

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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THE SHERWIN-WILLIAMS COMPANY,  
Petitioner,

v.

ARCH CHEMICALS, INC.,  
Patent Owner

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Case: IPR2019-01497, IPR2019-01498  
U.S. Patent No. 9,723,842

Case: IPR2019-01499  
U.S. Patent No: 9,717,250

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**MOTION TO SEAL**

Pursuant to 37 C.F.R. §§ 42.14 and 42.54 and the Protective Order entered by the Board on February 13, 2020 (Paper No. 14), Patent Owner Arch Chemicals, Inc. (“Arch”) hereby moves to seal portions of its Unopposed Request to Keep Subject Matter in February 14, 2020 Decision Confidential (“the Request”). A redacted version of the Request showing the portions Arch seeks to seal is filed herewith. Petitioner The Sherwin-Williams Company has indicated they do not oppose this motion.

Arch certifies that it accepts and agrees to the terms of the protective order entered on February 13, 2020.

The record of an *inter partes* review proceeding, including documents and things, is made available to the public, except as otherwise ordered. 37 C.F.R. § 42.14. Despite the default rule of public availability, the Board will seal confidential information for “good cause,” because it is necessary to “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.” 37 C.F.R. § 42.54(a); 77 Fed. Reg. 48756, 48760 (Aug. 14, 2012).

Subject matter from the Request should itself be kept confidential, as the subject matter described in the Request is the very subject matter from the Decision of February 14, 2020 that Arch desires to keep confidential. Disclosure of this subject

matter could provide competitors with an unfair advantage in their efforts to compete, and therefore would be harmful to the parties. The harm to Arch outweighs any public interest in maintaining a complete file history. Accordingly, there is good cause to seal the redacted portions of the Request, and Arch respectfully requests the same.

Dated: February 18, 2020

Respectfully submitted,

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IPR2019-01497, IPR2019-01498, IPR2019-01499  
Patent 9,717,250, U.S. Patent 9,723,842

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on  
February 18, 2020, a copy of the MOTION TO SEAL was served in its entirety by  
electronic mail on Petitioner:

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Dated: February 18, 2020

/April Marconi/  
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