

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING CO. LTD.,

Petitioner

v.

ADVANCED INTEGRATED CIRCUIT PROCESS LLC,

Patent Owner

Case IPR2025-01305
Patent 8,329,572

**PETITIONER'S UNOPPOSED MOTION TO SEAL
PURSUANT TO 37 C.F.R. §§42.14 and 42.54**

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. §§42.14 and 42.54 and pursuant to the proposed procedures in Paper 10 (Unopposed Motion for Protective Order), Attachment A, ¶6(a), Petitioner Taiwan Semiconductor Manufacturing Company Ltd. (“TSMC”) respectfully submits this Motion to Seal. Patent Owner (“PO”) moved for entry of a Protective Order (Paper-10) and to Seal Exhibit EX2026 (Paper-8). Petitioner did not oppose Patent Owner’s motions.

Petitioner respectfully requests that the Board grant this Motion to Seal Exhibit 1064, PO’s Response and Objections to Petitioner’s First Request for Production of Documents, which PO has designated as “Highly Confidential – Attorney’s Eyes Only.”

Counsel for PO has indicated that PO does not oppose this Motion.

II. GOOD CAUSE EXISTS FOR SEALING

In determining whether to grant a Motion to Seal, the Board must find “good cause” to seal the information in question and “strike a balance between the public’s interest in maintaining a complete and understandable file history and the parties’ interest in protecting truly sensitive information.” 37 C.F.R. §42.54(a); Consolidated Trial Practice Guide November 2019 at 19. This “good cause” standard “reflects the strong public policy for making all information in an inter partes review open to the public.” *Argentum Pharmaceuticals LLC v. Alcon Research, Ltd.*, IPR2017-01053, Paper 27 at 3 (PTAB January 19, 2018) (informative)). To establish “good cause” for

sealing, the movant must establish:

- (1) the information sought to be sealed is truly confidential;
- (2) a concrete harm to the party to whom the information is confidential upon public disclosure of that information;
- (3) there exists a genuine need by the party submitting the information sought to be sealed to rely, at trial, on the specific information sought to be sealed; and
- (4) on balance, the interests in maintaining confidentiality outweighs the strong public interest in having an open record.

Id. As described in the *Consolidated Trial Practice Guide*, the Board identifies confidential information in a manner “consistent with Federal Rule of Civil Procedure 26(c)(1)(G), which provides for protective orders for trade secret or other confidential research, development, or commercial information.” *Id.*

Good cause exists for sealing EX1064.

A. Exhibit 1064

Exhibit 1064 is Patent Owner’s Response and Objections to Petitioner’s First Request for Production of Documents, which Patent Owner has marked as Highly Confidential – Attorney’s Eyes Only pursuant to the proposed Protective Order (*see* Paper-10). Petitioner has filed a redacted public version of this exhibit.

TSMC relies on EX1064 to support its argument regarding lack of evidence of

commercialization, assertion, licensing, or marking in TSMC's technology space.

TSMC has an interest in protecting this information which was marked as highly confidential by PO under the proposed Protective Order.

* * *

Accordingly, good cause exists for sealing Exhibits 1064.

III. PROPOSED PROTECTIVE ORDER

PO previously requested entry of a proposed Protective Order and sought to designate its EX2026 in its entirety as "Highly Confidential–Attorney's Eyes Only." As discussed above, Petitioner designates EX1064 as "Highly Confidential–Attorney's Eyes Only."

Respectfully submitted,

Date: November 5, 2025

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CERTIFICATE OF SERVICE

The undersigned hereby certifies, in accordance with 37 C.F.R. § 42.205, that the foregoing **Petitioner's Motion to Seal** was served on November 5, 2025, via e-mail directed to counsel of record for Patent Owner at the following:

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Patent Owner has consented to electronic service via email.

Date: November 5, 2025

Respectfully submitted,
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