IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CIRRUS LOGIC, INC.;
OMNIVISION TECHNOLOGIES, INC.; AND
AMS SENSORS USA INC.,
Petitioner,

v.

GREENTHREAD, LLC,
Patent Owner.

Case No. IPR2024-00001
Patent No. 10,734,481

PETITIONER'S OPPOSITION TO PATENT OWNER'S MOTION TO SEAL FILED DECEMBER 22, 2023

TABLE OF EXHIBITS

Exhibit No.	Description
1001	U.S. Patent No. 10,734,481 to Rao (the "'481 Patent")
1002	Prosecution History of the '481 Patent
1003	Declaration of Sanjay Banerjee, PhD
1004	Curriculum Vitae of Sanjay Banerjee, PhD
1005	Publication Declaration of Sean O'Bryan for Maziasz ("O'Bryan Decl.")
1006	U.S. Patent Application Publication No. 2003/0183856 to Wieczorek ("Wieczorek")
1007	U.S. Patent No. 6,043,114 to Kawagoe, et al. ("Kawagoe")
1008A	Wolf and Tauber, *Silicon Processing For The VLSI Era*, Vol 1, Lattice Press (2000) ("Wolf.1")
1008B	Wolf and Tauber, *Silicon Processing For The VLSI Era*, Vol 2, Lattice Press (2000) ("Wolf.2")
1008C	Wolf and Tauber, *Silicon Processing For The VLSI Era*, Vol 3, Lattice Press (2000) ("Wolf.3")
1008D	Wolf and Tauber, *Silicon Processing For The VLSI Era*, Vol 4, Lattice Press (2000) ("Wolf.4")
1009	Wang and Agrawal, *Single Event Upset: An Embedded Tutorial*, 21st Intl Conf on VLSI Design, IEEE 2008 ("Wang")
1010	U.S. Patent No. 4,481,522 ("Jastrzebski")
1011	Publication Declaration of Martin L. Knott for Rabaey ("Knott Decl.")

Exhibit No.	Description
1012	Publication Declaration of Alyssa G. Resnick for Wolf.1 and Wolf.2 ("Resnick Decl.")
1013	Publication Declaration of Rachel J. Watters for Wolf.3 and Wolf.4 ("Watters Decl.")
1014	U.S. Patent No. 6,163,877 ("Gupta")
1015	U.S. Patent No. 6,534,805 ("Jin")
1016	Excerpts from the Prosecution History of U.S. Patent No. 8,421,195 (the "'195 Patent")
1017	Patent Owner's Proposed Constructions
1018	Blank
1019	Blank
1020	Patent Owner's Responsive Claim Construction Brief
1021	Blank
1022	Sze, *Semiconductor Devices Physics and Technology*, 2d Ed., John Wiley & Sons (2002)
1023	Maziasz and Hayes, *Layout Minimization of CMOS Cells*, Kluwer Academic Publishers (1992) ("Maziasz")
1024	U.S. District Courts – Case Statistics, obtained at https://www.uscourts.gov/statistics-reports/analysis-reports/federal-court-management-statistics, dated June 30, 2023
1025	Rabaey et al., *Digital Integrated Circuits, A Design Perspective*, Prentice Hall Electronics and VLSI Series (2003) ("Rabaey")
1026	Gregory and Shafer, "Latch-Up In CMOS Integrated Circuits," IEEE Transactions on Nuclear Science, Volume 20, Issue 6 (1973)

Exhibit No.	Description
1027	U.S. Patent Application Publication No. 2007/0045682 to Hong et al. ("Hong")
1028	Excerpts from the Prosecution History of U.S. Patent Application Publication No. 10/934,915 (the "'915 App.")
1029	Excerpts from the Prosecution History of U.S. Patent No. 9,190,502 (the "'502 Patent")
1030	Excerpts from the Prosecution History of U.S. Patent Application Publication No. 13/854,319 (the "'319 App.")
1031	U.S. Patent No. 4,160,985 to Kamins et al. ("Kamins")
1032	McGraw-Hill Dictionary of Scientific and Technical Terms (2003)
1033	Excerpts from the Prosecution History of U.S. Patent No. 11,121,222 (the "'222 Patent")
1034	U.S. Patent No. 9,647,070 to Rao (the "'070 Patent")
1035	U.S. Patent Application Publication No. 2003/0030488 to Hueting *et al*. ("Hueting")
1036	Publication Declaration of Sylvia Hall-Ellis for Wolf
1037	Law360 Article "Stays Pending IPR In Del. District Courts Are Here To Stay," Kraning and Del Dotto, March 11, 2022.
1038	Dec. 21, 2022 Preliminary Claim Constructions in 6:22-CV-00105
1039	Oct. 31, 2022 Giapis Declaration, 6:22-CV-00105
1040	Blank
1041	Blank
1042	U.S. Patent No. 6,614,560 to Silverbrook ("Silverbrook")
1043	Blank

