

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICRON TECHNOLOGY, INC.,
Petitioner,

v.

YANGTZE MEMORY TECHNOLOGIES COMPANY, LTD.,
Patent Owner.

IPR2024-00788
Patent 10,658,378 B2

Before JO-ANNE M. KOKOSKI, KIMBERLY McGRAW, and
MICHAEL T. CYGAN, *Administrative Patent Judges*.

CYGAN, *Administrative Patent Judge*.

ORDER

Extending One-Year Pendency for Good Cause
35 U.S.C. § 316(a)(11); 37 C.F.R. § 42.100(c)

IPR2024-00788

Patent 10,58,378 B2

Petitioner filed a Petition requesting *inter partes* review of claims 15–17, 19, and 20 of U.S. Patent No. 10,658,378 B2. On November 7, 2024, the Board instituted trial. Paper 13. The one-year period normally available to issue a Final Written Decision expires on November 7, 2025.

On January 7, 2025, institution was granted on a separate Petition, filed by the same Petitioner, requesting *inter partes* review of claims 1–7 and 18 of the same patent, U.S. Patent No. 10,658,378 B2. Notably, claim 18 in the second proceeding (IPR2024-00909) depends from claim 15 in the instant proceeding (IPR2024-00788). The asserted and instituted grounds in both proceedings include a common prior art reference, U.S. Patent Publication 2017/0179026 A1 to Toyama et al. *See* Paper 13 at 4, 40; IPR2024-00909, Paper 12 at 5, 34. In recognition of these commonalities, joint oral argument was scheduled in both proceedings on September 4, 2025, reducing by one month the typical post-argument period. The one-year period normally available to issue a Final Written Decision in IPR2024-00909 expires on January 7, 2026. In view of the above, an extension of the Final Written Decision period in IPR2024-00788 was requested to permit alignment with the schedule in IPR2024-00909.

Pursuant to 35 U.S.C. § 316(a)(11), “the final determination in an inter partes review [shall] be issued not later than 1 year after the date on which the Director notices the institution of a review under this chapter, except that the Director may, for good cause shown, extend the 1-year period by not more than 6 months” The Director has delegated the authority to extend the one-year period to the Chief Administrative Patent Judge. *See* 37 C.F.R. § 42.100(c). In particular, 37 C.F.R. § 42.100(c) provides:

An *inter partes* review proceeding shall be administered such that pendency before the Board after institution is normally no more than one year. The time can be extended by up to six months for good cause by the Chief Administrative Patent Judge

In accordance with 37 C.F.R. § 42.100(c), the Acting Chief Administrative Patent Judge has determined that good cause exists to extend the one-year period for issuing a Final Written Decision here. Paper 36; 37 C.F.R. § 42.100(c). Accordingly, the time to administer the present proceeding is extended by up to six months.

It is:

ORDERED that good cause exists to extend the time of pendency in this proceeding; and

FURTHER ORDERED that this proceeding is extended by up to six months.

IPR2024-00788
Patent 10,58,378 B2
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