U.S. PATENT 7,147,759 Petition for *Inter Partes* Review

DOCKET NO.: 0107131-00272 US2 Filed on behalf of Intel Corporation

By: Richard Goldenberg, Reg. No. 38,895 David L. Cavanaugh, Reg. No. 36,476 Wilmer Cutler Pickering Hale and Dorr LLP 1875 Pennsylvania Ave., NW Washington, DC 20006

Tel: (202) 663-6000

Email: Richard.Goldenberg@wilmerhale.com David.Cavanaugh@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION Petitioner

V.

Patent Owner of U.S. Patent No. 7,147,759 to Roman Chistyakov

IPR Trial No. <u>TBD</u>

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 7,147,759
CHALLENGING CLAIMS 2, 3, 5-9, 13-16, 19, 41-43 AND 45
UNDER 35 U.S.C. § 312 AND 37 C.F.R. § 42.104



TABLE OF CONTENTS

I. M	andatory Notices]
A.	Real Party-in-Interest	1
B.	Related Matters	1
C.	Counsel	1
D.	Service Information	1
II. Ce	ertification of Grounds for Standing	2
	Overview of Challenged and Relief Requested	
A.	Prior Art Patents and Printed Publications	
B.	Grounds for Challenge	3
IV. B	Brief Description of Technology	3
A.	Plasma	
B.	Ions and Excited Atoms	5
V. O	verview of the '759 Patent	6
A.	Summary of Alleged Invention of the '759 Patent	6
B.	Prosecution History	6
1.	The Patent Owner mischaracterized the prior art Mozgrin reference	6
2.	Adding the "without forming an arc" limitation resulted in allowance	7
VI. C	Overview of the Primary Prior Art References	8
A.	Summary of the Prior Art	8
B.	Overview of Mozgrin	8
1.	Summary	9
2.	Mozgrin teaches avoiding arcs	.1(
C.	Overview of Kudryavtsev	.12
D.	Overview of Wang	.13
VII.	Claim Construction.	.14
A.	"weakly-ionized plasma" and "strongly-ionized plasma"	.15
B.	"multi-step ionization process"	.16



VIII.	Specific Grounds for Petition	17
A. the	Ground I: Claims 2, 3, 5-9, 13-16, 19, 41-43 and 45 are obvious in view combination of Mozgrin and Kudryavtsev	
1	. Independent claim 1	18
2 0	Dependent claims 2, 3, 5-9, 13-16, 19, 41-43 and 45 are obvious in view of the combination of Mozgrin and Kudryavtsev	
B. the	Ground II: Claims 2, 3, 5-9, 13-15, 19 and 41-43 are obvious in view of combination of Wang and Kudryavtsev	
1	. Independent claim 1	42
2 tł	Dependent claims 2, 3, 5-9, 13-15, 19 and 41-43 are obvious in view on the combination of Wang and Kudryavtsev	
C. Wai	Ground III: Claims 16 and 45 are obvious in view of the combination ong, Kudryavtsev and Mozgrin	
IX (Conclusion	60



TABLE OF AUTHORITIES

In re ICON Health & Fitness, Inc., 496 F.3d 1374, 1379 (Fed. Cir. 2007).

37 C.F.R. §42.22(a)(1)

37 C.F.R. § 42.100(b)

37 C.F.R. §42.104(a)

37 C.F.R. §42.104(b)(1)-(5)

77 Fed. Reg. 48764 (Aug. 14, 2012).



I. MANDATORY NOTICES

A. Real Party-in-Interest

Intel Corporation ("Petitioner") is the real party-in-interest.

B. Related Matters

There are currently several different litigation matters that would affect or be affected by a decision in the proceeding. Additionally, Petitioner is filing additional Petitions for *Inter Partes* review in several patents related to U.S. Patent No. 7,147,759 ("'759 Patent") (Ex. 1101). A complete list of the related litigations is submitted herewith as Exhibit 1120.

C. Counsel

Lead Counsel: Richard Goldenberg (Registration No. 38,895)

Backup Counsel: David L. Cavanaugh (Registration No. 36,476)

D. Service Information

E-mail: David.Cavanaugh@wilmerhale.com;

Richard.Goldenberg@wilmerhale.com

Post and hand delivery: Wilmer, Cutler, Pickering, Hale and Dorr, LLP

1875 Pennsylvania Ave., NW

Washington, DC 20006

Telephone: 202-663-6000 Fax: 202-663-6363



1

¹ The related patents, e.g., name the same alleged inventor.

DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

