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8 DEMARAY LLC

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

13 APPLIED MATERIALS, INC.,) Case No. 5:20-cv-05676-EJD
)
14 Plaintiff,) **DECLARATION OF C. MACLAIN**
) **WELLS IN SUPPORT OF DEMARAY**
15 vs.) **LLC’S OPPOSITION TO APPLIED**
) **MATERIALS’ MOTION FOR**
16 DEMARAY LLC,) **PRELIMINARY INJUNCTION**
)
17 Defendant.)
18)

19 **DECLARATION OF C. MACLAIN WELLS**

20 I, C. Maclain Wells, the undersigned, declare as follows:

21 1. I am counsel at the law firm of Irell & Manella LLP, counsel for Defendant
22 Demaray LLC (“Demaray”). I am a member in good standing of the State Bar of California and
23 have been duly licensed to practice law before all of the courts of the State of California. I submit
24 this declaration in support of Demaray’s Opposition to Applied Materials’ Motion for Preliminary
25 Injunction. I have personal knowledge of the matters set forth in this declaration and, if called as a
26 witness, could testify to its contents.

27 2. Attached hereto as Exhibit 1 is a true and correct copy of U.S Patent No. 7,544,276.

28 3. Attached hereto as Exhibit 2 is a true and correct copy of U.S Patent No. 7,381,657.

1 4. Attached hereto as Exhibit 3 is a true and correct copy of a press release
2 downloaded from [http://www.appliedmaterials.com/company/news/press-](http://www.appliedmaterials.com/company/news/press-releases/1998/09/applied-komatsu-technology-announces-restructuring)
3 [releases/1998/09/applied-komatsu-technology-announces-restructuring](http://www.appliedmaterials.com/company/news/press-releases/1998/09/applied-komatsu-technology-announces-restructuring).

4 5. Attached hereto as Exhibit 4 is a true and correct copy of a web page downloaded
5 from <https://www.samsung.com/us/sas/Business/Overview>.

6 6. Attached hereto as Exhibit 5 is a true and correct copy of a web page downloaded
7 from <https://www.intel.com/content/www/us/en/corporate-responsibility/intel-in-texas.html>.

8 7. Attached hereto as Exhibit 6 is a true and correct copy of a web page downloaded
9 from <http://www.appliedmaterials.com/company/contact/locations>.

10 8. Attached hereto as Exhibit 7 is a true and correct copy of a document titled Applied
11 Materials, Inc. Project Summary downloaded from
12 <https://www.austintexas.gov/edims/document.cfm?id=303541>.

13 9. Attached hereto as Exhibit 8 is a true and correct copy of a web page downloaded
14 from <https://angstromengineering.com/products/evovac/>.

15 10. Attached hereto as Exhibit 9 is a true and correct copy of a web page downloaded
16 from <https://angstromengineering.com/tech/fixturing/substrate-biasing/>.

17 11. Attached hereto as Exhibit 10 is a true and correct copy of a web page downloaded
18 from <http://www.ulvac.com/systems/PVD/PVD300mm/PVD300mmEntron>.

19 12. Attached hereto as Exhibit 11 is a true and correct copy of a web page downloaded
20 from
21 https://www.lesker.com/newweb/vacuum_systems/deposition_systems_pvd_prolinepvd200.cfm.

22 13. Attached hereto as Exhibit 12 is a true and correct copy of a web page downloaded
23 from <https://www.dentonvacuum.com/products-technologies/magnetron-sputtering/discovery/>.

24 14. Attached hereto as Exhibit 13 is a true and correct copy of a document titled
25 Discovery Multi-Cathode Sputter Deposition Platform downloaded from
26 [https://info.dentonvacuum.com/hubfs/Content%20Assets/Data%20Sheets/Discovery_635-](https://info.dentonvacuum.com/hubfs/Content%20Assets/Data%20Sheets/Discovery_635-785_brochure_web.pdf)
27 [785_brochure_web.pdf](https://info.dentonvacuum.com/hubfs/Content%20Assets/Data%20Sheets/Discovery_635-785_brochure_web.pdf).

28 15. Attached hereto as Exhibit 14 is a true and correct copy of a document titled

1 Applied Materials Inc. (NASDAQ: AMAT) Q2 2020 Earnings Call Transcript downloaded from
2 <https://news.alphastreet.com/applied-materials-inc-nasdaq-amat-q2-2020-earnings-call-transcript/>.

3 16. Attached hereto as Exhibit 15 is a true and correct copy of a web page captured
4 from <https://www.kbvresearch.com/physical-vapor-deposition-market/>.

5 17. Attached hereto as Exhibit 16 is a true and correct copy of Defendant Intel
6 Corporation's Answer And Affirmative Defenses in Case No. 6:20-CV-00634, filed as ECF No.
7 19 in in the United States District Court for the Western District of Texas, Waco Division.

8
9 Executed on September 25, 2000 in Sebastopol, California. I declare under penalty of
10 perjury that the foregoing is true and correct.

11 By: /s/ C. Maclain Wells

12 C. Maclain Wells (CA #221609)

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