

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 and the proposed procedures in Paper 11 (Unopposed Motion for Protective Order), Attachment A, ¶6(a), Petitioner Taiwan Semiconductor Manufacturing Company Ltd. (“TSMC”) respectfully submits this Motion to Seal. Previously, Patent Owner moved for entry of a Protective Order (Paper-11); to Seal Exhibit EX2026 (Paper-9); and to Seal Paper 16, the unredacted version of AICP’s reply brief in support of discretionary denial (Paper-17). Petitioner did not oppose Patent Owner’s motions.

Petitioner respectfully requests that the Board grant this Motion to Seal Petitioner’s Sur-Reply in Opposition to Patent Owner’s Discretionary Denial Request, which describes and refers to EX2026 and the portions of unredacted Paper 16 that PO requested be redacted from the public version.

Counsel for TSMC 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.

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.

Good cause exists for sealing the unredacted version of Petitioner’s Sur-Reply in Opposition to Patent Owner’s Discretionary Denial Request (“Opposition Sur-Reply”). Petitioner’s Opposition Sur-Reply contains information from EX2026 and

the portions of unredacted Paper 16 that Patent Owner requested be redacted from the public version, each marked by Patent Owner as Highly Confidential–Attorney’s Eyes Only. To serve the Public’s interest, Petitioner will negotiate with Patent Owner to develop a redacted public version of Petitioner’s Opposition Sur-Reply, which will be subsequently filed.

* * *

Accordingly, good cause exists for sealing the unredacted version of Petitioner’s Sur-Reply Opposition.

III. PROPOSED PROTECTIVE ORDER

Patent Owner previously requested entry of a proposed Protective Order and sought to designate its EX2026 in its entirety, and the unredacted version of Paper 16, as “Highly Confidential–Attorney’s Eyes Only.” As discussed above, Petitioner designates the unredacted version of Petitioner’s Opposition Sur-Reply as “Highly Confidential–Attorney’s Eyes Only.”

Date: November 12, 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 Unopposed Motion to Seal** was served on November 12, 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 12, 2025

By: s /Michael R. Houston/

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