UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NORTH SAILS GROUP, LLC,
Petitioner

v.

TEAM NEW ZEALAND LIMITED,
Patent Owner.

PGR2025-00062
U.S. Patent No. 12,110,089

PATENT OWNER'S MOTION TO SEAL
UNREDACTED PATENT OWNER'S PRELIMINARY RESPONSE
PURSUANT TO 37 C.F.R. §§42.14, 42.54

I. INTRODUCTION

Team New Zealand Limited ("Patent Owner") hereby respectfully submits this Motion to Seal pursuant to 37 C.F.R. §42.14 and §42.54. Patent Owner has conferred with Petitioner, who does not oppose this motion.

II. RELIEF REQUESTED

Pursuant to 37 C.F.R. §§42.14 and 42.54, and the reasons set forth below, Patent Owner requests that the unredacted version of Patent Owner's Preliminary Response of October 20, 2025 be sealed. A redacted public version of Patent Owner's Preliminary Response is being filed concurrently herewith.

III. GOOD CAUSE EXISTS FOR SEALING THE IDENTIFIED CONFIDENTIAL INFORMATION

The record of these proceedings, including documents, are generally made available to the public. 37 C.F.R. §42.14. However, the Board may grant a motion to seal confidential information for "good cause." 37 C.F.R. §42.54(a). Such confidential information may include, but is not limited to "a trade secret or other confidential research, development, or commercial information." 37 C.F.R. §42.54(a)(7).

The redacted confidential information is limited to section IV.A. of Patent Owner's Preliminary Response, and contains confidential and proprietary information pertaining to the construction details of, and processes for making, the sails manufactured for and used by Team New Zealand (America's Cup

competitive sailboat racing team). This information is the subject of a confidentiality agreement already in place between Petitioner and Patent Owner. This information is relied upon in Patent Owner's Preliminary Response because the same information has been relied upon, and redacted from, the Petition filed in this case. Disclosure of this information would result in "concrete harm" to Patent Owner because disclosure of the construction details and related process information pertaining to its sails would expose this proprietary information to competitors, and would be contrary to the contractual and proprietary rights in this information held by Patent Owner.

IV. PROPOSED PROTECTIVE ORDER

The parties have previously conferred and agreed upon the need to protect the confidentiality of this information in the context of Petitioner's Motion to Seal filed concurrently with the Petition (Paper No. 3). The parties have already agreed upon the terms of a Protective Order, and a motion has been previously filed requesting entry of the stipulated Protective Order (Paper No. 9).

V. CONCLUSION

For the reasons set forth above, Patent Owner respectfully requests the Board grant the present Motion to Seal and enter the proposed Protective Order.

Date: October 20, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

In compliance with 37 C.F.R. §42.6(e), the undersigned hereby certifies that a copy of the foregoing PATENT OWNER'S MOTION TO SEAL UNREDACTED PATENT OWNER'S PRELIMINARY RESPONSE PURSUANT TO 37 C.F.R. §§42.14, 42.54 was served by email correspondence to the email addresses of record for Patent Owner:

aolson@olsonip.com; and

rross@olsonip.com.

Date: October 20, 2025

Respectfully submitted,

/Teresa C. Rodriguez/
Teresa C. Rodriguez