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 IPR2025-01453
Patent No. 8,400,835

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 exhibit thereto. The exhibit sought to be sealed is 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 1030 is a confidential license agreement between Petitioner and Kilopass Technology, Inc ("Kilopass"). The license agreement contains confidential and proprietary information of both SK hynix and Kilopass and was designated as "RESTRICTED – ATTORNEYS' EYES ONLY" subject to the applicable Protective Order from the parallel litigation. Accordingly, Exhibit 1030 qualifies for PROTECTIVE ORDER MATERIAL protection under the default Protective Order and should be sealed under 37 C.F.R. § 42.54. Because Exhibit 1030 was

designated as "RESTRICTED – ATTORNEYS' EYES ONLY" in its entirety in the district court, there is no redacted version that can be filed to the public docket. Patent Owner indicated that it does not oppose the filing of SK hynix's responsive Discretionary Denial brief and documents that are designated confidential in the parallel litigation 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 Petitioner's Opposition to Patent Owner's Request for Discretionary Denial and Exhibit 1030.

Date: December 1, 2025

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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:

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Date: December 1, 2025

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