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Paper 56
Date: June 25, 2025

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

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

McMILLIN, *Administrative Patent Judge*.

ORDER
Entry of Protective Order and Sealing Exhibits
37 C.F.R. §§ 42.14, 42.54

This Order relates to several pending motions to seal documents and requests for entry of a protective order. For the reasons discussed herein, the motions are granted, the documents are sealed, and a protective order is entered.

On January 17, 2025, Petitioner filed a motion (Paper 31) to seal the unredacted, confidential version of Petitioner's Reply Brief (Paper 30[1]) and Exhbits 1100 and 1104. Paper 31, 1. Petitioner also requested entry of a protective order in the form of the Board's Default Protective Order.[2] *Id.* Petitioner alleges that good cause exists for sealing the brief and exhibits because they contain information that is highly confidential and proprietary sensitive business information and public disclosure of this information has the potential to cause significant harm. *Id*. at 1–4. Patent Owner has not opposed this motion or contested Petitioner's allegations.

On March 24, 2025, Petitioner filed a motion (Paper 44) to seal the unredacted confidential version of Petitioner's Motion to Exclude Evidence (Paper 43[3]). Petitioner alleges that good cause exists for sealing the Motion to Exclude because it contains information that is highly confidential and proprietary sensitive business information and public disclosure of this information has the potential to cause significant harm. *Id*. at 1–4. Patent Owner has not opposed this motion or contested Petitioner's allegations.

On April 11, 2025, Petitioner filed a motion (Paper 52) to seal the

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[1] A redacted, public version of Petitioner's Reply Brief was filed as Paper 29.

[2] *See* Consolidated Trial Practice Guide at 107–122 (App. B, Protective Order Guidelines and Default Protective Order) (available at https://www.uspto.gov/TrialPracticeGuideConsolidated).

[3] A redacted, public version of Petitioner's Motion to Exclude Evidence was filed as Paper 42.

unredacted confidential version of Petitioner's Oral Argument Demonstratives (Paper 53[4]). Petitioner alleges that good cause exists for sealing its Oral Argument Demonstratives because they contain information that is highly confidential and proprietary sensitive business information and public disclosure of this information has the potential to cause significant harm. *Id*. at 2–4. Patent Owner has not opposed this motion or contested Petitioner's allegations.

We determine that Petitioner's request for entry of the Board's Default Protective Order should be granted and, based upon Petitioner's unchallenged representations and our review of the identified documents, that good cause exists for sealing the documents identified in Petitioner's motions to seal.

The parties are reminded that confidential information subject to a protective order ordinarily becomes public 45 days after final judgment in a trial. *See* Consolidated Trial Practice Guide (November 2019),[5] 21–22. An expectation exists that information will be made public when the existence of the information is identified in a final written decision following a trial. *Id.* After final judgment in a trial, a party may file a motion to expunge confidential information from the record prior to the information becoming public. *See* 37 C.F.R. § 42.56.

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[4] A redacted, public version of Petitioner's Oral Argument Demonstratives was filed as Paper 51.
[5] *Available at* https://www.uspto.gov/TrialPracticeGuideConsolidated.

ORDER

In accordance with the foregoing, it is hereby:

ORDERED that Petitioner's motions to seal (Papers 31, 44, 52) are granted;

FURTHER ORDERED that the Board's Default Protective Order is hereby entered and shall govern the conduct of this proceeding unless otherwise modified; and

FURTHER ORDERED that the unredacted, confidential versions of Petitioner's Reply Brief (Paper 30), Petitioner's Petitioner's Motion to Exclude Evidence (Paper 43), and Petitioner's Oral Argument Demonstratives (Paper 53), and that Exhibits 1100 and 1104 are sealed and shall remain sealed until further order.

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