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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 TERRENCE H.  
CROSS IN SUPPORT OF APPLIED  
MATERIALS, INC.'S REPLY IN  
SUPPORT OF MOTION FOR  
PRELIMINARY INJUNCTION**

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TERRENCE H. CROSS DECL. IN SUPP  
OF APPLIED'S MOTION  
PRELIMINARY INJUNC

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

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

11 4. I understand that Demaray LLC ("Demaray") sued Samsung Semiconductor,  
12 Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung A  
13 Semiconductor, LLC (collectively, the "Samsung Defendants") in Case No. 6:20-cv-00  
14 ADA in the United States District Court for the Western District of Texas ("Demaray-Sam  
15 Litigation"), alleging infringement of U.S. Patent Nos. 7,544,276 and 7,381,657.

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

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

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6 judgment causes of action asserted in Applied's First Amended Complaint, including, without  
7 limitation, the non-infringement causes of action—whether based on license, assignment, or  
8 technical non-infringement questions—and any patent invalidity causes of action to be asserted  
9 the future.

10 8. Samsung Semiconductor, Inc. (SSI) is a corporation organized and existing under the  
11 laws of the State of California.

12 9. SSI's headquarters are located in San Jose, California.

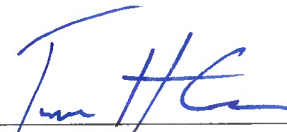
13 10. SSI does not operate any semiconductor fabrication facility.

14 11. SSI does not perform any semiconductor fabrication or manufacturing.

15 12. SSI does not manufacture any semiconductor products.

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18 I declare under penalty of perjury that the foregoing is true and correct.

19  
20 DATED: October 9, 2020

21 By:   
22 Terrence H. Cross

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