

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DOLBY LABORATORIES, INC.,
Petitioner

v.

INTERDIGITAL MADISON PATENT HOLDINGS, SAS,
Patent Owner

Case IPR2026-00252
U.S. Patent No. 9,185,268

**PATENT OWNER’S MOTION TO SEAL EXHIBITS 2024 AND 2025 AND
PRELIMINARY RESPONSE AND MOTION FOR ENTRY OF MODIFIED
PROTECTIVE ORDER**

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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I. INTRODUCTION

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Patent Owner InterDigital Madison Patent Holdings, SAS (“Patent Owner”) requests that License Agreements submitted as Exhibits 2024 and 2025 be sealed in their entirety and the confidential version of the Patent Owner Preliminary Response (“POPR”) be sealed under 37 C.F.R. §§ 42.14 and 42.54. Patent Owner also respectfully requests entry of a Modified Protective Order, attached to this Motion as Appendix A. A redline version showing changes as compared to the Board’s Default Protective Order is attached as Appendix B.

The parties have conferred regarding use of the Board’s Default Protective Order, and Petitioner has stated that it agreed to use the Default Protective Order. However, because Exhibits 2024 and 2025 were produced with the designation of “OUTSIDE ATTORNEYS EYES ONLY,” Patent Owner requests entry of the Modified Protective Order. Petitioner also reached out to Patent Owner regarding the motion to seal and entry of the modified protective order as required by 37 C.F.R. § 42.54(a), but Petitioner had not yet responded as of the time of this filing.

II. GOVERNING RULES AND PTAB GUIDANCE

Although 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, a party may file a

concurrent Motion to Seal to protect public disclosure of certain confidential information, which has the effect of sealing the information at issue pending resolution of the motion. 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,” Trial Practice Guide¹, (“TPG”), § I.E. 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.” TPG, § I.E.2.

Based on the procedure set forth in the TPG, Patent Owner seeks to prevent the disclosure of sensitive information relating to Petitioner and other third parties.

III. IDENTIFICATION OF CONFIDENTIAL INFORMATION

The confidential information at issue here comprises information in Exhibits 2024 and 2025 that relates to confidential business information, including the details of certain license agreements produced by Petitioner. Patent Owner requests the entirety of Exhibits 2024 and 2025 be maintained under seal, as the entire document contains Petitioner’s business confidential information.

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

Patent Owner also requests the confidential version of the POPR, which discusses the confidential information in Exhibits 2024 and 2025, be maintained under seal. Patent Owner has, to the best of its ability, limited material in the POPR to non-confidential information. Pursuant to Guidance in the TPG, Patent Owner has filed both confidential and non-confidential versions of the POPR. In the non-confidential version of the POPR, Patent Owner has redacted passages discussing the confidential information.

* * *

To the best of Patent Owner's knowledge, the information sought to be sealed has not been published or otherwise made public.

IV. GOOD CAUSE EXISTS FOR SEALING EXHIBITS 2024 AND 2025 AND THE CONFIDENTIAL VERSION OF THE POPR.

Petitioner designated the information contained in Exhibits 2024 and 2025 as "CONFIDENTIAL – OUTSIDE ATTORNEYS EYES ONLY." It is, thus, Patent Owner's understanding that public disclosure of the confidential information contained in Exhibits 2024 and 2025 and the confidential version of the POPR (which discusses these exhibits) would harm Petitioner. The public interest will not be harmed by granting this Motion to Seal Exhibits 2024 and 2025 and the confidential version of the POPR as "**PROTECTIVE ORDER MATERIAL – OUTSIDE ATTORNEY'S EYES ONLY.**" To the contrary, granting this Motion to Seal would achieve "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, § I.E. Therefore, good cause exists for granting this Motion to Seal.

V. ENTRY OF MODIFIED PROTECTIVE ORDER IS WARRANTED.

The proposed Modified Protective Order (Appendix A) differs from the Default Protective Order in that it includes an additional level of designation of information. Petitioner has indicated that the information in Exhibits 2024 and 2025 is highly confidential and sensitive, and designated the information as "OUTSIDE ATTORNEYS EYES ONLY." Thus, Patent Owner requests entry of the proposed Modified Protective Order that includes this level of designation. A redline version showing changes as compared to the Board's Default Protective Order is provided in Appendix B.

