

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.,
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,
Petitioners

v.

ZOND, LLC,
Patent Owner

Case IPR2014-00818, 00819, 00821, 00827, and
01098

U.S. Patent 6,853,142

**PATENT OWNER ZOND'S OBSERVATIONS ON
CROSS-EXAMINATION OF DR. OVERZET**

Patent Owner, Zond LLC (“Zond”), hereby files observations on the testimony given by Petitioners’ Declarant Dr. Overzet (Exhibit 2012) at a deposition held on May 8, 2015.

(1) Testimony From Dr. Overzet Indicating That He Is Not An Expert In Gas Lasers: At the following transcript location (IPR2014-00781, Exhibit 2012), when asked a question relating to a gas laser, Dr. Overzet stated that he was not an expert in gas lasers. The testimony is relevant because many of the prior art references asserted against U.S. Patent 6,853,142 (“the ’142 patent”) are directed to gas lasers (e.g., Kudryavtsev) and therefore, that there is no expert support for the Petitioners’ positions with respect to the gas laser references:

A. I am not an expert in gas laser design. My expertise -- my field of expertise is removed from that. (IPR2014-00781, Exhibit 2012, p. 107, ll. 6-8).

(2) Testimony From Dr. Overzet Supporting The Patent Owner’s Position That The Gas in Wang Does Not Diffuse The Strongly-Ionized Plasma To Allow Additional Power From The Pulsed Power Supply To Be Absorbed By the Strongly Ionized Plasma, As Required By Claims 1 and 10 Of the ‘142 Patent: At the following transcript location (Exhibit 2012), when asked a question about the gas in Wang’s device, Dr. Overzet stated that gas entered Wang’s chamber at the lower right portion and

flowed through the pumping station at the left portion of the chamber. This testimony is relevant because it indicates that the flow of gas is far from the strongly ionized plasma at the upper end of the chamber and therefore, supports Patent Owner's position that there is no objective evidence indicating that the gas in Wang diffuses the strongly ionized plasma to the extent that it allows additional power to be absorbed by the strongly ionized plasma:

Q. Does gas enter Wang's chamber at the lower right portion?

A. This is a schematic of Wang, of the system. In the schematic it shows gas entering in the lower right portion.

Q. Is item 38 a vacuum pump?

A. Almost. Wang identifies item 38 is a vacuum system.

Q. Is item 40 in Figure 1 of Wang a pumping port?

A. This is what -- this is how Wang identifies item 40, yes.

Q. Does the vacuum system identified by reference number 38 pump gas out of the chamber in Figure 1 of Wang?

A. Did you say the vacuum system 38?

Q. Yes. 22

A. Yes, I would expect the vacuum system 38 to pump gas out of the chamber in Wang.

Q. Does gas in the chamber of Wang showed in Figure 1 leave the

chamber at the pumping port?

A. In that schematic, that would be a place where gas leaves the chamber. (Exhibit 2012, p. 6, l. 5 – p. 7, l. 5).

(3) Testimony From Dr. Overzet Supporting The Patent Owner's Interpretation

Of The Claimed Electrode: At the following transcript location (Exhibit 2012), when asked a question about the electrode in the device disclosed in the '142 patent, Dr. Overzet testified that the '142 patent disclosed a pre-ionizing filament electrode that is separate and distinct from the cathode and anode. This testimony is relevant because it supports the Patent Owner's position that the electrode recited in certain dependent claims of the '142 patent (e.g., claim 29) is separate and distinct from the cathode and anode recited in the claims from which they depend (e.g., claim 21):

Q ... I'll repeat the question if it makes it easier for you. Does the '142 patent disclose an electrode as a preionizing filament electrode that is a component in an ionization source that generates weakly-ionized plasma?

MR. TENNANT: Objection, form and relevance.

A. So the line to which you directed me in column refers to Figure 16A and does -14 and states simply, "The plasma generating system 200 prime of Figure 6A includes an electrode 452 that generates a

weakly-ionized 17 or preionized plasma." The next sentence is what you want as well. "The electrode 452 is also referred to as a preionizing filament electrode and is a component and an ionization source that generates the weakly-ionized plasma."

Q. Can you turn your attention to Figure 6A of the '142 patent remember. Does Figure 6A show an anode as reference number

MR. TENNANT: Objection, relevance.

A. Going back to that column as well, it does in the specification identify -- the specification does identify 216 as an anode.

Q. Does Figure 6A show a cathode identified as reference number 204?

MR. TENNANT: Objection, relevance.

A. It does appear in that column 16 to identify 204 as a cathode.

Q. Does Figure 6A show that the preionizing filament electrode identified as 452 is separate from the anode identified as 216 and the cathode identified as 204?

MR. TENNANT: Objection, relevance, form.

A. It identifies it as a separate element. I would note, as I did in my declaration in paragraph 127 and 128, that the cathode and anodes are also electrodes, so that in Figure 6A I see three -- a minimum of three

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.