

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TEXAS INSTRUMENTS INC.
and NXP USA, INC.,
Petitioners,

v.

PARKERVISION, INC.,
Patent Owner.

IPR2024-00936¹
Patent 9,118,528 B2

Before MICHAEL R. ZECHER, BART A. GERSTENBLITH, and
IFTIKHAR AHMED, *Administrative Patent Judges*.

GERSTENBLITH, *Administrative Patent Judge*.

ORDER

Requiring Parties to Propose Redactions to Confidential Transcript
37 C.F.R. § 42.5

¹ NXP USA, Inc., who filed a petition in IPR2024-01068, is joined as petitioner in this proceeding.

In accordance with the Protective Order entered in this proceeding (*see* Paper 67), and on the parties' request, the oral hearing was conducted under seal. *See* Ex. 3002 (Emails requesting and approving sealing the hearing room for oral argument). A confidential version of the hearing transcript is now of record as Paper 68. In addition to containing confidential information that falls within the scope of the Protective Order, the transcript also includes information that is not confidential. To strike the proper balance "between the public's interest in maintaining a complete and understandable file history and the parties' interest in protecting truly sensitive information," the parties shall review the transcript, redact the confidential information therein, and file a redacted version of the transcript as a publicly available paper. Consolidated Trial Practice Guide (Nov. 2019) ("Consolidated Guide"),² Section I.E.3 (Motion to Seal).

To accomplish the above task, the parties shall meet and confer and agree upon a course of action. One option for accomplishing this task is for Patent Owner to complete the redactions in the first instance (since the relevant information is Patent Owner's confidential information) and share the redacted transcript with Petitioner for review prior to filing. Upon agreement of the scope of redactions, Patent Owner would then file the redacted transcript with the name of the document indicating that it is redacted (e.g., as shown for Paper 22 (the redacted version of Patent Owner's Response)). The parties are cautioned that redactions should be limited *only* to information deemed confidential information and should not be used excessively.

² Available at <https://www.uspto.gov/patents/ptab/trial-practice-guide>.

The Board is available to discuss if the parties encounter difficulties with this process, but we expect the parties to be able to handle this task on their own. To the extent that the redacted transcript is not filed by the date noted below, the Board may revisit its decision sealing the transcript.

Accordingly, it is

ORDERED that the parties shall meet and confer and determine a course of action to redact the confidential business information in the transcript of the oral hearing (Paper 68) and file the redacted version of the transcript by **March 13, 2026**; and

FURTHER ORDERED that, if the redacted transcript is not filed by the above-referenced date, the Board may revisit its decision sealing the transcript.

IPR2024-00936
Patent 9,118,528 B2

For PETITIONER TEXAS INSTRUMENTS INC.

Joshua A. Griswold
Rishi Gupta
Yao Wang
W. Karl Renner
FISH & RICHARDSON P.C.
griswold@fr.com
rgupta@fr.com
ywang@fr.com
renner@fr.com

Robert S. Magee
BLUE PEAK LAW GROUP LLP
robert@bluepeak.law

John J. Patti
PATTI PERSHERN, PLLC
john@mppfirm.com

For PETITIONER NXP USA, INC.

Christopher L. Crumbley
Michael Chibib
Christopher Mierzejewski
BRACEWELL LLP
kit.crumbley@bracewell.com
michael.chibib@bracewell.com
cmierzejewski@mckoolsmith.com

For PATENT OWNER

Jason S. Charkow
Richard Juang
Chandran B. Iyer
Stephanie Mandir
DAIGNAULT IYER LLP
jason.s.charkow@gmail.com
richard.juang@gmail.com
cbiyer@daignaultiyer.com
smandir@daignaultiyer.com