

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent of: Yasuhiro Omura  
U.S. Patent No.: 7,348,575 Attorney Docket: 24984-0056IP1  
Issue Date: March 25, 2008  
Appl. Serial No.: 11/266,288  
Filing Date: Nov. 4, 2005  
Title: PROJECTION OPTICAL SYSTEM, EXPOSURE  
APPARATUS, AND EXPOSURE METHOD

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**PETITION FOR *INTER PARTES* REVIEW OF CLAIMS 1-3, 8-12, 16-20,  
23-26, AND 29-33 OF UNITED STATES PATENT NO. 7,348,575  
PURSUANT TO 35 U.S.C. §§ 311-319, 37 C.F.R. § 42**

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Carl Zeiss SMT GmbH (“Petitioner” or “Zeiss”) petitions for *Inter Partes* Review (“IPR”) under 35 U.S.C. §§ 311–319 and 37 C.F.R. § 42 of claims 1-3, 8-12, 16-20, 23-26, and 29-33 of U.S. Patent No. 7,348,575 (“the Omura Patent”), and asserts that there is a reasonable likelihood that it will prevail with respect to at least one of the claims challenged in this petition (hereinafter the “Petition”).

**I. MANDATORY NOTICES UNDER 37 C.F.R § 42.8**

Carl Zeiss SMT GmbH is the real party-in-interest. 37 C.F.R. § 42.8(b)(1).

The following applications claim benefit under Section 120 to the application that issued as the Omura Patent (“the Omura Application”): 11/513,160

(pending); 11/583,934 (issued as U.S. Patent No. 7,309,870); 11/583,916 (issued as U.S. Patent No. 7,312,463); 11/882,208 (abandoned); 12/379,415 (pending);

12/884,332 (abandoned); and 13/275,760 (pending). Among these, U.S. Patent

No. 7,309,870 (“the Omura ’870 Patent”), which issued from a continuation of the

Omura Application, has been the subject of four interferences between Zeiss and

the assignee of the Omura Patent, Nikon Corporation (“Nikon”), specifically Interference Nos. 105,678, 105,749, 105,753, and 105,834. (ZEISS 1001, cover page;

ZEISS 1002, cover page; ZEISS 1003-ZEISS 1006.) Final judgment was entered

against Nikon in each interference and the involved claims of the Omura ’870 Pa-

tent were canceled. (ZEISS 1003, p. 2; ZEISS 1004, p. 2; ZEISS 1005, p. 2;

ZEISS 1006, p. 2.) In addition to the present Petition regarding the Omura Patent,

Zeiss is filing a second IPR petition on the same date as the present Petition to address claims 55-67 of the Omura Patent. Zeiss is not aware of any other proceeding involving the Omura Patent. 37 C.F.R. § 42.8(b)(2).

Petitioner provides the following designation of counsel. 37 C.F.R. §

5 42.8(b)(3).

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[IPR24984-0056IP1@fr.com](mailto:IPR24984-0056IP1@fr.com). 37 C.F.R. § 42.8(b)(4).

10 We authorize the United States Patent and Trademark Office (the “Office”) to charge Deposit Account No. 06-1050 for the fee set in 37 C.F.R. § 42.15(a) for this Petition for IPR, and further authorize payment for any additional fees to be charged to this Deposit Account.

## II. EVIDENCE

15 Appendix 1 lists the exhibits relied on in this Petition.

## III. REQUIREMENTS FOR IPR UNDER 37 C.F.R. §§ 42.104

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