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 Request for Director Review (filed concurrently with the present Motion) in its entirety. Patent Owner has conferred with Petitioner, and Petitioner indicated it was opposed and stated the following:

> Petitioner stands by the position it articulated in response to Patent Owner's prior motions to seal. That is, Petitioner does not object to narrowly tailored sealing of specific information that is genuinely confidential. However, Petitioner continues to believe that Patent Owner is over sealing materials in these IPRs, in a way that is both prejudicial to Petitioner and contrary to public policy. For example, we disagree that basic information like the name of the parties involved in Patent Owner's prior licenses warrants sealing.

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 Request for Director Review because as explained below, this document contains sensitive, confidential, and non-public

business information, including licensing information regarding Patent Owner's licenses.

Patent Owner's Request for Director Review, filed concurrently herewith, discusses the sensitive, confidential, and non-public business information discussed above, including information regarding Patent Owner's licenses. It is specifically relevant in this instance because Petitioner has previously indicated via email that its goal was to make public the identity of a third-party who was involved with Patent Owner's licenses. Ex. 2052 (December 13, 2023 email from Petitioner's counsel to Patent Owner's counsel). Therefore, Patent Owner's Request for Director Review 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 Request for Director Review 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 Request for Director Review in its entirety.

Dated: February 26, 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: February 26, 2024 By: */Alan L. Whitehurst/*
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