Exhibit No.	Description
1044	Wong et al., "CMOS Active Pixel Image Sensors Fabricated Using a 1.8V, 0.25 um CMOS Technology."
1045	Email dated December 22, 2023

Petitioner Cirrus Logic, Inc., OmniVision Technologies, Inc., and ams Sensors USA, Inc. (collectively, "Petitioner") submits this Opposition to Patent Owner Greenthread, LLC's Motion to Seal (Paper 8), filed December 22, 2023.[1] The Motion to Seal requests sealing Patent Owner's Motion for Additional Discovery (Paper 9) and Exhibits 2011, 2016, 2022, 2028, 2032, and 2034 in their entireties. Paper 8 at 2–6. Patent Owner also seeks entry of the Board's Default Protective Order. *Id.*

As Patent Owner admits, Patent Owner filed its Motion to Seal on the Friday before the Christmas holidays without giving Petitioner sufficient time to provide a position regarding the motion. *Id.* at 2; Ex. 1045 at 1. In fact, Patent Owner did not attach any document to be sealed when it emailed Petitioner about its intent to file a motion to seal, nor did Patent Owner identify any previous email correspondence between the parties (Exhibits 2011 and 2016) as something it sought to seal. *See* Ex. 1045 at 1. Now that Petitioner's counsel has been able to review the documents filed under seal, Petitioner opposes Patent Owner's Motion to Seal in part and submits

[1] This opposition is timely filed within one month of service of the Motion to Seal. 37 C.F.R. § 42.25(a)(1).

that the requests to seal the Motion for Additional Discovery and Exhibits 2011, 2016, and 2028 in their entireties should be denied.[2]

Strong public policy exists for making all information in an *inter partes* review open to the public. *Garmin Int'l v. Cuozzo Speed Techs., LLC*, IPR2012-00001, Paper 34 at 1-2 (PTAB Mar. 14, 2013). All papers filed in *inter partes* reviews are by default available to the public. 35 U.S.C. § 316(a)(1). "[C]onfidential information" may be granted protection from disclosure only "for good cause." 37 C.F.R. § 42.54(a); 35 U.S.C. § 316(a)(7).

Parties moving to seal have "the burden of showing that the relief requested should be granted" and that an interest in confidentiality "outweighs the strong public interest in having an open record." *Argentum Pharm. LLC v. Alcon Research, Ltd.*, IPR2017-01053, Paper 27 at 2, 4 (PTAB Jan. 19, 2018) (Informative); 37 C.F.R. § 42.20(c). In meeting this burden, Patent Owner must show that the information it seeks to seal is "truly confidential" and "concrete harm would result upon public disclosure." *Id.* "Few, if any, exhibits, even business records, should ever be confidential in their entirety, without good cause to show that all of the information contained therein is truly sensitive." *Edwards Lifesciences Corp. v.*

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[2] Petitioner does not oppose sealing Exhibits 2022, 2032, and 2034 in their entireties. Petitioner also does not oppose entry of the Board's Default Protective Order.

Boston Scientific Scimed, Inc., IPR2017-00060, Paper 24 at 7 (FN3) (PTAB July 20, 2017). Moreover, "[a] motion to seal will not be granted if it is based only on broad or generic contentions of confidentiality." *3M Co. v. Westech Aerosol Corp.*, IPR2018-00576, Paper 30 at 5 (PTAB Mar. 15, 2019).

But broad and generic contentions of confidentiality are all Patent Owner's Motion to Seal provides; Patent Owner has not shown that all information contained in the documents it seeks to seal is "truly confidential," or that any "concrete harm" will result from their public disclosure. Because Patent Owner has not carried its burden, Petitioner respectfully requests that Patent Owner's motion to seal be denied in part. In the alternative, Petitioner requests that the Board order that Patent Owner submit redacted versions of all previous sealed materials (except for Exhibits 2022, 2032, and 2034).

Dated: January 5, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

In accordance with 37 C.F.R. § 42.6(e), the undersigned certifies that on January 5, 2024, a complete and entire copy of this PETITIONER'S OPPOSITION TO PATENT OWNER'S MOTION TO SEAL FILED DECEMBER 22, 2023 was served on Patent Owner electronically via email to counsel for the Patent Owner:

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