are supporting who receives confidential information.

3. Persons receiving confidential information shall use reasonable efforts to maintain the confidentiality of the information, including:

(A) Maintaining such information in a secure location to which persons not authorized to receive the information shall not have access;

(B) Otherwise using reasonable efforts to maintain the confidentiality of the information, which efforts shall be no less rigorous than those the recipient uses to maintain the confidentiality of information not received from the disclosing party;

(C) Ensuring that support personnel of the recipient who have access to the confidential information understand and abide by the obligation to maintain the confidentiality of information received that is designated as confidential; and

(D) Limiting the copying of confidential information to a reasonable number of copies needed for conduct of the proceeding and maintaining a record of the locations of such copies.

4. Persons receiving confidential information shall use the following procedures to maintain the confidentiality of the information:

(A) Documents and Information Filed With the Board.

- (i) A party may file documents or information with the Board under seal, together with a non-confidential description of the nature of the confidential information that is under seal and the reasons why the information is confidential and should not be made available to the public. The submission shall be treated as confidential and remain under seal, unless, upon motion of a party and after a hearing on the issue, or sua sponte, the Board determines that the documents or information do not to qualify for confidential treatment.
- (ii) Where confidentiality is alleged as to some but not all of the information submitted to the Board, the submitting party shall file confidential and non-confidential versions of its submission, together with a Motion to Seal the confidential version setting forth the reasons why the information redacted from the non-confidential version is confidential and should not be made available to the public. The nonconfidential version of the submission shall clearly indicate the locations of information that has been redacted. The confidential version of the submission shall be filed under seal. The redacted information shall remain under seal unless, upon motion of a party and after

a hearing on the issue, or sua sponte, the Board determines that some or all of the redacted information does not qualify for confidential treatment.

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[Signature]