UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACCELIGHT TECHNOLOGIES, INC.,
Petitioner,

v.

APPLIED OPTOELECTRONICS, INC.
Patent Owner.

IPR2025-01566
U.S. Patent No. 10,042,116

PETITIONER'S MOTION TO SEAL AND REQUEST FOR IN CAMERA REVIEW UNDER 37 C.F.R. § 42.14 OF PETITIONER'S SEARCH DISCLOSURE DECLARATION

(INCLUDING SDD PROTECTIVE ORDER)

Pursuant to Direct John Squires's Memorandum dated November 17, 2025, titled Voluntary Search Disclosure Declarations as a Favorable Factor in Institution Decisions ("Director's Memorandum") and 37 C.F.R. § 42.14, which permit Petitioner to request in camera review of Voluntary Search Disclosure Declarations, Petitioner files this motion to seal and request for in camera review of Exhibit 1012, Petitioner's Search Disclosure Declaration, which reveals work product and is appropriate for in camera review pursuant to the Director's Memorandum. This motion and Exhibit 1012 are being submitted timely before the deadline set forth in the Director's Memorandum (November 24, 2025).

The Parties have met and conferred regarding entering into the PROTECTIVE ORDER FOR MOTION TO SEAL AND IN CAMERA REVIEW OF SDD FILING set forth on the pages following the signature block in this paper, and Patent Owner does not oppose the SDD Protective Order or the filing of Exhibit 1012 for in camera review.

As required in the Director's Memorandum, said protective order further states that "the [U.S. Patent and Trademark] Office may use the information in the SDDs for internal training, improving examination processes, and analytics." Said protective order also permits access to the SDDs by employees and representatives of the Office, including the Director, members of the Board and their clerical staff, other support personnel, court reporters, and

other persons acting on behalf of the Office who have a need for access to the confidential SDD materials, without any requirement that they sign any acknowledgement.

Dated: November 24, 2025

Respectfully submitted,

/*Arpita Bhattacharyya*/
Arpita Bhattacharyya, Reg. No. 63,681
Counsel for Petitioner

PROTECTIVE ORDER FOR MOTION TO SEAL AND IN CAMERA REVIEW OF SDD FILING

This SDD protective order, which is a modified version of the standing protective order to allow filing of papers *in camera* pursuant to Director John Squires's November 17, 2025 memorandum on voluntary Search Disclosure Declarations (SDDs), governs the treatment and filing of confidential information filed as voluntary SDDs.

1. Confidential SDD materials shall be clearly marked "CONFIDENTIAL."

2. Access to Confidential SDD materials is limited to (a) the party and counsel filing the confidential SDD materials, and (b) employees and representatives of the U.S. Patent and Trademark Office ("Office") who have a need for access to the confidential SDD materials. Such employees and representatives shall include the Director, members of the Board and their clerical staff, other support personnel, court reporters, and other persons acting on behalf of the Office.

3. Persons receiving confidential information shall use reasonable efforts to maintain the confidentiality of the information, including:

(A) Maintaining such information in a secure location to which persons not authorized to receive the information shall not have access;

(B) Otherwise using reasonable efforts to maintain the confidentiality of the information, which efforts shall be no less rigorous than those the recipient uses to maintain the confidentiality of information not received from the disclosing party;

(C) Ensuring that support personnel of the recipient who have access to the confidential information understand and abide by the obligation to maintain the confidentiality of information received that is designated as confidential; and

(D) Limiting the copying of confidential information to a reasonable number of copies needed for conduct of the proceeding and maintaining a record of the locations of such copies.

4. The Office may use the information in the SDDs for internal training, improving examination processes, and analytics.