

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SK hynix Inc.
Petitioner

v.

Advanced Memory Technologies, LLC
Patent Owner

Case IPR2025-01451
Patent No. 7,969,231

PETITIONER'S MOTION TO SEAL

Under 37 C.F.R. §§ 42.14 and 42.54, Petitioner SK hynix Inc. submits this motion to seal its Opposition to Patent Owner’s Request for Discretionary Denial and certain exhibits thereto. The exhibit sought to be sealed are filed concurrently with this Motion.

I. GOOD CAUSE EXISTS FOR SEALING

The Office Patent Trial Practice Guide provides that “the rules aim to 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.” 77 Fed. Reg. 48,756, 48,760 (Aug. 14, 2012). Those rules “identify 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.* (citing 37 C.F.R. § 42.54).

Exhibit 1015 is a claim chart (the “Claim Chart”) generated by Patent Owner from the parallel district court litigation for the alleged infringement of the Challenged Patent. In the district court litigation, Patent Owner represented that the Claim Chart contains Patent Owner’s proprietary and confidential information and designated it as “CONFIDENTIAL” subject to the applicable Protective Order from the parallel litigation. Accordingly, Exhibit 1015 qualifies for PROTECTIVE ORDER MATERIAL protection under the default Protective Order and should be

sealed under 37 C.F.R. § 42.54. Because Exhibit 1015 was designated as “CONFIDENTIAL” in its entirety in the district court, there is no redacted version of Exhibit 1015 that can be filed to the public docket. Patent Owner indicated that it does not oppose filing the Claim Chart as a confidential exhibit under the default Proposed Order in this proceeding.

Exhibit 1019 is a Petitioner’s invalidity contentions chart (the “Invalidity Chart”) from the parallel district court litigation for the alleged infringement of the Challenged Patent. The Invalidity Chart contains Petitioner’s proprietary and confidential information, including circuit schematic diagrams, and was designated as “RESTRICTED CONFIDENTIAL SOURCE CODE” subject to the applicable Protective Order from the parallel litigation. Accordingly, Exhibit 1019 qualifies for PROTECTIVE ORDER MATERIAL protection under the default Protective Order and should be sealed under 37 C.F.R. § 42.54. Because Exhibit 1019 was designated as “RESTRICTED CONFIDENTIAL SOURCE CODE” in its entirety in the district court, there is no redacted version of Exhibit 1019 that can be filed to the public docket. Patent Owner indicated that it does not oppose filing the Invalidity Chart as a confidential exhibit under the default Proposed Order in this proceeding.

Exhibit 1021 is a sales invoice (the “Invoice”) produced by Petitioner in the parallel district court litigation for the alleged infringement of the Challenged Patent. The Invoice contains Petitioner’s confidential business and financial information

and was designated as “RESTRICTED – ATTORNEYS’ EYES ONLY” subject to the applicable Protective Order from the parallel litigation. Accordingly, Exhibit 1021 qualifies for PROTECTIVE ORDER MATERIAL protection under the default Protective Order and should be sealed under 37 C.F.R. § 42.54. Because Exhibit 1021 was designated as “RESTRICTED CONFIDENTIAL SOURCE CODE” in its entirety in the district court, there is no redacted version of Exhibit 1021 that can be filed to the public docket. Patent Owner indicated that it does not oppose filing the Invoice as a confidential exhibit under the default Proposed Order in this proceeding.

Patent Owner files concurrently herewith a public version of the Opposition to Patent Owner’s Request for Discretionary Denial that redacts the confidential materials.

II. CERTIFICATION OF NON-PUBLICATION

To the best of Petitioner’s knowledge, the information sought to be sealed by this Motion has not been published or otherwise made publicly available.

III. PROTECTIVE ORDER

Petitioner seeks entry of the default Protective Order to govern the treatment of documents and information submitted according to its provisions in this proceeding.

IV. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Board seal and protect the Opposition to Patent Owner's Request for Discretionary Denial and Exhibits 1015, 1019, and 1021.

Date: December 1, 2025

/s/ James M. Glass

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on December 1, 2025, a complete and entire copy of the above document was provided by email to Patent Owner by serving correspondence addresses of record as follows:

Michael F. Heim
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Date: December 1, 2025

/s/ James M. Glass
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