

# EXHIBIT B

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Nathanael M. Cousins, Magistrate Judge

APPLIED MATERIALS, INC., )  
 )  
Plaintiffs, )  
 )  
vs. ) No. C 20-09341-EJD  
 )  
DEMARAY, LLC., )  
 )  
Defendant. )  
\_\_\_\_\_ )

San Jose, California  
Wednesday, January 12, 2022

TRANSCRIPT OF PROCEEDINGS OF THE OFFICIAL ELECTRONIC SOUND  
RECORDING 1:19 - 1:47 = 28 MINUTES

APPEARANCES:

For Plaintiff:

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(APPEARANCES CONTINUED ON THE NEXT PAGE.)

1 as to our overall structure?

2 MR. WELLS: Yes, your Honor. So I'll take the  
3 issues in order.

4 So first, with regard to the infringement contentions.  
5 We have provided robust infringement contentions in Texas  
6 and those were based upon a variety of information,  
7 including reverse engineering reports and the like, that  
8 aren't available for Applied. In those infringement  
9 contentions for certain of the limitations in each of the  
10 patents, we noted on information and belief, we think  
11 there's a narrow-band rejection filter here, but we don't  
12 have the details. And we've gone back to the Texas court  
13 again and again and again and he's ordered them to produce  
14 the information again and again and again and we're still  
15 trying to get that information. And so that's an issue in  
16 Texas, we admit it.

17 Now, they've raised the issue in Texas repeatedly.  
18 They say, "Oh, there's no Rule 11 basis for you to continue  
19 prosecuting these claims because we've told you it's not a  
20 narrow-band rejection filter, even though we haven't  
21 provided you with the documents that show that." And so  
22 we're trying to be really really cognizant of Rule 11 and  
23 respect the obligations here, and that's all we're doing.  
24 If the Plaintiffs want to admit that our contentions in  
25 Texas are sufficient to cover a Rule 11 basis for them, we

1 will submit those to your Court -- to your Honor tomorrow,  
2 but we don't have the information from Applied Materials on  
3 the details of its filter and they have it. It's not  
4 publicly available. And as soon as we get it, we can  
5 evaluate it. That's where we are on that issue.

6 With regard to the claim construction, the Plaintiffs  
7 have identified an expert. We haven't received an expert  
8 report, of course, because that isn't called for until later  
9 in the process. We don't know what he's going to say. Both  
10 parties have decided, to the extent of additional extrinsic  
11 evidence and intrinsic evidence that wasn't present in the  
12 Texas cases, so there is going to be different evidence put  
13 forward. There's going to be expert depositions. There's  
14 going to be a deposition of at least Doctor Demaray and we  
15 see no reason why the default time lines, under the Patent  
16 Local Rules, wouldn't apply in the interim. So that's what  
17 we're following, your Honor, until -- unless you direct us  
18 differently.

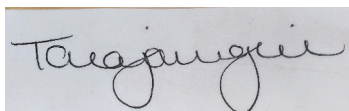
19 Now, they're proposing a very drastic cut in how much  
20 time people have to prepare for a claim construction. We  
21 don't think that's appropriate and we haven't heard any  
22 reason why that's necessary in this case.

23 And then in addition, they were talking about filing an  
24 opening brief. Under the Patent Local Rules, if there is a  
25 claim of infringement, the patent owner files an opening

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I certify that the foregoing is a true and correct transcript, to the best of my ability, of the above pages of the official electronic sound recording provided to me by the U.S. District Court, Northern District of California, of the proceedings taken on the date and time previously stated in the above matter.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken; and, further, that I am not financially nor otherwise interested in the outcome of the action.



Echo Reporting, Inc., Transcriber

Monday, January 17, 2022