

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION

Petitioner

v.

ZOND, LLC
Patent Owner

Case IPR2014-00495
Patent 6,853,142

ZOND LLC'S PATENT OWNER PRELIMINARY RESPONSE
PURSUANT TO 37 C.F.R. § 42.107(a)

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 b. Lantsman – U.S. Pat. No. 6,190,512 (Exhibit 1104) 29

 c. Mozgrin – D.V. Mozgrin, et al, High-Current Low-Pressure Quasi-Stationary Discharge in a Magnetic Field: Experimental Research, Plasma Physics Reports, Vol. 21, No. 5, pp. 400-409, 1995 (Exhibit 1103). 30

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I. INTRODUCTION

The Board should deny the present request for *inter partes* review of U.S. Patent No. 6,853,142 (“the ’142 patent”) because there is not a reasonable likelihood that the Petitioner will prevail at trial with respect to at least one claim of the ’142 patent.¹

Indeed, there are six different and independent groups of reasons why the Petitioner cannot prevail. First, the references that are primarily relied upon by the Petitioner (*i.e.*, Mozgrin and Wang) were already considered by the Examiner and overcome during the prosecution of the application that led to the issuance of the ’142 patent. These references were considered by 6 different examiners and overcome during the prosecution of 9 other patents that are related to the ’142 patent over nearly a 10 year period.²

¹ 35 U.S.C. § 314(a).

² Examiners Douglas Owens, Tung X. Le, Rodney McDonald, Wilson Lee, Don Wong, and Tuyet T. Vo allowed U.S. Patents 7,147,759, 7,808,184, 7,811,421, 8,125,155, 6,853,142, 7,604,716, 6,896,775, 6,896,773, 6,805,779, and 6,806,652 over Mozgrin and Wang over nearly a decade from the time that the application for the ’759 patent was filed on 9/30/2002 to the time that the ’155 patent issued on 2/28/2012.

Second, all of the Petitioner's obviousness rejections are predicated on the false assumption that a skilled artisan could have achieved the combination of i) an ionization source generating a weakly-ionized plasma from feed gas, ii) an electrical pulse having a magnitude and a rise-time that is sufficient to increase the density of the weakly-ionized plasma to generate a strongly-ionized plasma, and iii) a gas line supplying feed gas to diffuse the strongly-ionized plasma to thereby allow additional power from the pulsed power supply to be absorbed by the strongly-ionized plasma, as required by independent claim 1 and as similarly required by independent claim 10 of the '142 patent by combining the teachings of either Mozgrin or Wang and Lantsman.³ But these three references disclose very different structures and processes. Mozgrin teaches two different "[d]ischarge device configurations: (a) planar magnetron and (b) shaped-electrode configuration."⁴ Mozgrin further discloses a "square voltage pulse application to the gap."⁵ Wang discloses that a "target 14 is powered by narrow pulses of negative DC power

³ Petition at pp. 14-60.

⁴ Mozgrin, Exhibit 1103 at Fig. 1 caption.

⁵ *Id.* at p. 402, col. 2, ¶ 2.

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