

EXHIBIT I

From: [Ou, Philip](#)
To: ["Wells, Maclain"](#)
Cc: ["Steve Ravel"](#); [Hattenbach, Ben](#); ["rmlvenan@mcginnislaw.com"](#); ["tcbarton@mcginnislaw.com"](#); [Soobert, Allan M.](#); [Rumpler, Joseph](#); [Chaikovsky, Yar R.](#); ["Brian C. Nash"](#)
Subject: RE: Demaray v. Intel/Samsung - Motion to transfer discovery
Date: Wednesday, November 18, 2020 3:17:30 PM

Maclain,

On the first point, for purposes of Intel/Samsung disclosures due on December 11, we will be providing you discovery relating to the same set of Intel/Samsung PVD reactors we are identifying for you in venue discovery (RMS-PVD reactors that provide, or have the option of providing, (1) pulsed DC to the target and (2) RF bias to the substrate) in compliance with what the Local Rules require, as you've outlined below. This will include, for the method claims, *e.g.*, discovery on the "semiconductor products that include at least one layer of material deposited" using a reactor configuration that includes "a pulsed DC power supply coupled to the target area ... [and] an RF bias power supply coupled to the substrate". My e-mail was not intending to exclude that information, and based on our call just now, I understand you were not intending to broaden the discovery to other reactors beyond those with the attributes we agreed upon. I believe we are on the same page, but if I have misunderstood again, please let me know.

Thanks for discussing and clarifying the issue on R&D reactors. I don't expect there to be an issue with providing that discovery, but as we discussed, some of the information requested may not be available given that those reactors are not currently being used to produce products.

I will confirm tomorrow.

Thanks,
Phil

From: Wells, Maclain <MWells@irell.com>
Sent: Wednesday, November 18, 2020 2:54 PM
To: Ou, Philip <philipou@paulhastings.com>
Cc: 'Steve Ravel' <steve.ravel@kellyhart.com>; Hattenbach, Ben <BHattenbach@irell.com>; 'rmlvenan@mcginnislaw.com' <rmlvenan@mcginnislaw.com>; 'tcbarton@mcginnislaw.com' <tcbarton@mcginnislaw.com>; Soobert, Allan M. <allansoobert@paulhastings.com>; Rumpler, Joseph <josephrumpler@paulhastings.com>; Chaikovsky, Yar R. <yarchaikovsky@paulhastings.com>; 'Brian C. Nash' <brian.nash@pillsburylaw.com>
Subject: [EXT] RE: Demaray v. Intel/Samsung - Motion to transfer discovery

Phil,

As we stated, the accused products are identified in our infringement contentions and include more than you appear to suggest below. We refer you to the contentions. Similarly, the patents have certain claim limitations, and rather than paraphrase them, we again refer you to the contentions (or, if you prefer, the patents themselves).

For the purposes of venue discovery, we have agreed to limit the discovery to Intel/Samsung PVD reactors with those attributes as discussed. For the purposes of Intel/Samsung disclosures due on December 11, we expect the full set of information required by the rules, including "technical documents, including software where applicable, sufficient to show the operation of the accused product(s)." This includes, but is not limited to, (1) documents sufficient to show the operation of the identified reactors and (2) documents sufficient to show the "semiconductor products that include at least one layer of material deposited" using a reactor configuration that includes "a pulsed DC power supply coupled to the target area ... [and] an RF bias power

supply coupled to the substrate” and documents sufficient to show the processes used in the deposition of such layers. We also expect “summary, annual sales information for the accused product(s) for the two years preceding the filing of the Complaint.” This includes sales of “semiconductor products that include at least one layer of material deposited” using a reactor configuration that includes “a pulsed DC power supply coupled to the target area ... [and] an RF bias power supply coupled to the substrate.”

On the additional issue raised in your email, the accused products include reactors “made, used, imported, offered for sale or sold” with the claimed configurations. There is no exception for the making or use of such products or processes for “RMS-PVD reactors that are and/or have been only used for research and development purposes.” If your client is infringing during research and development, we obviously need information about that and you are required to provide it. I understand that you will get back to us tomorrow on this issue so that we can raise it with the Court, if necessary.

