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: IPR2024-00021
U.S. Patent No. 11,121,222

PATENT OWNER'S MOTION TO SEAL PATENT OWNER'S PRELIMINARY RESPONSE 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 and requests the Board 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 Preliminary Response (filed concurrently with the present Motion) in its entirety, along with Exhibits 2044, 2047 and 2050. Patent Owner sought Petitioners' position regarding this motion, and Petitioners have indicated that they oppose the motion to seal with respect to at least two of the Exhibits (Ex. 2044 and 2047).

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 Response and Exhibits 2044, 2047 and 2050 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 and the terms of such license agreements.

A. Exs. 2044, 2047 and 2050

Exhibits 2044 and 2047 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 any Petitioner, including licensing relationships. Therefore, these exhibits should be sealed in their entirety.

Exhibit 2050 is a letter from counsel for Patent Owner and counsel for Petitioner, and this exhibit references confidential and non-public information regarding discussions between the parties. Therefore this exhibit should be sealed in its entirety.

B. Patent Owner's Preliminary Response

Patent Owner's Preliminary Response, filed concurrently herewith, discusses the sensitive, confidential, and non-public business information discussed above regarding Exhibits 2044, 2047 and 2050, including whether or not certain third parties are in certain business relationships with any Petitioner, including licensing relationships. Therefore, Patent Owner's Patent Preliminary Response 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

As requested in Paper 8, 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 2044, 2047 and 2050 and Patent Owner's Preliminary Response in their entirety as "PROTECTIVE ORDER MATERIAL."

IV. CONCLUSION

For at least the foregoing reasons, Patent Owner requests that the Board seal Patent Owner's Preliminary Response and Exhibits 2044, 2047 and 2050 in their entirety.

Dated: February 7, 2024

Respectfully submitted,

/Alan L. Whitehurst/

Alan L. Whitehurst
Reg. No. 43,263
awhitehurst@mckoolsmith.com
Nicholas T. Matich
Reg. No. L1,373
nmatich@mckoolsmith.com
Arvind Jairam
Reg. No. 62,759
ajairam@mckoolsmith.com
Stuart McCommas
Reg. No. 71,834
smccommas@mckoolsmith.com
MCKOOL SMITH, P.C.
1999 K St. NW, Suite 600
Washington, DC 20006
Telephone: (202) 370-8300
Facsimile: (202) 370-8344

Archis "Neil" Ozarkar
Reg. No. 71,265
nozarkar@mckoolsmith.com
MCKOOL SMITH, P.C.
600 Travis Street, Suite 7000
Houston, TX 77002
Telephone: (713) 485-7300
Facsimile: (713) 485-7344

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:

Scott Weidenfeller
sweidenfeller@cov.com
Han Park
hpark@cov.com
Covington & Burling LLP
One CityCenter,
850 Tenth Street, NW
Washington, DC 20001-4956

Anupam Sharma
asharma@cov.com
Covington & Burling LLP
3000 El Camino Real,
5 Palo Alto Square,
Palo Alto, CA 94306

Bert Greene
bgreene@duanemorris.com
Andrew Liddell
waliddell@duanemorris.com
DUANE MORRIS LLP
Las Cimas IV
900 S. Capital of Texas Hwy., Suite 300
Austin, TX 78746

Daniel G. Nguyen
dnguyen@lockelord.com
Emma A. Bennett
emma.bennett@lockelord.com
LOCKE LORD LLP
600 Travis St., Suite 2800
Houston, Texas 77002

David H. Bluestone
david.bluestone@bfkn.com
Barack Ferrazzano Kirschbaum & Nagelberg LLP
200 West Madison St., Suite 3900
Chicago, Illinois 60606

GT-Cirrus-IPR@cov.com
osram-greenthread@lockelord.com

Dated: February 7, 2024

By: */Alan L. Whitehurst/*
Alan L. Whitehurst, Reg. No. 43,263