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. §§ 42.14 & 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. Patent Owner moves to seal Patent Owner's Preliminary Sur-reply (filed concurrently with the present Motion) and Exhibit 2056 in their entirety. Patent Owner has conferred with Petitioner, and Petitioner stated:

> onsemi does not oppose Patent Owner filing its papers as available to the Parties and Board only and submitting associated motions to seal. Patent Owner has over-sealed the entirety of its filings, and onsemi reserves the right to oppose Patent Owner's motions.

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 Preliminary Sur-reply and Exhibit 2056 because as explained below, these documents contain sensitive, confidential, and non-public business information, including licensing information regarding Patent Owner's licenses.

A. Patent Owner's Preliminary Sur-reply

Patent Owner's Preliminary Sur-reply, filed concurrently herewith, discusses the sensitive, confidential, and non-public business information discussed above in its Sur-reply, including information regarding Patent Owner's licenses. Therefore, Patent Owner's Preliminary Sur-reply should be sealed in its entirety.

B. Exhibit 2056

Exhibit 2056, filed concurrently herewith, is an email chain that includes an email from the Board and earlier email correspondence between the parties. That email chain includes discussion of sensitive, confidential, and non-public business information discussed above in Patent Owner's Preliminary Sur-reply, including information regarding Patent Owner's licenses. Therefore, Exhibit 2056 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. PROTECTIVE ORDER

Patent Owner previously requested entry of a modified protective order. Upon entry of that modified protective order, Patent Owner designates Patent Owner's Preliminary Sur-reply and Exhibit 2056 in its entirety as "PROTECTIVE ORDER MATERIAL."

IV. CONCLUSION

For at least the foregoing reasons, Patent Owner requests that the Board seal Patent Owner's Preliminary Sur-reply and Exhibit 2056 in their entirety.

Dated: January 10, 2024

Respectfully submitted,

/Alan L. 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: January 10, 2024

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