

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG DISPLAY CO., LTD.,
Petitioner

v.

PICTIVA DISPLAYS INTERNATIONAL LTD.,
Patent Owner

Case No. IPR2026-00129
Patent No. 12,158,250

**MOTION TO SEAL PURSUANT TO PROPOSED PROTECTIVE ORDER
PURSUANT TO 37 C.F.R. § 42.54**

Mail Stop “*PATENT BOARD*”
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Patent Owner requests that the following documents be sealed in accordance with previously submitted (unopposed) Protective Order. *See* Papers 6, 10, 15. Petitioner does not oppose this motion to seal pursuant to the agreed-to protective order. Additionally, the Board has previously approved the same protective order and granted similar motions to seal in IPR2024-01095 involving the same or substantively similar materials. IPR2024-01095, Paper 57.

I. DOCUMENTS TO BE SEALED

Patent Owner seeks to seal EX2030, which is an excerpt of an opening report by Samsung's expert, Dr. Katona, in *Pictiva Displays International Ltd. v. Samsung Electronics Co., Ltd. et al*, Case No. 2:23-cv-00495-JRG (E.D. Tex.) as related to the validity of the '425 patent, among other things. The report includes discussions of Clix2, an OLED device made by Petitioner allegedly between 2007-2008. The Real Parties-in-Interest ("Samsung") and Petitioner in the parallel district court proceeding have identified certain information related to Clix2 as confidential information under the protective order entered by the district court.

Patent Owner also seeks to seal EX2017, which is Dr. Schanze's Declaration in Support of Patent Owner's Response, because it references and quotes certain sealed testimony in EX2034 and alleged confidential information from EX2030

(Dr. Katona's report) so as to be compliant with the protective order entered by the district court

Patent Owner further seeks to seal the Patent Owner's Response, because it references and quotes certain sealed testimony in EX2034, potentially alleged confidential information from EX2030 and EX2017, so as to be compliant with the protective order entered by the district court.

For the reasons set forth below under Section II, there is good cause to request the sealing of EX2017, EX2030 and Patent Owner's Response pursuant to the previously submitted proposed protective order.

II. GOOD CAUSE FOR SEALING THE IDENTIFIED DOCUMENTS

When enacting *inter partes* reviews ("IPRs"), Congress directed the Board to "provid[e] for protective orders governing the exchange and submission of confidential information." 35 U.S.C. § 316(a)(7). Thus, "[t]he Board may, for good cause, issue an order to protect a party or person from disclosing confidential information . . ." 37 C.F.R. § 42.54(a). In *Argentum Pharmaceuticals LLC v. Alcon Research, Ltd.*, IPR2017-01053, Paper 27 (PTAB Jan. 19, 2018), the Board set forth the standard for sealing confidential information:

[A] movant to seal must demonstrate adequately that (1) the information sought to be sealed is truly confidential, (2) a concrete harm would result upon public disclosure, (3) there exists a genuine need to rely in the trial on the specific information sought to be sealed,

and (4) on balance, an interest in maintaining confidentiality outweighs the strong public interest in having an open record.

Id. at 3 (“the Argentum Factors”).

The *Argentum* factors support granting this Motion for the reasons below.

Factors (1) and (2): Patent Owner submits that the excerpts of trial transcript (EX2034, subject to a previous motion to seal), Dr. Katona’s opening report, and Dr. Schanze’s declaration and Patent Owner’s Response referencing those testimony and portions of the report are confidential. Material portions of the testimony subject to a previous motion to seal were given in a sealed courtroom, discussing materials designed as “Confidential—Attorneys’ Eyes Only” by Samsung and/or Petitioner pursuant to the protective order entered by the district court. Dr. Katona’s report cites documents that was produced under the operative protective order in the district court. They include information on the structures, operations and functions of the infringing products and a prior art product called Clix2. Disclosures of the materials may compromise Samsung’s and Petitioner’s confidential information or trade secrets.

Factor (3): Patent Owner submits that there is a genuine need to rely on EX2034, EX2030 and EX2017 for the reasons set forth in the Patent Owner’s Response. The relied-upon information supports, for example, Patent Owner’s argument that Ma’s Liq would not be regarded as an n-dopant under the interpretation advanced by either party under the district court, that addition of Liq

to an ETL was unpredictable and without a reasonable expectation of success to obtain a PHOLED with an n-doped ETL, and that a POSITA would not have found it obvious to substitute n-dopants in prior art ETLs with Liq; and

Factor (4): Samsung and Petitioner's interest in maintaining confidentiality may outweigh the public interest in having an open record. As discussed above, Patent Owner relies in part on the trial testimony given in a sealed courtroom to show why the '250 patent is not unpatentable. Furthermore, in the public versions of the exhibits and Patent Owner's Response, Patent Owner will propose redactions tailored to remove only the confidential information, aiming to disclose to the public as much as possible. The Board should thus find that the present motion strikes an appropriate balance of the parties' interest in confidentiality and the public's need in the full record.

III. CONCLUSION

Patent Owner respectfully requests that the Board grant this Motion to Seal.

Dated: September 4, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on September 4, 2026 a copy of the foregoing **MOTION TO SEAL PURSUANT TO PROPOSED PROTECTIVE ORDERS PURSUANT TO 37 C.F.R. § 42.54** and was served by electronic mail, as agreed to by the parties, upon the following:

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