Paper No.____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY, LTD. and TSMC NORTH AMERICA CORP. Petitioner

v.

ZOND, INC. Patent Owner

Case IPR2014-00807 U.S. PATENT NO. 7,604,716 CLAIMS 14-18, 25-32 Title: Methods and apparatus for generating high-density plasma

PETITIONER'S MOTION FOR JOINDER UNDER 35 U.S.C. § 315(c) AND 37 C.F.R. § 42.22 AND § 42.122(b)

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INTRODUCTION

Taiwan Semiconductor Manufacturing Co., Ltd and TSMC North America Corp. ("TSMC") filed the present petition for *inter partes* review **IPR2014-00807** (the "TSMC IPR") and hereby moves for joinder of the TSMC IPR with **IPR2014-00522**, filed by Intel Corporation (the "Intel IPR"). The TSMC IPR is identical to the Intel IPR in all substantive respects, includes identical exhibits, and relies upon the same expert declarant. Intel Corporation does not oppose this motion.

BACKGROUND AND RELATED PROCEEDINGS

The TSMC IPR and Intel IPR are among a family of *inter partes* review proceedings relating to seven patents that are being asserted by Zond, Inc. ("Zond") against numerous defendants in the District of Massachusetts: 1:13-cv-11570-RGS (*Zond v. Intel Corp.*); 1:13-cv-11577-DPW (*Zond v. AMD, Inc., et al*); 1:13-cv-11581-DJC (*Zond v. Toshiba Am. Elec. Comp. Inc.*); 1:13-cv-11625-NMG (*Zond v. Renesas Elec. Corp.*); 1:13-cv-11634-WGY (*Zond v. Fujitsu¹ and TSMC*); and 1:13-cv-11567-DJC (*Zond v. Gillette, Co.*).

In particular, a first complaint in 1:13-cv-11570-RGS (Zond v. Intel) was served on defendant Intel Corporation on July 9, 2013, and a first complaint in 1:13-cv-11634-WGY (Zond v. Fujitsu and TSMC) was served on defendants

¹ "Fujitsu" as used herein refers to Fujitsu Semiconductor Limited and Fujitsu Semiconductor America, Inc., collectively.

Fujitsu and TSMC on July 9, 2013 and September 5, 2013, respectively. Accordingly, all petitions for inter partes review that have been filed by defendants Intel, TSMC, and Fujitsu are timely as prescribed by 35 U.S.C. § 315(b).

On April 18, 2014, in 1:13-cv-11570-RGS (*Zond v. Intel*), the Court entered an order granting Intel's Motion to Stay pending *inter partes* review, indicating the Court will benefit from the expert claim analysis of the PTO.

On June 2, 2014, as clarified on June 3, 2014, in 1:13-cv-11634-WGY (*Zond v. Fujitsu and TSMC*), the Court entered an order to administratively close the case pending conclusion of *inter partes* reviews or until May 9, 2016, whichever shall occur first.

Currently, the family of *inter partes* review proceedings relating to the seven Zond patents (the "Zond IPRs") consists of the following proceedings that involve Intel, TSMC, and Fujitsu:²

² Gillette Co. filed petitions for *inter partes* review of other patents asserted by Zond in 1:13-cv-11567-DJC (Zond v. Gillette, Co.), namely IPR2014-00477 and IPR2014-00479 (U.S. Patent No. 8,125,155); IPR2014-00580 and IPR2014-00726 (U.S. Patent No. 6,896,773); and IPR2014-00578 and IPR2014-00604 (U.S. Patent No. 6,896,775). Other Gillette filings are ongoing.

	Intel IPRs		TSMC IPRs		Fujitsu IPRs		Claims
Patent	Intel	Intel	TSMC	TSMC	Fujitsu	Fujitsu	
	Ref	Filed	Ref	Filed	Ref	Filed	Claims in IPR
6805779	2014-	5/16/14	2014-	5/28/14	2014-	5/30/14	30-37, 39-40
	00765		00828		00856		
	2014-	5/27/14	2014-	5/28/14	2014-	5/30/14	16, 28, 41, 42, 45, 46
	00820		00829		00859		
	2014-	4/9/14	n/a	n/a	n/a	n/a	1-4, 10-15, 17, 18, 24-
	00598						27, 29
	2014-	4/24/14	n/a	n/a	n/a	n/a	5, 6, 8, 19, 22, 23, 43
	00686						
	2014-	6/6/14	2014-	6/9/14	2014-	6/9/14	7, 9, 20, 21, 38, 44
	00913		00917		00918		
6806652	2014-	5/29/14	2014-	5/30/14	2014-	5/30/14	
	00843		00861		00864		18-34
	2014-	6/12/14	n/a	n/a	n/a	n/a	
	00945						1-17
	2014-	6/10/14	n/a	n/a	n/a	n/a	
	00923						35
6853142	2014-	3/13/14	2014-	5/27/14	2014-	5/30/14	1, 3-10, 12, 15, 17-20,
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	00495		00821		00863		
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	00496		00819		00867		37, 38
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	00497		00827		00865		36, 39, 43
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Patent Intel Ref Intel Filed TSMC Ref TSMC Fujitsu Ref Fujitsu Filed Fujitsu Ref Fujitsu Filed Claims in IPR 7147759 2014 3/6/14 2014 5/19/14 2014- 5/29/14 20, 21, 34-36, 38, 39, 00845 47, 49 2014- 3/6/14 2014 5/19/14 2014- 5/29/14 2-33, 37, 46, 48, 50 00850 00850 2014- 3/6/14 n/a n/a n/a n/a 1, 4, 10-12, 17, 18, 44 00443 n/a n/a n/a n/a 1, 4, 10-12, 17, 18, 44 00444 n/a n/a n/a n/a 1, 4, 10-12, 17, 18, 44 00444 n/a n/a n/a n/a 1, 4, 10-12, 17, 18, 44 00444 n/a n/a n/a n/a 1, 43, 45 2014- 3/6/14 n/a n/a n/a 1/a 00447 0 1 1/a 2/a 2/a 7014- 3/27/14 2014- 5/29/14 1/a 1/a		Intel IPRs		TSMC IPRs		Fujitsu IPRs		Claims
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