

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FUJITSU SEMICONDUCTOR LIMITED,
FUJITSU SEMICONDUCTOR AMERICA, INC.,
ADVANCED MICRO DEVICES, INC., RENESAS ELECTRONICS
CORPORATION, RENESAS ELECTRONICS AMERICA, INC.,
GLOBAL FOUNDRIES 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., TOSHIBA CORPORATION, and
THE GILLETTE COMPANY

Petitioners

v.

ZOND, LLC
Patent Owner

Case No. IPR2014-00802¹

Patent 7,811,421 B2

PATENT OWNER'S NOTICE OF APPEAL
35 U.S.C. § 142 & 37 C.F.R. § 90.2

¹ Cases IPR 2014-00848, IPR 2014-00992, and IPR 2014-01071 have been joined
with the instant proceeding.

Pursuant to 37 C.F.R. § 90.2(a), Patent Owner, Zond, LLC, hereby provides notice of its appeal to the United States Court of Appeals for the Federal Circuit for review of the Final Written Decision of the United States Patent and Trademark Office (“USPTO”) Patent Trial and Appeals Board (“PTAB”) in *Inter Partes* Review 2014-00802, concerning U.S. Patent 7,811,421 (“the ’421 patent”), entered on October 2, 2015, attached hereto as Appendix A.

ISSUES TO BE ADDRESSED ON APPEAL

- A. Whether the PTAB erred when construing, according to its broadest reasonable interpretation in light of the specification of the ‘421 patent as understood by one of ordinary skill in the art at the time of the invention, the term “without an occurrence of arcing,” as recited in the claims of the ‘421 patent, as “substantially eliminating the possibility of developing an electrical breakdown condition in the chamber?”
- B. Whether the PTAB erred when construing, according to its broadest reasonable interpretation in light of the specification of the ‘421 patent as understood by one of ordinary skill in the art at the time of the invention, the term “creates a weakly-ionized plasma and then a strongly-ionized plasma from the weakly-ionized plasma,” as recited in the claims of the ‘421 patent, as “brings into existence a weakly-ionized plasma?”

- C. Whether the PTAB erred in finding claims 19, 21, and 35 unpatentable as being obvious under 35 U.S.C. § 102 in view of U.S. Pat. 6,413,382 to Wang (“Wang”) and A.A. Kudryavtsev and V.N. Skerbov, *Ionization Relaxation in a Plasma Produced by a Pulsed Inert-Gas Discharge*, 28 SOV. PHYS. TECH. PHYS. 30–35 (Jan. 1983) (“Kudryavtsev”)?
- D. Whether the PTAB erred in finding claims 14, 26, and 37 unpatentable as being obvious under 35 U.S.C. § 103 in view of Wang and D.V. Mozgrin, *High-Current Low-Pressure Quasi-Stationary Discharge in a Magnetic Field: Experimental Research*, Thesis at Moscow Engineering Physics Institute (1994) (“Mozgrin Thesis”)?

Simultaneous with submission of this Notice of Appeal to the Director of the United States Patent and Trademark Office, this Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, this Notice of Appeal, along with the required docketing fees, is being filed with the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

/Tarek N. Fahmi/

Tarek N. Fahmi, Reg. No. 41,402

Dated: November 27, 2015

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APPENDIX A

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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., TOSHIBA CORPORATION, and THE GILLETTE COMPANY,
Petitioner,

v.

ZOND, LLC,
Patent Owner.

Case IPR2014-00802¹
Patent 7,811,421 B2

Before KEVIN F. TURNER, DEBRA K. STEPHENS, JONI Y. CHANG, SUSAN L. C. MITCHELL, and JENNIFER MEYER CHAGNON,
Administrative Patent Judges.

Opinion for the Board filed by *Administrative Patent Judge Chagnon.*

Opinion Dissenting-in-Part filed by *Administrative Patent Judge Stephens.*

¹ Cases IPR2014-00848, IPR2014-00992, and IPR2014-01071 have been joined with the instant proceeding.

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