**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

YANGTZE MEMORY TECHNOLOGIES COMPANY, LTD.,
Petitioner,

v.

MICRON TECHNOLOGY, INC.,
Patent Owner.

---

Case No. IPR2025-00099
U.S. Patent No. 10,872,903

---

# PATENT OWNER'S REPLY TO PETITIONER'S RESPONSE TO THE DIRECTOR'S SHOW CAUSE ORDER

Patent Owner Micron Technology, Inc. ("Micron") submits this reply to Yangtze Memory Technologies Co., Ltd.'s ("YMTC's") Response (Paper 32, "Brief" or "Br.") to the Director's Order to Show Cause (Paper 31, the "Order").

The Director ordered YMTC "to show cause" as to why the Director should not exercise his discretion to deny institution. Order, 2.

As an initial matter, YMTC does not dispute that the Director has discretion to deny institution. *See generally* Brief. Both the Federal Circuit and Supreme Court have recognized that, under 35 U.S.C. § 314(a), "[t]he Director is permitted, but never compelled, to institute [*inter partes* review]" and "no petitioner has a right to such institution." *Mylan Labs. Ltd. v. Janssen Pharmaceutica, N.V.*, 989 F.3d 1375, 1382 (Fed. Cir. 2021); *see also SAS Inst., Inc. v. Iancu*, 584 U.S. 357, 358 (2018). More generally, Congress instructed the Director to consider "the economy, the integrity of the patent system, [and] the efficient administration of the Office" when implementing the IPR regime, 35 U.S.C. § 316(b).

Although not disputing the Director's discretion, YMTC fails to address the Director's mandate in the Order. Instead, YMTC advances two arguments, neither of which addresses the Order. ***First***, YMTC offers the wholly generic argument that "weeding out bad patents" is an important public policy. Br., 1-4. This is non-responsive to the Director's Order. ***Second***, YMTC focuses on an irrelevant district court discovery dispute. Br., 5-8. This, too, is non-responsive to the Director's

Order. Accordingly, YMTC provided no relevant argument for Micron to address.

Micron respectfully requests that the Director vacate the Board's institution decision and exercise his discretion to deny institution.

Respectfully submitted,

Dated: December 8, 2025

*/Travis Jensen/*

Travis Jensen, Reg. No. 60,087
Orrick, Herrington & Sutcliffe LLP
1000 Marsh Road
Menlo Park, CA 94025-1015

*Counsel for Patent Owner*

## CERTIFICATE OF SERVICE

The undersigned hereby confirms that the foregoing Patent Owner Reply to Petitioner's Response to the Director's Show Cause Order was caused to be served on December 8, 2025 via electronic mail, upon the following attorneys of record for Petitioner:

Christopher M. Bonny (Christopher.Bonny@ropesgray.com)
Andrew Radsch (andrew.radsch@ropesgray.com /
andrew.radsch@mto.com)
YMTC-Micron-IPRs-Ropes-Service@ropesgray.com

/*Karen Johnson*/
Karen Johnson