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APPLIED MATERIALS, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

APPLIED MATERIALS, INC.,

Plaintiff,

vs.

DEMARAY LLC,

Defendant.

CASE NO. 5:20-cv-09341-EJD

PLAINTIFF APPLIED MATERIALS, INC.'S OPENING CLAIM CONSTRUCTION BRIEF

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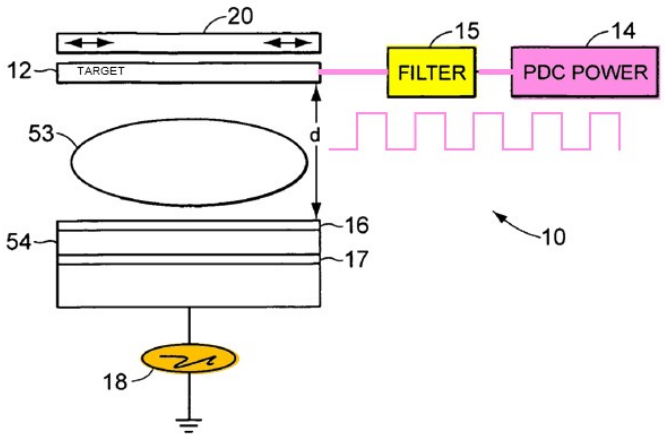
*Unless otherwise noted, internal citations and subsequent history are omitted; emphasis added.

I. BACKGROUND OF THE PATENTS-IN-SUIT

U.S. Patent Nos. 7,544,276 ('276 patent, Ex. 1) and 7,381,657 ('657 patent, Ex. 2)—both titled "Biased Pulse DC Reactive Sputtering of Oxide Films"—concern physical vapor deposition ("PVD") reactors and methods for film deposition. By the patentee's own admission, they "do not cover all PVD reactor configurations" but are directed to "a particular PVD configuration" for "reactive magnetron sputtering" (Ex. 3 at ¶¶ 12, 9) with three specific elements in all claims:

- a ***pulsed DC power*** coupled to the target area,
- an ***RF bias*** coupled to the substrate, and
- a ***narrow band rejection filter*** **("NBRF")** that rejects at a frequency of the RF bias coupled between the pulsed DC power and the target area.

See e.g., Ex. 4 (-00103 IPR POPR) at 9. These three elements are highly interrelated as the extensive prosecution record shows. As claimed, the NBRF is coupled "between" the pulsed DC power supply and target (*see* '276 patent at cl. 1, Fig. 1A),[1] and thus, for the pulsed DC power to reach the target, it must pass through, and not be rejected by the NBRF. *See* '276 patent at Fig. 1A (shown to the right, annotated to highlight these three interrelated claim elements (pulsed DC power supply 14, narrow band rejection filter 15, and RF power supply 18) and pulsed DC power passing through the filter 15 to reach target 12).



The issued claims, in fact, are materially different from those first presented to the Patent Office in the parent application (U.S. Patent Application No. 10/101,863, now U.S Patent No. 7,378,356 (hereafter "'356")). None of the original claims recited an ***RF bias*** or a ***narrow band rejection filter***. Ex. 5 ('356 FH) at 36-39. Most original claims did not even recite any filter. *Id.*

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[1] *See also* '657 patent, cls. 1, 2 ("providing pulsed DC power to the target ***through*** a [NBRF]")

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