

Jenkins, Angela

From: Director_PTABDecision_Review
Sent: Wednesday, October 1, 2025 3:19 PM
To: 'Wayne Zou'; ptabdocketj12@orrick.com; PTABdocketJ3B3@orrick.com; T61PTABdocket@orrick.com; micron-ymtc_ohs@orrick.com; YMTC-Micron-IPR
Subject: RE: IPR2025-00498, 00499, 00500 and IPR2025-00501 - Request for Authorization to File A Short Supplemental Brief

Counsel,

Petitioner's request for authorization to file a supplemental brief in support of its pending request for Director Review in the above identified proceedings is denied.

Thanks.

From: Wayne Zou <wayne.zou@bayes.law>
Sent: Wednesday, September 24, 2025 7:30 AM
To: Director_PTABDecision_Review <Director_PTABDecision_Review@uspto.gov>
Cc: ptabdocketj12@orrick.com; PTABdocketJ3B3@orrick.com; T61PTABdocket@orrick.com; micron-ymtc_ohs@orrick.com; YMTC-Micron-IPR <YMTC-Micron-IPR@bayes.law>
Subject: IPR2025-00498, 00499, 00500 and IPR2025-00501 - Request for Authorization to File A Short Supplemental Brief

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Dear Honorable Director,

Petitioner in IPR2025-00498, 00499, 00500 and IPR2025-00501 respectfully requests, for good cause, authorization to file a short supplemental brief in support of its pending Request for Director Review in each of these proceedings.

The supplemental brief would address the September 16, 2025 Memorandum entitled "PTAB consideration of prior findings of fact and conclusions of law," which issued after Petitioner filed its Requests for Director Review. Petitioner submits that this new memorandum is directly applicable to the IPRs at issue—particularly in light of the prior Institution Decisions in IPR2025-00098 (Paper 15) and IPR2025-00099 (Paper 15), which have been identified as related matters under 37 C.F.R. § 42.8(b)(2)—and is material to the pending Requests for Director Review.

Petitioner would limit the supplemental brief to two (2) pages or less and does not seek to introduce new evidence. Petitioner would not object if Patent Owner were permitted to file a response of equal length.

Counsel for Patent Owner has been copied on this request. After conferring, Patent Owner opposed the request, stating the following:

"Micron believes that the September 16, 2025, Memorandum (the Memorandum) does not require or call for any additional briefing. The Memorandum states that "if the Board reaches an initial or final decision on a finding of fact or conclusion of law that is different than the prior finding or conclusion of the Office, district court, or the ITC, the Board shall explain in the institution or final written decision why a different outcome is warranted." The Board has not issued an "initial or final decision" in IPR2025-00498, -499, -500, or -501.

Furthermore, Petitioner has already briefed the relationship between actions in IPR2025-00098 or -99 in its Opposition and its Request for Director Review in these IPRs. For example, in IPR2025-00498 see argument regarding IPR2025-00099 in Paper 9 at 4-6, 9-10, 15-16, 18, 20 n.2, 25-29, 31-34 and Paper 12 at 4-7, 9. Micron does believe that the Memorandum changes anything such that even more briefing is required.

As Counsel is likely aware, the Board has been entering General Orders in IPRs subject to the Memorandum instructing the parties to alert the Board to any developments in a related matter within five business days, by sending an email to Trials@uspto.gov, and file in the docket of the proceeding the relevant materials from the related matter(s). See IPR2025-00098, Paper 32; IPR2025-00099, Paper 30. Consistent with these General Orders, Micron believes that the parties, at most, may send the Board an email to inform them that IPR2025-00098 and IPR2025-00099 are stayed pending Director Review of issues raised in these IPRs.”

Respectfully submitted,
Zhiwei Zou,
Lead Counsel on behalf of Petitioner

Wayne Z. Zou, Ph.D.

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