

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

Aptiv Technologies AG v. Microchip Technology, Inc.

Aptiv Technologies · No. 1:23-cv-00307-JDW · Decided March 6, 2026

SUMMARY

The United States District Court for the District of Delaware denies Microchip Technology’s motions to stay patent litigation pending ex parte reexamination proceedings and to modify the scheduling order. The court concludes that the reexaminations are unlikely to provide sufficient certainty or simplification, the litigation has advanced substantially, and further delay could prejudice Aptiv. The court also finds no good cause to permit Microchip to exceed the existing limit on prior-art references because the asserted claim structure and proposed references were foreseeable or previously known.

CASE DETAILS

COURT	United States District Court for the District of Delaware
WRITING FOR THE COURT	Joshua D. Wolson
JURISDICTION	United States District Court for the District of Delaware
DECIDED	March 6, 2026
DOCKET	1:23-cv-00307-JDW
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a patent-infringement action. After the court stayed the case during related Patent Trial and Appeal Board proceedings, defendant moved to stay the case pending ex parte reexamination proceedings concerning the two surviving patents and moved to modify the scheduling order to permit additional prior-art references.
STANDARD OF REVIEW	A motion to stay is reviewed under the court's discretionary authority to manage its docket, weighing the competing interests of the parties. Modification of a scheduling order requires good cause under Federal Rule of Civil Procedure 16(b)(4), measured primarily by the diligence of the movant.
PRECEDENTIAL VALUE	Unpublished federal district court memorandum; persuasive rather than precedential outside the case.

TOPICS

- civil procedure
- patent law
- patent prosecution
- commercial litigation

PRACTICE AREAS

civil procedure

patent litigation

intellectual property

QUESTIONS PRESENTED

1. Whether the action should be stayed pending completion of ex parte reexamination proceedings concerning the two surviving patents.
2. Whether Microchip established good cause under Federal Rule of Civil Procedure 16(b)(4) to modify the scheduling order and increase the number of permitted prior-art references from six to seven per patent.

HOLDINGS

1. The court denied the motion to stay because Microchip did not show that ex parte reexamination was likely to simplify the issues, the case was well advanced, and an additional stay would risk prejudicing Aptiv.
2. The court denied Microchip's motion to modify the scheduling order because Microchip failed to demonstrate good cause and diligence under Rule 16(b)(4).

KEY QUOTATIONS

“EPRs offer none of that certainty. A stay pending an EPR therefore kicks the can down the road without any clarity about how long the road will be or even what route the road will follow after the detour to the PTO.” (III.A)

“Rule 16 does not permit modification of a scheduling order just because a party reassesses its strategy and wishes it had preserved greater flexibility.” (III.B)

FACTUAL BACKGROUND

Aptiv asserted six related patents involving USB routing and power-control technology against Microchip. PTAB proceedings eliminated the asserted claims of four patents, while IPR was not instituted for the two remaining patents, U.S. Patent Nos. 9,460,037 and 10,545,899. After the stay was lifted, Aptiv selected five claims from each surviving patent, and Microchip sought permission to rely on seven prior-art references per patent instead of the six-reference limit established by the scheduling order. Microchip also sought a new stay based on ex parte reexamination proceedings instituted in January 2026, while the case was approaching expert discovery and dispositive-motion practice.

PROCEDURAL HISTORY

Aptiv filed suit in March 2023 alleging infringement of six patents. The court entered a narrowing scheduling order in October 2023, requiring Aptiv to select no more than five claims per patent and Microchip to identify no more than six prior-art references per patent. The parties stipulated to a stay in August 2024 while Microchip pursued IPR and post-grant proceedings; the PTAB invalidated the asserted claims of four patents, declined to institute IPR on the two remaining patents, and Director Review concluded in September 2025. The court lifted

the stay as to the two surviving patents in November 2025, after which Microchip sought additional prior-art references and a further stay pending ex parte reexamination. The court denied both motions.

DISPOSITION

other

CASES CITED

- 830 F.3d 1357, 1361 (Fed. Cir. 2016)
- 299 U.S. 248, 254-55 (1936)
- 2020 WL 13119705, at *1 (D. Del. Nov. 5, 2020)
- 2010 WL 2573925, at *3 (D. Del. June 25, 2010)
- 614 F.3d 57, 84 (3d Cir. 2010)
- 2012 WL 3069390, at *2 (D. Del. July 27, 2012)
- 541 F. Supp. 2d 612, 618 (D. Del. 2008)
- 2019 WL 3943058, at *5 (D. Del. Aug. 21, 2019)

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