

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RESMED CORP.,
Petitioner,

v.

FRACTUS, S.A.,
Patent Owner.

Case No. IPR2026-00191
Patent 11,031,677

PATENT OWNER'S MOTION TO SEAL

I. Statement of Relief Requested

Concurrent with filing Patent Owner's Reply to Petitioner's Opposition to Patent Owner's Request for Discretionary Denial ("Reply"), Patent Owner moves: (1) for entry of the Board's Default Protective Order as set forth in Appendix B of the Consolidated Trial Practice Guide ("CTPG"); and (2) for the Board to seal the unredacted Reply under that Protective Order. Patent Owner proposes that the parties adopt the Board's Default Protective Order as set forth in Appendix B of the CTPG and respectfully requests its entry in this proceeding. Patent Owner concurrently files herewith a public redacted version of the Reply. This motion is based on 37 C.F.R. §§ 42.14 and 42.55(a), and Appendix B of the Board's Consolidated Trial Practice Guide.

II. Argument

Patent Owner moves to seal the unredacted Reply under the Board's Default Protective Order because Petitioner has represented to the Board that information contained therein is confidential, non-public information regarding Resmed's U.S. manufacturing operations, facilities, supply-chain and logistics infrastructure, and related operational investments and plans that are undergoing negotiations. Specifically, the Reply quotes information from Petitioner's Opposition to Patent Owner's Request for Discretionary Denial that Petitioner has represented to the Board is not publicly available and reflects sensitive commercial information

concerning Resmed's business operations. As this information is Petitioner's confidential information, Patent Owner assumes that Petitioner's arguments in its Motion to Seal (Paper 11) illustrate good cause for this request.

III. Certification of Non-Publication Status

Counsel for Patent Owner certifies that, to the best of counsel's knowledge, the information sought to be sealed by this motion has not been published or otherwise made public. Specifically, Patent Owner's counsel relies on the certification provided by Petitioner in Paper 11 of this proceeding.

IV. Patent Owner Requests Entry of the Default Protective Order

Patent Owner requests entry of the Default Protective Order. It is respectfully requested that the Default Protective Order govern the confidential materials in this proceeding.

V. Conclusion

For the above reasons, Patent Owner respectfully requests that the unredacted Reply be placed under seal.

Dated: April 21, 2026

Respectfully submitted,
/Mark J. DeBoy/
Mark J. DeBoy (Reg. 66,983)
Attorney for Patent Owner
Fractus S.A.

CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), a copy of the foregoing **PATENT OWNER'S MOTION TO SEAL** was served via email (as previously consented to by counsel) on April 21, 2026 to lead and backup counsel of record for Petitioners as follows:

PH-Resmed-Fractus@paulhastings.com

Dated: April 21, 2026

/Mark J. DeBoy/
Mark J. DeBoy (Reg. No. 66,983)
Attorney for Patent Owner
Fractus S.A.