Thanks,
Maclain

From: Ou, Philip <philipou@paulhastings.com>
Sent: Wednesday, November 18, 2020 1:04 PM
To: Wells, Maclain <MWells@irell.com>
Cc: 'Steve Ravel' <steve.ravel@kellyhart.com>; Hattenbach, Ben <BHattenbach@irell.com>; 'rmilvenan@mcginnislaw.com' <rmilvenan@mcginnislaw.com>; 'tcbarton@mcginnislaw.com' <tcbarton@mcginnislaw.com>; Soobert, Allan M. <allansoobert@paulhastings.com>; Rumpler, Joseph <josephrumpler@paulhastings.com>; Chaikovsky, Yar R. <yarchaikovsky@paulhastings.com>; 'Brian C. Nash' <brian.nash@pillsburylaw.com>
Subject: RE: Demaray v. Intel/Samsung - Motion to transfer discovery

Maclain,

Thanks. On your further note of clarification below, based on our meet and confer from last Thursday and follow-up discussion on Monday, we agreed that the scope of the accused products/reactors in these actions – based on our reading of your infringement contentions – is at least limited to RMS-PVD reactors that provide, or have the option of providing, (1) pulsed DC to the target and (2) RF bias to the substrate – and those accused methods and reactor configurations are what we plan on providing discovery on. Of course, what is accused must also meet the remaining limitations of the claims, but these methods and reactor configurations form the baseline requirements of how Samsung and Intel determine what is accused and what to provide discovery on for purposes of venue discovery and our local rule disclosures regarding the accused products due on December 11.

If we’ve misunderstood that agreement, or the scope of your infringement contentions (e.g., that you are also accusing RMS-PVD reactors that **do not** provide, or have the option of providing pulsed DC to the target and/or RF bias to the substrate), please let us know immediately. I do not believe that is what you are suggesting by your e-mail, but I wanted to confirm.

Separately, we have one other issue we wanted to clarify with you. Your infringement contentions tie the Intel/Samsung Accused Products to the manufacturing of Intel/Samsung products (e.g., microprocessor, semiconductor products, etc.). Accordingly, we are currently not planning on collecting information for RMS-PVD reactors that are and/or have been only used for research and development purposes (“R&D reactors”), meaning they have not been used to manufacture any actual products. If those reactors, during the course of these cases, are later used to manufacture products, we will provide discovery on them. We also agree you’re not waiving your right to seek discovery about these R&D reactors if appropriate under Rule 26. Please let us know if this is acceptable to Demaray, as it impacts the scope of what we are collecting (and likely our 30(b)(6) witness(es) and scheduling of depositions) if you are seeking discovery on R&D reactors.

Happy to discuss either of the above points when we meet and confer at 2 pm for Applied's NDCA DJ case or at another convenient time for you.

Thanks,
Phil

From: Wells, Maclain <MWells@irell.com>
Sent: Tuesday, November 17, 2020 8:46 AM
To: Ou, Philip <philipou@paulhastings.com>
Cc: 'Steve Ravel' <steve.ravel@kellyhart.com>; Hattenbach, Ben <BHattenbach@irell.com>; 'rmilvenan@mcginnislaw.com' <rmilvenan@mcginnislaw.com>; 'tcbarton@mcginnislaw.com' <tcbarton@mcginnislaw.com>; Soobert, Allan M. <allansoobert@paulhastings.com>; Rumpler, Joseph <josephrumpler@paulhastings.com>; Chaikovsky, Yar R. <yarchaikovsky@paulhastings.com>; 'Brian C. Nash' <brian.nash@pillsburylaw.com>
Subject: [EXT] RE: Demaray v. Intel/Samsung - Motion to transfer discovery

Phil,

A further note of clarification, we agree that Intel and Samsung can use the accused methods and reactor configurations described below for the purposes of guiding their upcoming document disclosures under the Court's scheduling order, but the accused products in this action, and the infringement allegations related thereto, are as described in the respective infringement contentions.

