

EXHIBIT 7

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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

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1 From our view, without actual infringement claims, it seems
2 as though the rules just go to 4-1 and 4-2, but I don't want
3 to -- guidance on that issue would probably help us in our
4 meet and confer.

5 THE COURT: Yes.

6 MR. WELLS: And your Honor, if I could weigh in
7 one issue that is -- on this? We met and conferred last --
8 late last week on the targeted disclosures that we asked for
9 on the 31st.

10 THE COURT: Right.

11 MR. WELLS: And we're drafting a motion to compel
12 and we'll be submitting that to your Honor after we get the
13 input from the other side and do a joint submission, but I'm
14 guessing that will come early next week. So that will be --
15 we'll be back before you, likely, once that's submitted.

16 THE COURT: All right. So, thank you -- this is
17 helpful.

18 So you've described the targeted disclosures that
19 Demaray wants here, put a line entry for that in your
20 proposed order, as to when you're wanting them by. I'm not
21 looking for a narrative of every little detail of what
22 you're seeking, you're just -- you described it at the
23 beginning of the hearing today -- but just so that I see
24 that there's a date and what it is that you're suggesting be
25 by that time period.

1 And then on the Applied side, I agree it would be
2 helpful to you if you had a resolution of this and I'm going
3 to foot the duty back on you, which is I want to see what
4 each of you are proposing, as far as the deadlines go, and
5 then I will issue a ruling about -- you know, in my schedule
6 when I issue a ruling, it's going -- my goal would be to
7 give you some clarity about the 3-1 versus the 4-1, kind of
8 where you're jumping off on. I agree -- I agree you need
9 resolution of that issue, but I want to see your overall
10 case schedule that you're proposing before I rule on it.

11 MR. OU: Understood, your Honor.

12 THE COURT: You might have to have a -- you know,
13 kind of a -- if A, then this. If B, then this. And I know
14 that makes things more complicated, but perhaps that's the
15 way you've got to draft it.

16 MR. OU: Understood, your Honor. And just one
17 final point, just because it's an issue that Mr. Wells
18 raised.

19 THE COURT: Yes.

20 MR. OU: In terms of claim construction discovery.
21 In our 4-2 disclosures a few months ago, we did consider
22 whether or not we would put in an expert declaration. Given
23 the timing and the delay it's caused, if it advances
24 forward, in terms of briefing, we're happy not to submit an
25 expert declaration. It doesn't seem like Mr. Wells is

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