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Paper 22
Entered: March 7, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CANADIAN SOLAR INC.,
Petitioner,

v.

MAXEON SOLAR PTE. LTD.,
Patent Owner.

IPR2024-01038
IPR2024-01194
Patent 11,251,315 B2

Before JO-ANNE M. KOKOSKI, JEFFREY W. ABRAHAM, and AVELYN ROSS, *Administrative Patent Judges.*

KOKOSKI, *Administrative Patent Judge.*

ORDER
Consolidation of Proceedings
37 C.F.R. § 42.122(a)

In separate decisions, we instituted *inter partes* review trials in IPR2024-01038 and IPR2024-01194. *See Canadian Solar Inc. v. Maxeon Solar Pte. Ltd.*, IPR2024-01038, Paper 13 (PTAB Jan. 14, 2025); *Canadian Solar Inc. v. Maxeon Solar Pte. Ltd.*, IPR2024-01194, Paper 12 (PTAB Jan. 24, 2025). Different claims of the same patent are challenged in each proceeding, and the trials involve the same parties and the same prior art.

On February 20, 2025, the parties emailed the Board requesting consolidation of the two proceedings into a single proceeding. Ex. 3001. The parties represent that, in the consolidated proceeding, Patent Owner will file a single Patent Owner Response addressing all of the challenged claims (namely, claims 10–16 and 19 of U.S. Patent No. 11,251,315 B2), Petitioner will file a single Reply, Patent Owner will file a single Sur-reply, and a single oral hearing would be held, if requested. *Id.* The parties also request that the Scheduling Order in IPR2024-01038 be applied to the consolidated proceeding. *Id.*

We agree that consolidation is appropriate, and exercise our authority to consolidate the trial in IPR2024-01194 with the trial in IPR2024-01038. *See* 37 C.F.R. § 42.122(a). Unless otherwise ordered, any further papers and exhibits shall be filed only in IPR2024-01038.

Accordingly, it is

ORDERED that the *inter partes* review in IPR2024-01194 is consolidated with the *inter partes* review in IPR2024-01038, and a copy of this Order be filed in both cases;

FURTHER ORDERED that Petitioner shall file a copy of the Petition in IPR2024-01194 as a paper in IPR2024-01038;

FURTHER ORDERED that each Party shall file in IPR2024-01038 any exhibits from IPR2024-01194 that are not of record in IPR2024-01038 within ten business days of the entry of this Order;

FURTHER ORDERED that each Party shall file an exhibit list in IPR2024-01038 identifying (1) the exhibits previously filed in IPR2024-01194 and (2) the exhibits newly filed in IPR2024-01038 as a result of consolidation within ten business days of this Order;

FURTHER ORDERED that the parties shall jointly file a paper in IPR2019-01038 that identifies exhibits that are substantively identical in both cases;

FUTHER ORDERED that all further filed papers will refer to exhibit numbers in IPR2024-01038;

FURTHER ORDERED that the case caption in IPR2024-01038 shall be changed to reflect the consolidation of IPR2024-01194 with IPR2024-01038, in accordance with the attached example; and

FURTHER ORDERED that the Scheduling Order in IPR2024-01038 (Paper 14) will govern the consolidated proceeding.

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[Example Case Caption]

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IPR2024-01038[1]
Patent 11,251,315 B2

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[1] IPR2024-01194 has been consolidated with the instant proceeding.