Regarding point (3) in your email below, as we discussed, if a reactor has multiple power sources such that it can be configured with a pulsed DC to the target and RF bias to the substrate, Intel/Samsung will provide the described venue discovery related thereto. For reactors that Intel/Samsung contend have only a continuous DC power supply to the target and a RF bias to the substrate, Intel and Samsung will identify and provide manuals for the continuous DC power supplies to substantiate their assertions.

Thank you,
Maclain

From: Wells, Maclain
Sent: Monday, November 16, 2020 6:42 PM
To: 'Ou, Philip' <philipou@paulhastings.com>
Cc: 'Steve Ravel' <steve.ravel@kellyhart.com>; Hattenbach, Ben <BHattenbach@irell.com>; 'rmilvenan@mcginnislaw.com' <rmilvenan@mcginnislaw.com>; 'tcbarton@mcginnislaw.com' <tcbarton@mcginnislaw.com>; Soobert, Allan M. <allansoobert@paulhastings.com>; Rumpler, Joseph <josephrumpler@paulhastings.com>; Chaikovsky, Yar R. <yarchaikovsky@paulhastings.com>; 'Brian C. Nash' <brian.nash@pillsburylaw.com>
Subject: RE: Demaray v. Intel/Samsung - Motion to transfer discovery

Phil,

Two minor clarifications:

1. For the purposes of the upcoming document disclosures under the Court's scheduling order regarding accused products, products produced with the accused methods and reactor configurations described below can guide your production of technical and sales materials. As you noted, we reserve the right

to identify additional accused products based upon discovery and to seek other discovery as appropriate.

2. For the purposes of venue discovery, the purchase date by quarter/year is sufficient and for dates of service and we are looking for general information on the dates and locations of service (e.g., approximately when service began, whether the reactor is still in use (if not, when it stopped), whether its location has changed, etc.).

Thank you,
Maclain

From: Ou, Philip <philipou@paulhastings.com>
Sent: Monday, November 16, 2020 6:17 PM
To: Wells, Maclain <MWells@irell.com>
Cc: 'Steve Ravel' <steve.ravel@kellyhart.com>; Hattenbach, Ben <BHattenbach@irell.com>; 'rmilvenan@mcginnislaw.com' <rmilvenan@mcginnislaw.com>; 'tcbarton@mcginnislaw.com' <tcbarton@mcginnislaw.com>; Soobert, Allan M. <allansoobert@paulhastings.com>; Rumpler, Joseph <josephrumpler@paulhastings.com>; Chaikovsky, Yar R. <yarchaikovsky@paulhastings.com>; 'Brian C. Nash' <brian.nash@pillsburylaw.com>
Subject: RE: Demaray v. Intel/Samsung - Motion to transfer discovery

Maclain,

Thanks for the call. To confirm our discussion:

1. The accused products/reactors in these cases are what we've agreed to below for venue discovery: RMS-PVD reactors that provide, or have the option of providing, (1) pulsed DC to the target and (2) RF bias to the substrate; Samsung and Intel will prepare their upcoming initial production under local rules for the same scope of accused products/reactors.
2. Demaray is not waiving its right to seek discovery of other reactors or other information from Samsung/Intel for other purposes (e.g., to show purported benefits of the accused reactors over other non-accused reactors)
3. For reactors that Intel/Samsung contend have (1) continuous DC power to the target and (2) RF bias to the substrate, Intel and Samsung will identify and provide manuals for the continuous DC power supplies and Demaray will confirm it is not accusing RMS-PVD reactors using those continuous DC power supplies. As part of the information provided for the accused products, we will also provide the manuals for the pulsed DC power supplies. I anticipate we can produce those to you tomorrow.
4. You requested that for the accused products/reactors used abroad, we provide some way to delineate which produced products are bound for the U.S. versus other countries. We will discuss with Intel and Samsung and consider how we may be able to provide that information as part of our overall response to your requests.
5. Two points from our initial meet and confer that we did not memorialize in our prior e-mail:
 - a. for the purchase date, quarter/year is sufficient;

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