VI. RELIEF REQUESTED

For the reasons stated above, Patent Owner requests that the Board enter the proposed Modified Protective Order in this proceeding, and seal and protect Exhibits 2024 and 2025 in their entirety and the confidential version of the POPR under the terms of the Modified Protective Order.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Ryan C. Richardson, Reg. No. 67,254/

Ryan C. Richardson
Registration No. 67,254
*Lead Attorney for Patent Owner InterDigital
Madison Patent Holdings, SAS*

Date: May 18, 2026

1101 K Street, NW, 10th Floor
Washington, DC 20005
(202) 371-2600

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

I certify that the above-captioned **PATENT OWNER'S MOTION TO SEAL EXHIBITS 2024 AND 2025 AND PRELIMINARY RESPONSE AND MOTION FOR ENTRY OF MODIFIED PROTECTIVE ORDER** was served in its entirety on May 18, 2026, upon the following parties via electronic mail:

W. Karl Renner (Lead Counsel)
Ryan Chowdhury (Back-Up Counsel)
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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Ryan C. Richardson, Reg. No. 67,254/

Ryan C. Richardson
Registration No. 67,254
*Lead Attorney for Patent Owner InterDigital
Madison Patent Holdings, SAS*

Date: May 18, 2026

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APPENDIX A

PROPOSED PROTECTIVE ORDER

UNITED STATES PATENT AND TRADEMARK OFFICE

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PROTECTIVE ORDER

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Protective Order

The following protective order will be entered into the *Inter Partes* Review, *Dolby Laboratories, Inc. v. InterDigital Madison Patent Holdings, SAS*, Case No. IPR2026-00252, and 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 marked “PROTECTIVE ORDER MATERIAL” is limited to the following individuals who have executed the acknowledgment appended to this order:
 - (A) Parties. Persons who are owners of a patent involved in the proceeding and other persons who are named parties to the proceeding.
 - (B) Party Representatives. Representatives of record for a party in the proceeding.
 - (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.

(E) Support Personnel. Administrative assistants, clerical staff, court reporters and other 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.

(F) The Office. Employees and representatives of the United States Patent and Trademark 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.

3. Employees (e.g., corporate officers), 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 marked "PROTECTIVE ORDER MATERIAL" 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.

4. The Parties shall have the right to further designate confidential information or portions of confidential information as “PROTECTIVE ORDER MATERIAL – OUTSIDE COUNSEL’S EYES ONLY.” The “PROTECTIVE ORDER MATERIAL – OUTSIDE COUNSEL’S EYES ONLY” designation shall be limited to such documents, materials, testimony, or information that the designating party believes, in good faith, constitute or contain trade secrets or other non-public, highly sensitive confidential research, development, technical, business, and/or financial information that has not become public, the disclosure of which is likely to cause harm to the competitive position of the producing party or would violate confidentiality agreements with third parties; confidential information obtained from a non-party pursuant to a current non-disclosure agreement (“NDA”); and settlement agreements, the disclosure of which is likely to cause harm to the competitive position of the producing party.

5. Access to confidential information marked “PROTECTIVE ORDER MATERIAL – OUTSIDE COUNSEL’S EYES ONLY” is limited to the following individuals who have executed the acknowledgment appended to this order:

(A) Outside Counsel. (i) outside counsel who appear on the pleadings as counsel for a Party, and (ii) partners, associates, employees, and staff of such counsel to whom it is reasonably necessary to disclose the information for this proceeding, including supporting personnel employed by the attorneys, such as

paralegals, legal translators, legal secretaries, legal clerks, commercial copy vendors, and shorthand reporters, or (iii) independent attorneys contracted to assist outside counsel in connection with this proceeding.

(B) 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.

(C) 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.

(D) Support Personnel. Administrative assistants, clerical staff, court reporters and other 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.

6. 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.

