

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SEMICONDUCTOR COMPONENTS INDUSTRIES, LLC,
Petitioner

v.

GREENTHREAD, LLC,
Patent Owner

Case: IPR2024-00265
U.S. Patent No. 9,190,502

**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 Preliminary Response and Exhibit 2063 (filed concurrently with the present Motion) in their entirety. Patent Owner has conferred with Petitioner, and Petitioner indicated it opposed, stating it “oppose[s] Greenthread’s continued over-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 Preliminary Response and Exhibit 2063 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, 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 Preliminary Response in its entirety as "PROTECTIVE ORDER MATERIAL." Patent Owner designates Exhibit 2063 in its entirety as "PROTECTIVE ORDER MATERIAL/ATTORNEYS' EYES ONLY." Exhibit 2063 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.

III. CONCLUSION

For at least the foregoing reasons, Patent Owner requests that the Board seal Patent Owner's Preliminary Response and Exhibit 2063 in their entirety.

Dated: May 8, 2024

Respectfully submitted,

/Alan 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: May 8, 2024

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