

1 YAR R. CHAIKOVSKY (SB# 175421)
 yarchaikovsky@paulhastings.com
 2 PHILIP OU (SB# 259896)
 philipou@paulhastings.com
 3 ANDY LEGOLVAN (SB# 292520)
 andylegolvan@paulhastings.com
 4 JOSEPH J. RUMPLER, II (SB# 296941)
 josephrumpler@paulhastings.com
 5 BERKELEY FIFE (SB# 325293)
 berkeleyfife@paulhastings.com
 6 BORIS LUBARSKY (SB# 324896)
 borislubarsky@paulhastings.com
 7 PAUL HASTINGS LLP
 1117 S. California Avenue
 8 Palo Alto, California 94304-1106
 Telephone: 1(650) 320-1800
 9 Facsimile: 1(650) 320-1900

10 Attorneys for Plaintiff
 APPLIED MATERIALS, INC.

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14
 15 APPLIED MATERIALS, INC.,
 16 Plaintiff,
 17 vs.
 18 DEMARAY LLC,
 19 Defendant.

CASE NO. 5:20-cv-05676-EJD

**DECLARATION OF ROSS
 THOMPSON IN SUPPORT OF
 APPLIED MATERIALS, INC.'S
 REPLY IN SUPPORT OF MOTION
 FOR PRELIMINARY INJUNCTION**

20
 21
 22
 23
 24
 25
 26
 27
 28

1 I, Ross Thompson, hereby declare:

2 1. I am an employee of Samsung Austin Semiconductor, LLC and have been since 2016. I
3 am currently the General Counsel and Director of Legal Counsel of Samsung Austin
4 Semiconductor, LLC.

5 2. I submit this declaration in support of Applied Materials, Inc.'s ("Applied") Reply in
6 support of its motion for preliminary injunction.

7 3. Unless indicated otherwise, I have personal knowledge of the facts contained in this
8 declaration and, if called upon to do so, I could and would testify competently to the matters set
9 forth herein.

10 4. I understand that Demaray LLC ("Demaray") sued Samsung Austin Semiconductor, LLC
11 as well as Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung
12 Semiconductor, Inc. (collectively, the "Samsung Defendants") in Case No. 6:20-cv-00636-ADA
13 in the United States District Court for the Western District of Texas ("Demaray-Samsung
14 Litigation"), alleging infringement of U.S. Patent Nos. 7,544,276 and 7,381,657.

15 5. I understand that Demaray alleges that the Samsung Defendants infringe by using and/or
16 configuring reactive magnetron sputtering reactors, including reactors in Applied's Endura
17 product line, for the deposition of layers, which Demaray identifies as metal nitride layers such as
18 TaN and/or TiN, in Samsung semiconductor products, including memory products such as
19 Samsung's DDR4 SDRAM.

20 6. I also understand that Applied filed an action for declaratory judgment of non-
21 infringement against Demaray in the United States District Court for the Northern District of
22 California. I understand that, in that declaratory judgment action, Applied filed a motion for
23 preliminary injunction to enjoin Demaray from proceeding with the Demaray-Samsung Litigation
24 while the declaratory judgment action is pending.

25
26
27
28 ROSS THOMPSON DECL. IN SUPPORT