7. 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 along with a Motion to Seal. The Motion to Seal should provide a nonconfidential description of the nature of the confidential information that is under seal, and set forth the reasons why the information is confidential and should not be made available to the public. A party may challenge the

confidentiality of the information by opposing the Motion to Seal. The submission shall be treated as confidential and remain under seal, unless the Board determines that the documents or information do not to qualify for confidential treatment.

The information shall remain under seal unless the Board determines that some or all of the information does not 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. A party may challenge the confidentiality of the information by opposing the Motion to Seal. The non-confidential 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 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.

Documents (including deposition transcripts) and other information designated as confidential that are 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.

8. Within 60 days after the final disposition of this action, including the exhaustion of all appeals and motions, each party receiving confidential information must return, or certify the destruction of, all copies of the confidential information to the producing party.

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:

UNITED STATES PATENT AND TRADEMARK OFFICE

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**ACKNOWLEDGMENT FOR ACCESS TO PROTECTIVE ORDER
MATERIAL**

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Alexandria, VA 22313-1450

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]

[Name]

[Date]

APPENDIX B

Comparison of the Proposed Protective Order to the Board's Default Protective Order

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PROTECTIVE ORDER

~~Default~~ Protective Order

The following protective order will be entered into the *Inter Partes* Review, *Dolby Laboratories, Inc. v. InterDigital Madison Patent Holdings, SAS*, Case No. IPR2026-00252, and~~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 marked “PROTECTIVE ORDER MATERIAL” is limited to the following individuals who have executed the acknowledgment appended to this order:

(A) Parties. Persons who are owners of a patent involved in the proceeding and other persons who are named parties to the proceeding.

(B) Party Representatives. Representatives of record for a party in the proceeding.

(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.

(E) Support Personnel. Administrative assistants, clerical staff, court reporters and other 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.

(F) The Office. Employees and representatives of the United States Patent and Trademark 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.

3. Employees (e.g., corporate officers), 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 marked "PROTECTIVE ORDER MATERIAL" 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.

4. The Parties shall have the right to further designate confidential information or portions of confidential information as “PROTECTIVE ORDER MATERIAL – OUTSIDE COUNSEL’S EYES ONLY.” The “PROTECTIVE ORDER MATERIAL – OUTSIDE COUNSEL’S EYES ONLY” designation shall be limited to such documents, materials, testimony, or information that the designating party believes, in good faith, constitute or contain trade secrets or other non-public, highly sensitive confidential research, development, technical, business, and/or financial information that has not become public, the disclosure of which is likely to cause harm to the competitive position of the producing party or would violate confidentiality agreements with third parties; confidential information obtained from a non-party pursuant to a current non-disclosure agreement (“NDA”); and settlement agreements, the disclosure of which is likely to cause harm to the competitive position of the producing party.

5. Access to confidential information marked “PROTECTIVE ORDER MATERIAL - OUTSIDE COUNSEL’S EYES ONLY” is limited to the following individuals who have executed the acknowledgment appended to this order:

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paralegals, legal translators, legal secretaries, legal clerks, commercial copy vendors, and shorthand reporters, or (iii) independent attorneys contracted to assist outside counsel in connection with this proceeding.

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(C) 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.

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3.6. 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.

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

(A) Documents and Information Filed With the Board.

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nonconfidential description of the nature of the confidential information that is under seal, and set forth the reasons why the information is confidential and should not be made available to the public. A party may challenge the confidentiality of the information by opposing the Motion to Seal. The submission shall be treated as confidential and remain under seal, unless the Board determines that the documents or information do not qualify for confidential treatment. The information shall remain under seal unless the Board determines that some or all of the information does not 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. A party may challenge the confidentiality of the information by opposing the Motion to Seal. The non-confidential 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 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.

Documents (including deposition transcripts) and other information designated as confidential that are 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.

5.8. Within 60 days after the final disposition of this action, including the exhaustion of all appeals and motions, each party receiving confidential information must return, or certify the destruction of, all copies of the confidential information to the producing party.

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ACKNOWLEDGMENT FOR ACCESS TO
PROTECTIVE ORDER MATERIAL

~~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]

[Name]

[Date]