

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING CO. LTD.,

Petitioner

v.

ADVANCED INTEGRATED CIRCUIT PROCESS LLC,

Patent Owner

Case IPR2025-01211
Patent 7,439,623

MOTION TO SEAL

Pursuant to 37 C.F.R. § 42.14 and the Trial Practice Guide, Patent Owner Advanced Integrated Circuit Process LLC (“AICP”) respectfully submits this Motion to Seal Exhibit 2026. AICP filed, concurrently with this Motion to Seal, a Motion for Protective Order requesting entry of a proposed Protective Order, including some modifications to the Board’s default protective order.

The 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.” Patent Trial and Appeal Board Consolidated Trial Practice Guide at 19 (Nov. 2019).¹ Further, those rules “identify confidential information in a manner consistent with Federal Rules 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 2026 consists of a Patent Purchase Agreement between AICP and its predecessor-in-interest in and to the patent at issue in this proceeding, Nuvoton Technology Corporation Japan. The terms of this Agreement are confidential to both AICP and third-party Nuvoton Technology Corporation Japan. The Agreement has

¹ *Available at*

<https://www.uspto.gov/sites/default/files/documents/tpgnov.pdf?MURL=TrialPracticeGuideConsolidated>.

been designated “Attorneys Eyes Only – Highly Confidential” under the Protective Order in related co-pending litigation (*see* EX2009).

Exhibit 2026 should be maintained under seal pursuant to the proposed Protective Order to maintain consistency between co-pending proceedings and preserve the same protections for the same information in both forums. In addition, the terms of the Agreement filed as Exhibit 2026 are commercially sensitive information to both AICP and third-party Nuvoton Technology Corporation Japan. The Board should protect the confidentiality interests of all litigants, but it should give particular deference to the interests of non-parties. Accordingly, good cause exists for sealing Exhibit 2026.

Counsel for AICP and Counsel for Petitioner are in the process of negotiating a compromise on the treatment of confidential information in this proceeding, including the relief requested in this Motion. As of this filing, the parties have not yet reached agreement on these issues. Accordingly, at this moment, AICP is filing this motion as opposed.

Dated: October 8, 2025

Respectfully submitted,

By: / *Russell A. Chorush* / _____
Russell A. Chorush (Reg. No. 55,869)
Attorney for Patent Owner
Advanced Integrated Circuit Process,
LLC

CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), copies of the foregoing Motion to Seal and Exhibit 2026 were served to the following counsel of record for Petitioner addressed as follows:

Lead Counsel for Petitioner	Back-up Counsel for Petitioner
<p>Michael Houston Reg. No. 58,486 FOLEY & LARDNER LLP 321 North Clark Street, Suite 3000 Chicago, Illinois 60654 312-832-4500 mhouston@foley.com</p>	<p>Pavan Agarwal Reg. No. 40,888 FOLEY & LARDNER LLP 3000 K Street N.W., Suite 600 Washington, DC 20008 202-672-5300 pagarwal@foley.com</p> <p>Nicholas Lagerwall Reg. No. 63,272 FOLEY & LARDNER LLP 150 East Gilman Street, Suite 5000 Madison, Wisconsin 53703 608-257-5035 nlagerwall@foley.com</p>

Dated: October 8, 2025

By: / Russell A. Chorush /
Russell A. Chorush (Reg. No. 55,869)
Attorney for Patent Owner
Advanced Integrated Circuit Process,
LLC