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 APPLIED MATERIALS, INC.

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA

19 APPLIED MATERIALS, INC.,  
 20 Plaintiff,  
 21 vs.  
 22 DEMARAY LLC,  
 23 Defendant.

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

**DECLARATION OF BORIS  
 LUBARSKY IN SUPPORT OF  
 APPLIED MATERIALS, INC.'S  
 OPPOSITION TO DEMARAY LLC'S  
 MOTION TO AMEND ITS ANSWER**

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1 I, Boris Lubarsky, hereby declare as follows:

2 1. I am an associate with the law firm Paul Hastings LLP, counsel for the Plaintiff  
3 Applied Materials, Inc. (“Applied”). I have personal knowledge of the facts contained in the  
4 declaration and, if called upon to do so, I could and would testify competently to the matters set  
5 forth herein.

6 2. Attached as **Exhibit A** are relevant excerpts of Demaray’s Second Supplemental  
7 Preliminary Infringement Contentions served on April 15, 2021 in the customer litigation *Demaray*  
8 *LLC v. Samsung Electronics Co., LTD, et al.* 6:20-cv-00636-ADA.

9 3. Attached as **Exhibit B** are relevant excerpts of Demaray’s Third Supplemental  
10 Preliminary Infringement Contentions served on August 17, 2021 in the customer litigation  
11 *Demaray LLC v. Samsung Electronics Co., LTD, et al.* 6:20-cv-00636-ADA.

12 4. Attached as **Exhibit C** are relevant excerpts of Demaray’s Fourth Supplemental  
13 Preliminary Infringement Contentions served on December 24, 2021 in the customer litigation  
14 *Demaray LLC v. Samsung Electronics Co., LTD, et al.* 6:20-cv-00636-ADA.

15 5. Attached as **Exhibit D** are relevant excerpts of technical specification regarding the  
16 Comet component used in the Cirrus chamber which Applied produced to Demaray on January 15,  
17 2021.

18 6. Attached as **Exhibit E** are relevant excerpts of the Cirrus PVD Chamber Manual  
19 which Applied produced to Demaray on January 21, 2021.

20 7. Attached as **Exhibit F** is a copy of Keith Miller’s, a Director of Engineering at  
21 Applied and corporate representative, declaration explaining the electrical schematics for Applied’s  
22 Cirrus chamber which Applied produced to Demaray on May 18, 2021.

23 8. Attached as **Exhibit G** are relevant excerpts of Keith Miller’s February 9, 2021  
24 deposition as Applied’s corporate representative regarding the configuration and operation of  
25 Applied’s PVD chambers.

26 9. Attached as **Exhibit H** is a copy of Demaray’s counsel’s August 30, 2021 letter to  
27 counsel for Applied and Intel.

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1           10. Attached as **Exhibit I** is a copy of Demaray’s counsel’s February 1, 2022 email and  
2 attachment to Applied’s counsel.

3           11. Attached as **Exhibit J** are relevant excerpts of a redline *comparing* Demaray’s  
4 Fourth Supplemental Preliminary Infringement Contentions served on December 27, 2021 *with*  
5 Demaray’s Fifth Supplemental Preliminary Infringement Contentions served on March 4, 2022 in  
6 the customer litigation *Demaray LLC v. Intel Corp.*, 6:20-cv-00634-ADA.

7           12. Attached as **Exhibit K** are relevant excerpts of a redline *comparing* Demaray’s  
8 Fourth Supplemental Preliminary Infringement Contentions served on December 27, 2021 *with*  
9 Demaray’s Fifth Supplemental Preliminary Infringement Contentions served on March 9, 2022 in  
10 the customer litigation *Demaray LLC v. Samsung Electronics Co., LTD, et al.* 6:20-cv-00636-ADA.

11           13. Attached as **Exhibit L** is a technical specification regarding the Comet component’s  
12 frequency response which Applied produced to Demaray on September 2021.

13           14. Attached as **Exhibit M** is a copy of Demaray’s counsel’s February 2, 2022 email to  
14 Applied’s counsel.

15           15. Attached as **Exhibit N** is a copy of Demaray’s counsel’s February 3, 2022 email to  
16 Applied’s counsel.

17           16. Attached as **Exhibit O** is a copy of Demaray’s counsel’s February 11, 2022 email  
18 to Applied’s counsel.

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

20  
21 DATED: March 23, 2022

By: /s/ Boris Lubarsky

Boris Lubarsky