

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CIRRUS LOGIC, INC. and
OMNIVISION TECHNOLOGIES, INC.,
Petitioners,
v.

GREENTHREAD, LLC,
Patent Owner.

IPR2024-00021
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 Response and Exhibit 2072 (filed concurrently with the present Motion) in their entirety. Patent Owner has conferred with Petitioner Cirrus Logic, Inc., and Cirrus Logic stated “please assume that we will oppose.” Patent Owner has conferred with Petitioner OmniVision Technologies, Inc. and OmniVision stated “[w]e oppose for the same reason as Cirrus.”

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 Response and Exhibit 2072 because Patent Owner is under confidentiality obligations regarding licensing information referenced therein. Patent Owner itself does not desire to maintain the confidentiality of the information, and believes that some of it may be public. Nevertheless, Patent Owner requests to seal the information to avoid potential

disputes with the party to whom Greenthread owes confidentiality obligations, who has specifically requested that Greenthread maintain the confidentiality.

II. 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 Response in its entirety as "PROTECTIVE ORDER MATERIAL." Patent Owner designates Exhibit 2072 in its entirety as "PROTECTIVE ORDER MATERIAL/ATTORNEYS' EYES ONLY." Exhibit 2072 for which Patent Owner seeks to restrict access under an "Attorneys' Eyes Only" designation is a document that contains highly competitively sensitive information related to licensing, including precise license terms and rates that should only be accessible to persons that qualify under Paragraph 4 of the amended Protective Order.

Patent Owner intends to file a redacted copy of Patent Owner's Response within one week of filing.

III. CONCLUSION

For at least the foregoing reasons, Patent Owner requests that the Board seal Patent Owner's Response and Exhibit 2072 in their entirety. As noted above, Patent Owner also intends to file a redacted copy of the Patent Owner's Response within one week of filing.

Dated: August 16, 2024

Respectfully submitted,

/Alan Whitehurst/

Alan 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 600

Houston, TX 77002

Telephone: (713) 485-7300

Facsimile: (713) 485-7344

Counsel for Patent Owner

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 electronically via email on the following counsel of record for Petitioner:

Scott Weidenfeller, sweidenfeller@cov.com
Raj Paul, rpaul@cov.com
Anupam Sharma, asharma@cov.com
Bert Greene, bgreene@duanemorris.com
Andrew Liddell, waliddell@duanemorris.com
David H. Bluestone, dbluestone@beneschlaw.com
GT-Cirrus-IPR@cov.com

Dated: August 16, 2024

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