UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SEMICONDUCTOR COMPONENTS INDUSTRIES, LLC,
Petitioner

v.

GREENTHREAD, LLC,
Patent Owner

Case: IPR2023-01242
U.S. Patent No. 11,121,222

PATENT OWNER'S MOTION TO SEAL PURSUANT TO 37 C.F.R. §§ 42.145 & 42.54

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Patent Owner, Greenthread, LLC ("Patent Owner") respectfully submits this Motion to Seal and to enter the Default Protective Order found in Appendix B of the Trial Practice Guide. Pursuant to the Default Protective Order, Patent Owner moves to seal Patent Owner's Motion for Additional Discovery (filed concurrently with the present Motion) in its entirety, along with Exhibits 2002, 2014, and 2022. Patent Owner has conferred with Petitioner, and Petitioner indicated that it does not oppose this Motion to Seal.

I. GOOD CAUSE EXISTS

The Office Trial Practice Guide (TPG) states that "a document or thing will be made publicly available, unless a party files a motion to seal that is then granted by the Board." Office Trial Practice Guide (Nov. 2019) at 19; *see also* 35 U.S.C. §316(a)(7). "The document or thing will be protected on receipt of the motion and remain so, pending the outcome of the decision on motion." *Id.* The TPG states that "protective orders may be issued for good cause by the Board to protect a party from disclosing confidential information." *Id.* at 20 (citing C.F.R. § 42.54). Here, there is good cause for sealing Patent Owner's Motion for Additional Discovery and Exhibits 2002, 2014, and 2022 because as explained below, these documents contain sensitive, confidential, and non-public business information, including licensing information regarding the identities of parties in license agreements.

A. Ex. 2022

As explained in Section II.A of the concurrently-filed Patent Owner's Motion for Additional Discovery, Exhibit 2022 (confidential settlement agreement) in this proceeding was previously filed confidentially (accessible to the Board and parties only) as Exhibit 2001 in the following IPR proceedings, in conjunction with motions to terminate those proceedings: *Intel Corp. v. Greenthread, LLC*, IPR2023-00420, *Intel Corp. v. Greenthread, LLC*, IPR2023-00552; *Dell Techs. v. Greenthread, LLC*, IPR2023-00506; *Dell Techs. v. Greenthread, LLC*, IPR2023-00509; *Sony Group Corp. v. Greenthread, LLC*, IPR2023-00324; *Sony Group Corp. v. Greenthread, LLC*, IPR2023-00376. In those proceedings, the Board found that the settlement agreements (including what is filed here as Exhibit 2022) contain confidential business information regarding the terms of settlement. *Intel*, IPR2023-00420, Paper 10 (PTAB May 18, 2023); *Intel*, IPR2023-00552, Paper 10 (PTAB May 18, 2023); *Dell Techs.*, IPR2023-00506, Paper 11 (PTAB May 17, 2023); *Dell Techs*., IPR2023-00509, Paper 10 (PTAB May 17, 2023); *Sony Group*, IPR2023-00376, Paper 10 (PTAB May 18, 2023).

For the same reasons, the settlement-related business confidential information in Exhibit 2022 (i.e., the same document as Exhibit 2001 in the above-identified terminated proceedings) should be sealed in its entirety.

B. Exs. 2002 and 2014

Exhibits 2002 and 2014 are email exchanges between counsel for Patent Owner and counsel for Petitioner, and these exhibits contain sensitive, confidential and non-public information regarding whether or not certain third parties are in certain business relationships with Petitioner, including licensing relationships. Therefore, these exhibits should be sealed in their entirety.

C. Patent Owner's Motion for Additional Discovery

Patent Owner's Motion for Additional Discovery, filed concurrently herewith, discusses the sensitive, confidential, and non-public business information discussed above regarding Exhibits 2002, 2014, and 2022, including whether or not certain third parties are in certain business relationships with Petitioner, including licensing relationships. Therefore, Patent Owner's Motion for Additional Discovery should be sealed in its entirety.

II. CERTIFICATION OF NON-PUBLICATION

To the best of Patent Owner's knowledge, the information sought to be sealed by this Motion has not been made publicly available.

III. PROPOSED PROTECTIVE ORDER

Patent Owner requests entry of the Default Protective Order, found in the TPG at Appendix B. Upon entry of the Default Protective Order, Patent Owner designates

Exhibits 2002, 2014, and 2022 and Patent Owner's Motion for Additional Discovery in their entirety as "PROTECTIVE ORDER MATERIAL."

IV. CONCLUSION

For at least the foregoing reasons, Patent Owner requests that the Board enter the Default Protective Order in this proceeding and seal Exhibits 2002, 2014, and 2022 and Patent Owner's Motion for Additional Discovery in their entirety.

Dated: October 17, 2023

Respectfully submitted,

/Alan Whitehurst/

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CERTIFICATION OF SERVICE

The undersigned hereby certifies that a copy of this **PATENT OWNER'S MOTION TO SEAL PURSUANT TO 37 C.F.R. §§ 42.14 & 42.54** has been served on Petitioner via email on the following counsel of record for petitioner:

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Dated: October 17, 2023

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