

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DELTA ELECTRONICS, INC.,
Petitioner,

v.

VICOR CORPORATION,
Patent Owner.

IPR2024-00187
Patent 9,166,481 B1

Before GEORGIANNA W. BRADEN, KARA L. SZPONDOWSKI, and
SEAN P. O'HANLON, *Administrative Patent Judges*.

SZPONDOWSKI, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Unopposed Motion to Expunge
37 C.F.R. § 42.56

Delta Electronics Inc. (“Petitioner”) filed a Petition requesting institution of *inter partes* review of claims 1, 22, and 31–35 of U.S. Patent No. 9,166,481 B1 (“the ’481 patent”). Paper 2. We denied institution of *inter partes* review on May 17, 2024. Paper 10.

On June 20, 2024, Patent Owner Vicor Corporation (“Patent Owner”) filed an Unopposed Motion to Expunge Exhibit 2032 filed under seal in this proceeding. Paper 11 (“Motion”). Patent Owner states that Petitioner does not oppose this motion. Motion 2.

“After denial of a petition to institute a trial or after final judgment in a trial, a party may file a motion to expunge confidential information from the record.” 37 C.F.R. § 42.56. The Board’s Consolidated Trial Practice Guide (“CTPG”) explains that “[t]he rule balances the needs of the parties to submit confidential information with the public interest in maintaining a complete and understandable file history for public notice purposes,” and that “[t]here is an expectation that information will be made public where the existence of the information is referred to in a decision to grant or deny a request to institute a review or is identified in a final written decision following a trial.” CTPG 22.

Exhibit 2032 was sealed by the Board upon Patent Owner’s earlier motion. Papers 8, 10. Patent Owner contends that Exhibit 2032 contains confidential and highly sensitive information regarding the structure of Patent Owner’s products and Patent Owner faces harm if the information is made available to the public. Motion 3–4. Patent Owner also contends that the information contained in Exhibit 2032 is not publicly available. *Id.* at 3. Patent Owner contends that its interest in expunging Exhibit 2032 outweighs the public’s interest in maintaining a complete file history, and the amount

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of material to be expunged is limited and not important to understand the nature of Patent Owner's arguments. *Id.* at 4; *see also id.* at 5. Furthermore, the Board did not rely on or disclose the information contained in Exhibit 2032 in the Institution Decision. Paper 10; Motion 4.

Based on the above uncontested assertions and the unopposed nature of the request, we find good cause exists to expunge Exhibit 2032 to the extent requested by Patent Owner and we grant the Motion.

ORDER

For the foregoing reasons, it is

ORDERED that Patent Owner's unopposed motion to expunge (Paper 11) is *granted*; and

FURTHER ORDERED that Exhibit 2032 will be expunged from the record.

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