

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.

Case IPR2025-00244
Patent 10,886,291

**JOINT MOTION TO EXPUNGE
CONFIDENTIAL INFORMATION FROM THE RECORD**

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Pursuant to 37 C.F.R. § 42.56, Petitioner Micron Technology, Inc. (“Micron”) and Patent Owner Yangtze Memory Technologies Company, Ltd. (“YMTC”) respectfully file this Joint Motion to Expunge confidential documents filed under seal in this proceeding.

I. Background

On December 13, 2024, in connection with its Petition for *Inter Partes* Review of U.S. Patent No. 10,886,291, Petitioner filed a motion to file confidential documents under seal and entry of the Board’s default Protective Order to seal Exhibit 1015. *See* Paper 4. Exhibit 1015 is an excerpt from YMTC’s Exemplary Infringement Claim Chart for U.S. Patent No. 10,886,291, dated October 2, 2024. Exhibit 1015 contain highly detailed, sensitive, confidential, and non-public information concerning the design, development, functionality, and operation of Micron’s Accused Products. In addition, as discussed in Petitioner’s motion to file Exhibit 1015 under seal, this exhibit should not be made public because the information is the confidential and proprietary business information of a third party, TechInsights, Inc. *See Id.* On August 8, 2025, the Board issued a Decision Denying Institution of *Inter Partes* Review (Paper 27). On September 8, 2025, Petitioner submitted a request for refund of post-institution fees (Paper 28), which the Board granted on September 10, 2025 (Paper 29).

II. Exhibit 1015, Which Was Filed Under Seal In This Proceeding, Should Be Expunged

Petitioner and Patent Owner request that Exhibit 1015 be expunged from the record. The confidential nature of the documents and the minimal impact expungement would have on the public's understanding of the file history weigh in favor of granting this motion.

According to Patent Trial and Appeal Board practice, and as noted by the Board, “[c]onfidential information that is subject to a protective order ordinarily would become public 45 days after” the Final Written Decision. *See* Patent Trial and Appeal Board Consolidated Trial Practice Guide (November 2019) (“CTPG”) at 21-22. However, “[a] party seeking to maintain the confidentiality of information ... may file a motion to expunge the information from the record prior to the information becoming public.” *Id.*, 22; *see also* 37 C.F.R. § 42.56. In deciding whether to expunge confidential information, the Board must balance “the needs of the parties to submit confidential information with the public interest in maintaining a complete and understandable file history.” CTPG, 22.

For reasons stated in Petitioner's motion to seal (Paper 4), the information sought to be expunged constitutes confidential information. There is “an expectation that [confidential] information will be made public” only when “the existence of the information is referred to in a decision to grant or deny a request to institute a review or is identified in a final written decision following a trial.” CTPG, 22. The Board

has previously granted motions to expunge confidential documents where the expunged documents were not necessary to understand the Board's decisions. *See Unverferth Mfg. Co. v. J&M Mfg. Co.*, IPR2014-00758, Paper 29 at 2 (P.T.A.B. Sept. 30, 2015) (granting motion to expunge because the final written decision did not rely on the expunged document and “[t]he file and decision remain understandable in the absence of” the expunged document); *Apple Inc. v. Rembrandt Wireless Techs., LP*, IPR2020-00033, Paper 18 at 5-6 (P.T.A.B. Apr. 16, 2020) (granting motion to expunge because “no decision relied on the documents containing confidential information” and “the record would not be less understandable if the requested documents were expunged”); *RPX Corp. v. VirnetX Inc.*, IPR2014-00171, Paper 62 (P.T.A.B. Sept. 9, 2014) (granting motion to expunge because the decision denying *inter partes* review did not rely on the expunged documents). In these situations, the “public interest in maintaining a complete and understandable file history” is not compromised. CTPG, 22.

Exhibit 1015 was not relied on by the Board when reaching it denied institution of *inter partes* review, and the Board has not relied on these confidential documents anywhere else in this proceeding. *See* Paper 27. The record is therefore understandable even if these confidential documents are expunged.

Additionally, Exhibit 1015 is designated HIGHLY CONFIDENTIAL – ATTORNEY'S EYES ONLY and is under protective orders in both this proceeding

and the district court litigation between the parties. Thus, there is equally good cause to keep this exhibit from the public record, especially where the document was not relied on by the Board in its decision.

Furthermore, the public's understanding of the parties' arguments is not hindered simply because they cannot access this document. The Petition, which cites to Exhibit 1015, is not redacted, and therefore, the public's understanding of the parties' arguments is not hindered simply because they cannot read the confidential technical information contained in Exhibit 1015. *See* Paper 1.

Accordingly, Petitioner and Patent Owner respectfully submit that good cause exists here and requests the Board expunge from the record Exhibit 1015.

III. Conclusion

For the reasons set forth above, Petitioner and Patent Owner respectfully request that the Joint Motion to Expunge Confidential Information be granted.

Respectfully submitted,

Dated: September 15, 2025

By: / Inge A. Osman/

Inge A. Osman (Reg. No. 74,480)
inge.osman@lw.com
Latham & Watkins LLP
555 Eleventh Street, NW, Ste. 1000
Washington, DC 20004-1304
Tel.: 202.637.2200
Fax: 202.637.2201

*Counsel for Patent Owner
Yangtze Memory Technologies
Company, Ltd.*

Dated: September 15, 2025

By: / Jeremy Jason Lang /

Jeremy Jason Lang (Reg. No. 73,064)
PTABDocketJL2@orrick.com
Orrick, Herrington & Sutcliffe LLP
1000 Marsh Road
Menlo Park, CA 94025-1015
Tel.: 650.614.7400
Fax: 650.614.7401

*Counsel for Petitioner Micron Technology,
Inc.*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 15th day of September, 2025, a true and correct copy of the foregoing **Joint Motion To Expunge Confidential Information From The Record** was served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

Jeremy Jason Lang
Jared Bobrow
Orrick, Herrington & Sutcliffe LLP
1000 Marsh Road
Menlo Park, CA 94025-1015
T: 650-614-7400
F: 650-614-7401
jlang@orrick.com
jbobrow@orrick.com
PTABDocketJL2@orrick.com
PTABDocketT6J1@orrick.com
PTABDocketJ3B3@orrick.com
micron-ymtc_ohs@orrick.com

Thomas James
Orrick, Herrington & Sutcliffe LLP
353 N Clark Street, Suite 3600
Chicago, IL 60654
T: 312-924-9800
F: 312-924-9899
tjames@orrick.com

By: / Inge A. Osman /

Inge A. Osman (Reg. No. 74,480)
inge.osman@lw.com
Latham & Watkins LLP
555 Eleventh Street, NW, Ste. 1000
Washington, DC 20004-1304
Tel.: 202.637.2200
Fax: 202.637.2201

*Counsel for Patent Owner
Yangtze Memory Technologies
Company, Ltd.*