UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SEMICONDUCTOR COMPONENTS INDUSTRIES, LLC,
Petitioner,

v.

GREENTHREAD, LLC,
Patent Owner.

IPR2023-01244
U.S. Patent No. 11,121,222

PATENT OWNER'S REPLY IN SUPPORT OF MOTION TO SEAL FILED OCTOBER 17, 2023

EXHIBIT LIST

Exhibit No.	Description	Submitted Previously?
Ex. 2001	*Greenthread, LLC v. Intel Corp.*, No. 6:22-cv-00105-ADA, Dkt. 7 (summons returned executed) (W.D. Tex. Feb. 7, 2022)	X
Ex. 2002	Email communication from Petitioner's counsel to Patent Owner's counsel October 16, 2023	X
Ex. 2003	Presentation entitled "Accelerating the Journey Towards a Sustainable Ecosystem" (2023) available at Petitioner's website at https://www.onsemi.com/site/pdf/2023_Analyst_Day_Presentation.pdf	X
Ex. 2004	"Clock Devices for Servers" (Aug. 2020) available at https://cdrdv2-public.intel.com/620306/620306_Clock_Devices_For_Server_Rv1p3.pdf	X
Ex. 2005	On Semiconductor Corporation Form 10-K filing with U.S. Securities and Exchange Commission for the fiscal year ended December 31, 2016	X
Ex. 2006	ON Semiconductor data sheet entitled "NCP81248 Three-Rail Controller with Intel Proprietary Interface for IMVP8 CPU Applications" (Feb. 2018) available at https://www.onsemi.com/pdf/datasheet/ncp81248-d.pdf	X
Ex. 2007	onsemi data sheet entitled "+ 1 Phase Output Controller with SVID Interface for Computer CPU Applications" (May 2023) available at https://www.onsemi.com/download/data-sheet/pdf/ncp81566-d.pdf	X

Exhibit No.	Description	Submitted Previously?
Ex. 2008	Onsemi data sheet entitled "+ 2 Phase Output Controller with SVID Interface for Computer CPU Applications (May 2023) available at https://www.onsemi.com/download/data-sheet/pdf/ncp81567-d.pdf	X
Ex. 2009	Article entitled "If You Invested $1000 in ON Semiconductor Corp. a Decade Ago, This is How Much It'd Be Worth Now," May 8, 2023 available at https://finance.yahoo.com/news/invested-1000-semiconductor-corp-decade-123012312.html	X
Ex. 2010	Onsemi Standard Terms and Conditions of Sale, Rev.08102021 available at https://www.onsemi.com/site/pdf/ONSEMI_T&C.pdf	X
Ex. 2011	Plaintiff's First Set of Common Interrogatories to Defendants ON Semiconductor Corporation and Monolithic Power Services, Inc., Et Al., *Greenthread, LLC v. ON Semiconductor Corp.*, No. 23-443-RGA (D. Del.) (served Sept. 27, 2023)	X
Ex. 2012	Plaintiff's First Set of Common Requests for the Production of Documents to Defendants ON Semiconductor Corporation and Monolithic Power Services, Inc., Et Al., *Greenthread, LLC v. ON Semiconductor Corp.*, No. 23-443-RGA (D. Del.) (served Sept. 27, 2023)	X
Ex. 2013	Definition of "privity" in Black's Law Dictionary (11th ed. 2019) available from Westlaw at westlaw.com	X
Ex. 2014	Email communication from Petitioner's counsel to Patent Owner's counsel October 11, 2023	X
Ex. 2015	Plaintiff's Identification of Accused Products and Asserted Patents, *Greenthread, LLC v. ON Semiconductor Corp.*, No. 23-443-RGA (D. Del.) (served Oct. 12, 2023)	X

