

1a

**APPENDIX A**

NOTE: This order is nonprecedential

**United States Court of Appeals  
for the Federal Circuit**

---

**NORTH STAR INNOVATIONS, INC.,**  
*Appellant*

**v.**

**MICRON TECHNOLOGY, INC.,**  
*Appellee*

**ANDREI IANCU, Director, U.S. Patent and  
Trademark Office,**  
*Intervenor*

---

2020-1295, -1296

---

Appeals from the United States Patent and  
Trademark Office, Patent Trial and Appeal Board in  
Nos. IPR2018-00998 and IPR2018-00999.

-----

**NORTH STAR INNOVATIONS, INC.,**  
*Appellant*

**v.**

**MICRON TECHNOLOGY, INC.,**  
*Appellee*

2a

**ANDREI IANCU, Director, U.S. Patent and  
Trademark Office,**  
*Intervenor*

---

2020-1297

---

Appeal from the United States Patent and  
Trademark Office, Patent Trial and Appeal Board in  
No. IPR2018-01000.

-----

**NORTH STAR INNOVATIONS, INC.,**  
*Appellant*

**v.**

**MICRON TECHNOLOGY, INC.,**  
*Appellee*

**ANDREI IANCU, Director, U.S. Patent and  
Trademark Office,**  
*Intervenor*

---

2020-1298, -1299

---

Appeals from the United States Patent and  
Trademark Office, Patent Trial and Appeal Board in  
Nos. IPR2018-01004 and IPR2018-01005.

---

**ON MOTION**

---

3a

Before PROST, *Chief Judge*, NEWMAN and HUGHES,  
*Circuit Judges*.

NEWMAN, *Circuit Judge*.

### ORDER

North Star Innovations, Inc. moves to vacate the Patent Trial and Appeal Board's decisions and remand for new hearings in light of this court's recent decision in *Arthrex, Inc. v. Smith & Nephew, Inc.*, 941 F.3d 1320 (Fed. Cir. 2019). Micron Technology, Inc. opposes the motions. The Director of the United States Patent and Trademark Office ("PTO") opposes.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motions to vacate and remand are granted. The Patent Trial and Appeal Board's decisions are vacated, and the cases are remanded to the Board for proceedings consistent with this court's decision in *Arthrex*.

(2) Each side shall bear its own costs.

FOR THE COURT

March 30, 2020  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court

**APPENDIX B**

NOTE: This order is nonprecedential

**United States Court of Appeals  
for the Federal Circuit**

---

**NORTH STAR INNOVATIONS, INC.,**  
*Appellant*

**v.**

**MICRON TECHNOLOGY, INC.,**  
*Appellee*

**ANDREI IANCU, UNDER SECRETARY OF  
COMMERCE FOR INTELLECTUAL  
PROPERTY AND DIRECTOR OF THE UNITED  
STATES PATENT AND TRADEMARK OFFICE,**  
*Intervenor*

---

2020-1295, -1296

---

Appeals from the United States Patent and  
Trademark Office, Patent Trial and Appeal Board in  
Nos. IPR2018-00998, IPR2018-00999.

---

**ON PETITION FOR REHEARING EN BANC**

---

5a

Before PROST, *Chief Judge*, NEWMAN, LOURIE, DYK,  
MOORE, O'MALLEY, REYNA, WALLACH, TARANTO,  
CHEN, HUGHES, and STOLL, *Circuit Judges*.

PER CURIAM.

### ORDER

Appellee Micron Technology, Inc. filed a petition for rehearing en banc. The petition was first referred as a petition for rehearing to the panel that heard the appeal, and thereafter the petition for rehearing en banc was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

The mandate of the court will issue on June 23, 2020.

FOR THE COURT

June 16, 2020  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court

6a

**APPENDIX C**

NOTE: This order is nonprecedential

**United States Court of Appeals  
for the Federal Circuit**

---

**NORTH STAR INNOVATIONS, INC.,**  
*Appellant*

**v.**

**MICRON TECHNOLOGY, INC.,**  
*Appellee*

**ANDREI IANCU, UNDER SECRETARY OF  
COMMERCE FOR INTELLECTUAL  
PROPERTY AND DIRECTOR OF THE UNITED  
STATES PATENT AND TRADEMARK OFFICE,**  
*Intervenor*

---

2020-1297

---

Appeal from the United States Patent and  
Trademark Office, Patent Trial and Appeal Board in  
No. IPR2018-01000.

---

**ON PETITION FOR REHEARING EN BANC**

---

7a

Before PROST, *Chief Judge*, NEWMAN, LOURIE, DYK,  
MOORE, O'MALLEY, REYNA, WALLACH, TARANTO,  
CHEN, HUGHES, and STOLL, *Circuit Judges*.

PER CURIAM.

### ORDER

Appellee Micron Technology, Inc. filed a petition for rehearing en banc. The petition was first referred as a petition for rehearing to the panel that heard the appeal, and thereafter the petition for rehearing en banc was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

The mandate of the court will issue on June 23, 2020.

FOR THE COURT

June 16, 2020  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court

8a

**APPENDIX D**

NOTE: This order is nonprecedential

**United States Court of Appeals  
for the Federal Circuit**

---

**NORTH STAR INNOVATIONS, INC.,**  
*Appellant*

**v.**

**MICRON TECHNOLOGY, INC.,**  
*Appellee*

**ANDREI IANCU, UNDER SECRETARY OF  
COMMERCE FOR INTELLECTUAL  
PROPERTY AND DIRECTOR OF THE UNITED  
STATES PATENT AND TRADEMARK OFFICE,**  
*Intervenor*

---

2020-1298, -1299

---

Appeals from the United States Patent and  
Trademark Office, Patent Trial and Appeal Board in  
Nos. IPR2018-01004, IPR2018-01005.

---

**ON PETITION FOR REHEARING EN BANC**

---



Before PROST, *Chief Judge*, NEWMAN, LOURIE, DYK,  
MOORE, O'MALLEY, REYNA, WALLACH, TARANTO,  
CHEN, HUGHES, and STOLL, *Circuit Judges*.

PER CURIAM.

**ORDER**

Appellee Micron Technology, Inc. filed a petition for rehearing en banc. The petition was first referred as a petition for rehearing to the panel that heard the appeal, and thereafter the petition for rehearing en banc was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

The mandate of the court will issue on June 23, 2020.

FOR THE COURT

June 16, 2020  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court