

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THE GILLETTE COMPANY, FUJITSU SEMICONDUCTOR LIMITED,
FUJITSU SEMICONDUCTOR AMERICA, INC., ADVANCED MICRO
DEVICES, INC., RENESAS ELECTRONICS CORPORATION, RENESAS
ELECTRONICS AMERICA, INC., GLOBALFOUNDRIES U.S., INC.,
GLOBALFOUNDRIES DRESDEN MODULE ONE LLC & CO. KG,
GLOBALFOUNDRIES DRESDEN MODULE TWO LLC & CO. KG, TOSHIBA
AMERICA ELECTRONIC COMPONENTS, INC., TOSHIBA AMERICA INC.,
TOSHIBA AMERICA INFORMATION SYSTEMS, INC., and TOSHIBA
CORPORATION

Petitioners,

v.

Zond, LLC.

Patent Owner of U.S. Patent No. 7,808,184
Trial No. IPR2014-00799¹

**PETITIONER'S RESPONSE TO PATENT OWNER'S MOTION FOR
OBSERVATION ON CROSS-EXAMINATION OF PETITIONER'S REPLY
WITNESS DR. JOHN C. BRAVMAN**

¹ Cases IPR2014-01479, IPR2014-00995 and IPR2014-01042 have been joined with the instant proceeding.

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I. INTRODUCTION

Petitioner submits this response to Patent Owner Zond's Motion for Observation on Cross-Examination of Dr. Bravman, Paper No. 50 ("Observation"). Patent Owner presents nine observations on Dr. Bravman's testimony. While Petitioner believes that the testimony will be appropriately viewed and weighed by the Board, the specific observations presented by Patent Owner mischaracterize the testimony of Dr. Bravman, as specified below and therefore are not probative of any material issue before the Board.

II. RESPONSES TO OBSERVATIONS ON DR. BRAVMAN'S TESTIMONY

A. Observation 1

Patent Owner contends that Dr. Bravman's testimony indicates "the terminology of control systems is relevant to the claimed control." Observation at 1. More specifically, the Patent Owner contends that "the terminology of control systems such as described in Eronini is applicable to such control." Observation at 1. Actually, Dr. Bravman's testified to the exact opposite.

As Patent Owner's own "Excerpt A" and "Excerpt B" show, Dr. Bravman explained broadly that power supplies would generally have "some means of controlling the power supply's output," that could "vary from something as simple as on/off switches to something quite sophisticated." Bravman Dep. at 11:20-24 (Ex. 1034). Patent Owner then specifically asked whether a *feedback control*

system, such as those described in Eronini, would also be understood by one skilled in the art to be found in the '184 patent's specification. In response, Dr. Bravman explicitly testified that the '184 patent *does not teach such a feedback control system*, nor does it require such a feedback control system to be read into the claims under the broadest reasonable interpretation standard:

Q. Now, if one skilled in the art reads that language, "attempts to maintain," that the power supply attempts to maintain, would that in any way suggest the possibility of a feedback control system?

MR. MAIER: Objection to form. Go ahead.

A. My answer is no.

Bravman Dep. at 117:11-122:5. (Ex. 1034). Thus, the cited testimony does not support the argument in Patent Owner's Response at pages 19-21 (IPR2014-799).

B. Observation 2

The Patent Owner contends that Dr. Bravman's testimony supports its argument that "the '155 patent includes a programmable controller that is programmed to various target voltage amplitudes depicted as dotted lines in Figure 5C of the '155 patent." Observation at 3. Again, Dr. Bravman's testimony was exactly the opposite.

The testimony cited by the Patent Owner merely highlights that one skilled in the art would understand that "some [power supply] may *or may not* include

various circuits to do thing such as program it” and that “the phrase programmable controller is understood to workers of skill.” Bravman Dep. at 39:9 – 40:13; emphases added (Ex. 1034). However, when Dr. Bravman was specifically asked whether the '155 Patent discloses a programmable controller, Dr. Bravman testified that it does not.

Q: And it says, “The pulsed power supply 102 can be programmed.” Now, you mentioned earlier that you dealt with programmable controllers. Does this sentence in the '155 Patent refer to a programmable controller?

MR. MAIER: Object to form; foundation.

A: *I don't believe the phrase programmable controller is in here.* Programmed means has to be directed or in some way instructed, told, to create the pulses that are required that it says have various shapes....

Bravman Dep. at 38:10 – 39:8; emphasis added (Ex. 1034).

Q: Now, that target voltage level to one skilled in the art, how is -- how is that target level set in the controller?

MR. MAIER: Object to form; foundation.

A: *I think the patent doesn't describe the actual means for doing that....*

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