Exhibit No.	Description	Submitted Previously?
Ex. 2016	Petition (Paper 2) in *Sony Group Corp. v. Greenthread, LLC*, IPR2023-00324	X
Ex. 2017	Petition (Paper 1) in *Sony Group Corp. v. Greenthread, LLC*, IPR2023-00376	X
Ex. 2018	*Greenthread, LLC v. Intel Corp.*, No. 6:22-cv-00105-ADA, Dkt. 1 (Complaint) (W.D. Tex. Jan. 27, 2022)	X
Ex. 2019	*Greenthread, LLC v. Dell Inc.*, No. 6:22-cv-105-ADA, Dkt. 120 (Second Amended Complaint)	X
Ex. 2020	*Greenthread, LLC v. ON Semiconductor Corp.*, No. 23-443-RGA, Dkt. 1 (Complaint with accompanying exhibits) (D. Del. Apr. 21, 2023)	X
Ex. 2021	*Greenthread, LLC v. ON Semiconductor Corp.*, No. 23-443-RGA, Dkt. 24 (Scheduling Order) (D. Del. Sept. 11, 2023)	X
Ex. 2022	Confidential agreement	X
Ex. 2023	Petition (Paper 1) in *Intel Corp. v. Greenthread LLC*, IPR2023-00308	X
Ex. 2024	Petition (Paper 1) in *Intel Corp. v. Greenthread LLC*, IPR2023-00420	X
Ex. 2025	Petition (Paper 1) in *Intel Corp. v. Greenthread LLC*, IPR2023-00552	X
Ex. 2026	Petition (Paper 1) in *Dell Techs. Inc. v. Greenthread LLC*, IPR2023-00506	X
Ex. 2027	Petition (Paper 1) in *Dell Techs. Inc. v. Greenthread LLC*, IPR2023-00509	X

Exhibit No.	Description	Submitted Previously?
Ex. 2028	Confidential declaration	X
Ex. 2029	Email communication from Patent Owner's counsel to Petitioner's counsel between May 26 to June 1, 2023	X
Ex. 2030	Web pages from websites of Onsemi (www.onsemi.com), Mouser Electronics, Inc. (www.mouser.com), Rochester Electronics (www.rocelec.com), and DigiKey Corporation (www.digikey.com) (URLs for web pages are indicated on respective pages)	X
Ex. 2031	*Greenthread, LLC v. Intel Corp.*, No. 6:22-cv-00105-ADA, Dkt. 113 (Redacted Memorandum Opinion and Order) (W.D. Tex. Dec. 27, 2022)	X
Ex. 2032	*Greenthread, LLC v. Intel Corp.*, 6:22-cv-00105-ADA, Dkt. 38 (First Amended Complaint for Patent Infringement) (W.D. Tex., filed Apr. 29, 2022)	X
Ex. 2033	*Greenthread, LLC v. Intel Corp.*, 6:22-cv-00105-ADA, Dkt. 38-8 (Greenthread's Amended Preliminary Infringement Contentions) (W.D. Tex., filed Apr. 29, 2022)	X
Ex. 2034	*Greenthread, LLC v. Intel Corp.*, 6:22-cv-00105-ADA, Dkt. 38-12 (Exs. D-1, D-2, D-3, D-6 to Greenthread's Preliminary Infringement Contentions) (W.D. Tex., filed Apr. 29, 2022)	X
Ex. 2035	Plaintiff's Supplemental Identification of Asserted Patents and Accused Products in *Greenthread, LLC v. ON Semiconductor Corp.*, No. 23-443-RGA (served to Petitioner's counsel on Nov. 10, 2023)	X
Ex. 2036	Webpage regarding iFixIt, PlayStation 5 Teardown (https://www.ifixit.com/Teardown/PlayStation+5+Teardown/138280)	X

Exhibit No.	Description	Submitted Previously?
Ex. 2037	Webpage from Mouser Electronics, Inc. for NCP252160 (https://www.mouser.com/ProductDetail/onsemi/NCP252160MNTWG?qs=sPbYRqrBIVkc9klNZ2pXbg%3D%3D)	X
Ex. 2038	Webpage from DigiKey for NCP252160 (https://www.digikey.com/en/products/detail/onsemi/NCP252160MNTWG/15859992)	X
Ex. 2039	Webpage from Mouser Electronics, Inc. for NB3L202K (https://www.mouser.com/ProductDetail/onsemi/NB3L202KMNTXG?qs=z6PAvqrnkvR8PcLN2EnUzg%3D%3D)	X
Ex. 2040	Webpage from DigiKey for NB3L202K (https://www.digikey.com/en/products/detail/onsemi/NB3L202KMNTXG/7220446)	X
Ex. 2041	Definition of "agent" in Black's Law Dictionary (11th ed. 2019) available from Westlaw at westlaw.com	X
Ex. 2042	*Greenthread, LLC v. Intel Corp.*, 6:22-cv-00105-ADA, Dkt. 135 (Motion for Admission Pro Hac Vice of L. Popovski on Behalf of Sony) (W.D. Tex., filed January 30, 2023)	X
Ex. 2043	[RESERVED]	
Ex. 2044	Email communication from Patent Owner to Petitioner's litigation counsel dated September 13, 2023	X
Ex. 2045	*Greenthread, LLC v. Intel Corp.*, 6:22-cv-00105-ADA, Dkt. 49 (Notice of Appearance of Additional Counsel) (W.D. Tex., filed June 9, 2022)	X
Ex. 2046	[RESERVED]	

