

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROCHIP TECHNOLOGY INC.,
Petitioner,

v.

APTIV TECHNOLOGIES AG,
Patent Owner.

IPR2024-00228 (Patent 9,619,420 B2)
IPR2024-00229 (Patent 9,645,962 B2)
IPR2024-00230 (Patent 11,176,072 B2)

Before JEAN R. HOMERE, TERRENCE W. McMILLIN, and
JOHN D. HAMANN, *Administrative Patent Judges*.

McMILLIN, *Administrative Patent Judge*.

ORDER

Expunging Exhibit 1072 and Dismissing Motion to Seal Exhibit 1072

IPR2024-00228 (Patent 9,619,420 B2)
IPR2024-00229 (Patent 9,645,962 B2)
IPR2024-00230 (Patent 11,176,072 B2)

On the same day that the Petitions were filed, Petitioner filed a Motion to File Confidential Document Under Seal (Paper 3, “Motion”) in each of these proceedings.¹ In the Motion, Petitioner requests sealing the entirety of Exhibit 1072, which comprises 597 pages. Motion 1. The Motion states that Exhibit 1072 “contains highly detailed, sensitive, confidential, and non-public information concerning the design, development, functionality, and operation of various Microchip USB hub products (‘Microchip Accused Products’).” *Id.*

Exhibit 1072 is listed in the exhibit list included in the Petition (Pet. vii), but is not discussed, relied on, referred to, or cited in the Petition (*see id.* generally). We also could not find any discussion, reliance on, reference to, or citation of Exhibit 1072 in any other filed paper (except, of course, the Motion).

On July 15, 2024, an Order to Show Cause (Paper 15) was entered in which the Board expressed its “intention to expunge Exhibit 1072 from the record, and deny the Motion as moot, unless Petitioner can establish why Exhibit 1072 should be maintained in the record” (*id.* at 2) and authorizing a response by Petitioner to the Order to Show Cause (*id.* at 2–3). On July 18, 2024, Petitioner filed Petitioner’s Response to the Board’s Show Cause Order (Paper 16) which stated that “Petitioner does not object to the Board’s proposal to ‘expunge Exhibit 1072 from the record, and deny [] as moot’ Petitioner’s Motion to File Confidential Document Under Seal” (*id.* at 1, 3).

¹ We refer to the papers and exhibits in IPR2024-00228. Similar documents were filed in IPR2024-00229 and IPR2024-00230. This Order applies equally to all captioned proceedings.

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Accordingly, it is hereby:

ORDERED that, in each of the above-captioned proceedings, Exhibit 1072 is expunged from the record; and

FURTHER ORDERED that, in each of the above-captioned proceedings, the Motion to File Confidential Document Under Seal (Paper 3) is dismissed as moot.

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