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Paper 42
Date: April 11, 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)
IPR2024-00229 (Patent 9,645,962 B2)
IPR2024-00230 (Patent 11,176,072 B2)
IPR2024-00495 (Patent 9,619,420 B2)
PGR2024-00011 (Patent 11,681,643 B2)[1]

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

HAMANN, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

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[1] We address all proceedings in a single Order for efficiency. The parties, however, are not permitted to use this combined style.

On March 18, 2025, we ordered that the hearings in IPR2024-00228, IPR2024-00229, IPR2024-00230, and IPR2024-00495 will be consolidated and held on April 16, 2025. We also ordered that the hearing in PGR2024-00011 will be held on April 17, 2025.

On April 3, 2025, we held a telephonic pre-hearing conference with counsel for the parties to provide guidance on certain topics, as requested by Petitioner. This Order memorializes the guidance we provided.

First, Petitioner sought guidance as to how the April 16th hearing would proceed in light of Petitioner's anticipation of the need to present confidential information. We explained that the hearing would proceed in two portions with the first portion being open to the public and the second portion being limited to those who may have access to the designated confidential information under the default protective order. To that end, the parties should consider how much of their allotted argument time they plan on reserving for this second portion of the hearing, which will proceed separately with argument, response, rebuttal, and sur-rebuttal.

Second, Petitioner sought guidance as to whether the argument from the consolidated April 16th hearing will apply to, and be made of record in, PGR2024-00011 in light of substantially overlapping prior art issues in these cases. Patent Owner did not object to cross-designation. In light of this overlap, we ordered that the arguments from the consolidated April 16th hearing will apply to PGR2024-00011, and that we will make the entirety of the hearing transcript from the consolidated April 16th hearing part of the record in PGR2024-00011 by filing a copy of it therein.

Third, Petitioner sought guidance as to whether a link allowing for screen sharing of demonstratives will be available for its team/client members that plan on attending the hearings remotely—Petitioner stated that its lead counsel will attend and argue the hearings in person. We advised Petitioner that such a link should be available, and that any party having members attending remotely should promptly contact the Board at PTABHearings@uspto.gov to receive video set-up information. As a reminder, all arrangements and the expenses involved with appearing by video, such as the selection of the facility from which a party will attend by video, must be borne by that party. In addition, in light of the second portion of the April 16th hearing that will discuss confidential information, a party having members appearing remotely should identify those members to the Board's hearing staff as part of the video set-up to the extent that the remote members (i) may have access to the designated confidential information under the default protective order, and (ii) desire to attend that second hearing portion.

Lastly, Petitioner sought guidance as to whether Petitioner could submit one set of demonstratives that could be referenced in both hearings. Petitioner stated that this would be most efficient and avoid confusion regarding slide numbers, especially in view of the overlapping subject matter. Patent Owner took no position on this request. We advised Petitioner that it could proceed as it finds appropriate, and reminded the parties that demonstratives are not evidence. This guidance should not be viewed as precluding objections to demonstratives.

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