Exhibit No.	Description	Submitted Previously?
Ex. 2047	[RESERVED]	
Ex. 2048	*Greenthread, LLC v. Intel Corp.*, 6:22-cv-00105-ADA, Dkt. 120-8 (Greenthread's Amended Preliminary Infringement Contentions) (W.D. Tex., filed Jan. 23, 2023)	X
Ex. 2049	Email communications between Petitioner's counsel and Patent Owner's counsel, dated Oct. 31, 2023 - Nov. 1, 2023	X
Ex. 2050	Email communications between Petitioner's counsel and Patent Owner's counsel, dated Nov. 2-7, 2023	X
Ex. 2051	Email communications between Petitioner's counsel and Patent Owner's counsel, dated Nov. 14-15, 2023	X
Ex. 2052	Email communications between Petitioner's counsel and Patent Owner's counsel, dated Dec. 12-13, 2023	X

Patent Owner Greenthread, LLC ("Patent Owner" or "PO") filed its motion to seal ("Mot.," Paper 7) certain documents because they contain confidential licensing-related information. Despite stating that it had no objection to Patent Owner's motion, Petitioner[1] nonetheless inexplicably filed an opposition ("Opp.," Paper 21), without providing advance notice to PO or explaining its change in position. Petitioner's actions were especially perplexing, because Patent Owner has repeatedly said it does not object unsealing its submissions with redactions and has even proposed specific (and very limited) redactions to Petitioner. Petitioner has not responded to these proposals.

Petitioner has shifted positions many times regarding whether Patent Owner's confidential information should remain confidential. On October 31, 2023, Patent Owner requested permission from Petitioner to file its motion for additional discovery under seal, because it would discuss a confidential license. Ex. 2049 (October 31, 2023 email from Patent Owner's counsel to Petitioner's counsel). Then, without explanation, Petitioner filed an *opposition* to the motion to which it had previously consented. Paper 21. Patent Owner tried to moot the dispute by offering redactions, but Petitioner would not agree. Ex. 2050 (November 7, 2023

[1] Semiconductor Components Industries, LLC, d/b/a onsemi

email from Petitioner's counsel to Patent Owner's counsel); Ex. 2051 (November 15, 2023 email from Petitioner's counsel to Patent Owner's counsel).

Finally, the day Petitioner filed its Reply to Patent Owner's Preliminary Response, Petitioner 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 (November 13, 2023 email from Petitioner's counsel to Patent Owner's counsel). Petitioner has not provided any reason why that third-party's identity should be made public and publicizing the third-party's identity could harm both it and Patent Owner. Therefore, good cause exists for the information to remain under seal.

As explained above, in Patent Owner's Reply in support of its motion for discovery, and in Patent Owner's Preliminary Reply, Petitioner has been, at best, uncooperative throughout these proceedings.

Consistent with the Protective Order requested for entry by Patent Owner in its Motion to Seal dated December 14, 2014 (Attachment A to Paper 24), Patent Owner's motion should be granted in its entirety with respect to Exhibit 2022. That is a confidential license, which Petitioner previously told the Board it does not object to keeping under seal. Opp. at 2 n.2. Patent Owner should be permitted to file unsealed but redacted copies of its motion for additional discovery (Paper 8) and Exhibits 2002, 2014, 2049, 2050, 2051, and 2052.

Dated: December 18, 2023

Respectfully submitted,

/Alan L. Whitehurst/

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CERTIFICATION OF SERVICE

The undersigned hereby certifies that a copy of this **PATENT OWNER'S REPLY IN SUPPORT OF MOTION TO SEAL FILED OCTOBER 17, 2023** has been served on Petitioner via email on the following counsel of record for Petitioner:

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