

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioners,

v.

SNAPAID, LTD.
Patent Owner.

CASE NO. IPR2025-01521
U.S. PATENT NO. 11,252,325

**SNAPAID'S MOTION TO SEAL AND
FOR ENTRY OF STIPULATED PROTECTIVE ORDER**

Patent Owner SnapAid, Ltd. (“SnapAid”) respectfully submits this Motion to Seal and for Entry of a Stipulated Protective Order.

I. RELIEF REQUESTED

Under 37 C.F.R. §§ 42.54 and 42.14, SnapAid respectfully moves to seal Exhibit 2017 submitted with Patent Owner’s Request for Discretionary Denial dated November 17, 2025. Good cause exists to seal this document as it includes Petitioner’s confidential and competitively sensitive business information. Patent Owner further moves for the entry of the Board’s Default Protective Order, attached below as Appendix A. Petitioners, Samsung Electronics Co., Ltd and Samsung Electronics America, Inc. (collectively, “Samsung”), do not oppose Patent Owner’s Motion to Seal and have consented to the Board’s Default Protective Order.

II. LEGAL STANDARD

The Board may, for good cause, issue an order to protect a party or person from disclosing confidential information, including, but not limited to, “[r]equiring that a trade secret or other confidential research, development, or commercial information not be revealed or be revealed only in a specified way.” 37 C.F.R. § 42.54(a)(7). In particular, the Board will protect confidential information after balancing “the public’s interest in maintaining a complete and understandable file history and the parties’ interest in protecting truly sensitive information.” Patent Trial and Appeal Board Consolidated Trial Practice Guide at 19 (Nov. 2019).

A party may file a motion to seal where the motion to seal contains a proposed protective order and a certification that the moving party has in good faith conferred or attempted to confer with other affected parties. 37 C.F.R. §42.54(a).

III. GOOD CAUSE EXISTS FOR SEALING THE IDENTIFIED CONFIDENTIAL INFORMATION

The exhibit SnapAid seeks to seal consist of information that is “truly confidential.” *See* Fed. R. Civ. P. 26(c)(1)(G). Exhibit 2017 is a 2015 email from Samsung discussing a non-public business project, and reflects Samsung’s confidential and sensitive business information. In similar cases, the Board has found that “good cause” exists to seal such documents. *See Celltrion, Inc., v. Genentech, Inc.*, IPR2016-01667, Paper 20 at 4 (PTAB Aug. 18, 2017) (granting motion to seal non-public business information, including information about drug development and regulatory strategies), Paper 31 at 4 (PTAB July 23, 2018) (granting motion to expunge that information from the record); *Unified Patents Inc. v. Dragon Intellectual Prop., LLC*, IPR2014-01252, Paper 40 at 6-7 (PTAB Feb. 27, 2015) (granting motion to seal non-public business information, including information relating to business strategies).

The parties’ interests in protecting confidential business information, particularly information that is not relied on to show the validity of the patent, outweighs the public’s interest in viewing that information. *See Garmin Int’l, Inc. et al. v. Cuozzo Speed Techs. LLC*, IPR2012-00001, Paper 36 at 7-9 (PTAB Apr. 5,

2013) (the public's interest in having access to a party's confidential business information, not related to patent validity, is "minimal"). Therefore, there is good cause to seal Exhibit 2017.

IV. PROPOSED PROTECTIVE ORDER

Pursuant to 37 C.F.R. § 42.54, SnapAid requests that, for the purpose of the materials cited herein, the default protective order found in Appendix B of the Consolidated Trial Practice Guide be entered (attached below as Appendix A). The parties reserve the right to seek appropriate further modifications to the default protective order in the future to the extent necessary.

V. CONCLUSION

For the reasons set forth above, Patent Owner SnapAid respectfully requests the Board grant its Motion to Seal and Enter the Proposed Stipulated Protective Order.

Dated: November 17, 2025

Respectfully submitted,

/s/ James Nuttall

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Counsel for Patent Owner,
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CERTIFICATE OF SERVICE

The undersigned certifies that on the seventeenth day of November, 2025, a complete and entire copy of the foregoing “Motion to Seal and For Entry of Stipulated Protective Order” was served on the date below on the following counsel of record via email per Petitioner’s consent to electronic service.

Dated: November 17, 2025

/s/ James Nuttall

James Nuttall (Reg. No. 44,978)

Counsel for Patent Owner,
SNAPAID, LTD.

Appendix A

DEFAULT PROTECTIVE ORDER

The following Default Protective Order will govern the filing and treatment of confidential information in the proceeding:

Default 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:

(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 those persons identified above in (d)(2)(A)–(E), 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 and after signing the Acknowledgment. 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. 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.

5. 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 non-confidential 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 documents or information shall remain under seal unless the Board determines that some or all of it 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.

6. 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.

(k) 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]