

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.

IPR2024-00792
Patent 11,468,957

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

KOKOSKI, *Administrative Patent Judge.*

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

On August 29, 2024, Micron Technology, Inc. (“Petitioner”) requested a conference call with the Board seeking authorization to file a reply brief to the Patent Owner Preliminary Response filed by Yangtze Memory Technologies Company, Ltd. (“Patent Owner”). Ex. 3001. Petitioner indicated that Patent Owner opposed Petitioner’s request. *Id.*

A telephone conference was held on September 6, 2024 between the parties and Judges Kokoski and Cygan. During the call, Petitioner argued that a reply was warranted to allow Petitioner to respond to Patent Owner’s argument that prior art applying a voltage to a wordline would not have been understood as applying voltage to gates of memory cells as claimed. Petitioner argued that it could not have anticipated Patent Owner’s arguments. Patent Owner opposed Petitioner’s request because, according to Patent Owner, the arguments to which Petitioner sought a reply raise foreseeable issues regarding the merits of Petitioner’s challenge. Patent Owner requested a sur-reply of equal length should we grant Petitioner’s request for a reply.

After considering the parties’ arguments, we determined that additional briefing on the identified issue was not warranted. In particular, Petitioner did not establish good cause for a reply because it was not unforeseeable that Patent Owner would argue that the prior art does not teach all of the limitations of the challenged claims. Accordingly, we denied Petitioner’s requested relief.

ORDER

Accordingly, it is
ORDERED that Petitioner's request for authorization to file a Reply
to Patent Owner's Preliminary Response is *denied*.

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