

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY LTD.,
Petitioner,

v.

ADVANCED INTEGRATED CIRCUIT PROCESS LLC,
Patent Owner.

IPR2025-01211
U.S. Patent 7,439,623

**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, the proposed procedures in Paper 11 (Unopposed Motion for Protective Order), Attachment A, ¶6(a), and the Board email dated November 6, 2025 (EX3104), Petitioner Taiwan Semiconductor Manufacturing Company Ltd. (“TSMC”) respectfully re-submits this Motion to Seal.

Previously, Patent Owner moved for entry of a Protective Order (Paper-11) and to Seal Exhibit EX2026 (Paper-9). Petitioner did not oppose Patent Owner’s motions. Subsequently, Petitioner submitted a motion to seal Exhibit TSMC-1064 and its Opposition to Patent Owner’s Request for Discretionary Denial (Paper-13). Upon review of Petitioner’s Opposition, Patent Owner confirmed that no material contained therein needed redaction. Therefore, Petitioner re-submits this motion to seal to solely address Exhibit TSMC-1064, pursuant to authorization from the Board. EX3104.

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

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, 3 (Jan. 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. at 4. 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.” Consolidated Trial Practice Guide November 2019, at 19.

A. Exhibit TSMC-1064

Exhibit TSMC-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-11). Because the entire document has been designated Highly Confidential – Attorney’s Eyes Only, Petitioner does not anticipate filing a public version of this exhibit.

TSMC relies on TSMC-1064 to support its argument regarding lack of evidence of commercialization, assertion, licensing, or marking in TSMC’s technology space. Paper-15, 14.

The information in Exhibit TSMC-1064 was marked as highly confidential by Patent Owner under the proposed Protective Order.

* * *

Accordingly, good cause exists for sealing Exhibit TSMC-1064.

III. PROPOSED PROTECTIVE ORDER

Patent Owner previously requested entry of a proposed Protective Order (Paper-11) and sought to designate its EX2026 in its entirety as “Highly

Confidential–Attorney’s Eyes Only,” (Paper-9). Petitioner did not oppose these motions.

As discussed above, Petitioner designates TSMC-1064 as “Highly Confidential–Attorney’s Eyes Only.” Counsel for TSMC has informed Counsel for Patent Owner of its intent to file this Motion. Counsel for Patent Owner indicated that Patent Owner does not oppose this Motion.

Date: November 10, 2025

Respectfully submitted,

By: s /Michael R. Houston/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies, in accordance with 37 C.F.R. § 42.6(e), that the foregoing **Petitioner's Motion to Seal** was served on November 10, 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 10, 2025

By: s /Michael R. Houston/

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