

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

JOINT MOTION TO EXPUNGE PURSUANT TO 37 C.F.R. §42.56

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.56, Patent Owner Team New Zealand Limited (“Patent Owner”) and Petitioner North Sails Group, LLC (“Petitioner”) jointly move to expunge the confidential documents filed under seal in this proceeding.

II. BACKGROUND

On July 3, 2025 Petitioner filed its Petition for *Inter Partes* Review of U.S. Patent No. 12,110,089 (Paper No. 1). Petitioner concurrently filed a Motion to Seal certain documents filed in connection with the Petition (Paper No. 3). Specifically, Petitioner requested that the following documents be sealed:

- the unredacted Petition;
- the unredacted Declaration of Per Andersson (Exhibit 1005 including its Table 3); and
- Exhibits 1034, 1035, 1036 and 1038 are redacted in their entirety.

In its Motion to Seal, Petitioner acknowledged that:

. . . the designated redacted material contains competitive and highly sensitive trade secret information that is not known to the public. This material about particular sail designs is already subject to confidentiality agreements between the parties and should not be made public.

Paper No. 3, p. 2.

The Parties then filed a Joint Motion for Entry of Stipulated Protective Order

on August 1, 2025 (Paper No. 5).

On October 20, 2025, Patent Owner filed its Preliminary Response (Paper No. 12) along with its own *unopposed* Motion to Seal (Paper No. 13). Patent Owner requested that the unredacted Preliminary Response be filed under seal because it:

. . . 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.

Paper No. 13, p. 2.

On January 9, 2026, the Director issued a Decision Denying Institution of Post Grant Review of U.S. Patent No. 12,110,089 (Paper No. 16).

III. RELIEF REQUESTED

Petitioner and Patent Owner jointly request that the following unredacted confidential documents be expunged from the record.

Document Description	Location in the Record
[CONFIDENTIAL] Petition for Post Grant Review of US Patent Number 12,110,089	Paper No. 2
[CONFIDENTIAL] Patent Owner's Preliminary Response	Paper No. 14
[CONFIDENTIAL] EX1005 – Declaration of Per Andersson for PGR Petition	Exhibit 1005
[CONFIDENTIAL] EX1034 – North Sails’ Taping Report	Exhibit 1034
[CONFIDENTIAL] EX1035 – North Sails’ Taping Report	Exhibit 1035
[CONFIDENTIAL] EX1036 – Listing sails sold to Team New Zealand by NSG	Exhibit 1036
[CONFIDENTIAL] EX1038 – 5/23/23 email to Burns Fallow from Team New Zealand	Exhibit 1038

Petitioner and Patent Owner submit that good cause exists for expunging these documents from the record, as already alluded to above.

The above documents contain detailed, highly sensitive, and highly confidential non-public information. Public disclosure of this information would expose this confidential and proprietary information to competitors, causing serious harm to the parties’ interests. This confidential information is the subject of

confidentiality agreements between Petitioner and Patent Owner, and public disclosure thereof would be contrary to these obligations.

Expungement would also have minimal impact on the public's understanding of the record, further weighing in favor of granting the requested relief. More specifically, the Decision on Institution does not specifically refer to or otherwise identify the above-mentioned confidential information as being specifically relied upon in the decision. The Board has routinely granted motions to expunge confidential documents where the expunged documents were not necessary for the public to understand the Board's decisions. *Micron Tech., Inc. v. Yangtze Memory Techs. Co., Ltd.*, IPR2024-00910, Paper No. 20, p. 3 (P.T.A.B. 2025); *Mylan Pharm., Inc. et al. v. Novo Nordisk A/S*, IPR2023-00724, Paper No. 122, p. 7 (P.T.A.B. 2025); *Bruker Spatial Biology, Inc. v. President and Fellows of Harvard Coll. et al.*, IPR2024-00526, Paper No. 48, pp. 4-5 (P.T.A.B. 2025); *Intel Corp. et al. v. Alcritech, Inc.*, IPR2017-01391, Paper No. 103, pp. 5-6 (P.T.A.B. 2024).

The sensitive and confidential nature of the documents and the minimal impact expungement would have on the public's understanding of the record weigh strongly in favor of granting this motion.

IV. CONCLUSION

For the reasons set forth above, Petitioner and Patent Owner respectfully request that the Joint Motion to Expunge Confidential Information be granted.

Date: February 13, 2026

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 JOINT MOTION TO EXPUNGE PURSUANT TO 37 C.F.R. §42.56 was served by email correspondence to the email addresses of record for Petitioner:

aolson@olsonip.com; and

ross@olsonip.com.

Date: February 13, 2026

Respectfully submitted,

/Christina Londono/

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