

Paper No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FUJITSU SEMICONDUCTOR LIMITED and FUJITSU SEMICONDUCTOR
AMERICA, INC.

Petitioner

v.

ZOND, INC.

Patent Owner

Case IPR2014-00846

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)

INTRODUCTION

Fujitsu Semiconductor Limited and Fujitsu Semiconductor America, Inc., (“Fujitsu”) filed the present petition for *inter partes* review **IPR2014-00846** (the “FUJITSU IPR”) and hereby moves for joinder of the FUJITSU IPR with **IPR2014-00522**, filed by Intel Corporation (the “Intel IPR”). The FUJITSU 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 FUJITSU 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 “Fujitsu” as used herein refers to Fujitsu Semiconductor Limited and Fujitsu Semiconductor America, Inc., collectively.

1:13-cv-11634-WGY (*Zond v. Fujitsu and TSMC*) was served on defendants 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.

Patent	Intel IPRs		TSMC IPRs		Fujitsu IPRs		Claims
	Intel Ref	Intel Filed	TSMC Ref	TSMC Filed	Fujitsu Ref	Fujitsu Filed	Claims in IPR
6805779	2014-00765	5/16/14	2014-00828	5/28/14	2014-00856	5/30/14	30-37, 39-40
	2014-00820	5/27/14	2014-00829	5/28/14	2014-00859	5/30/14	16, 28, 41, 42, 45, 46
	2014-00598	4/9/14	n/a	n/a	n/a	n/a	1-4, 10-15, 17, 18, 24-27, 29
	2014-00686	4/24/14	n/a	n/a	n/a	n/a	5, 6, 8, 19, 22, 23, 43
	2014-00913	6/6/14	2014-00917	6/9/14	2014-00918	6/9/14	7, 9, 20, 21, 38, 44
6806652	2014-00843	5/29/14	2014-00861	5/30/14	2014-00864	5/30/14	18-34
	2014-00945	6/12/14	n/a	n/a	n/a	n/a	1-17
	2014-00923	6/10/14	n/a	n/a	n/a	n/a	35
6853142	2014-00494	3/13/14	2014-00818	5/27/14	2014-00866	5/30/14	1, 3-10, 12, 15, 17-20, 42
	2014-00495	3/13/14	2014-00821	5/27/14	2014-00863	5/30/14	2, 11, 13, 14, 16
	2014-00496	3/13/14	2014-00819	5/27/14	2014-00867	5/30/14	21, 24, 26-28, 31, 32, 37, 38
	2014-00497	3/13/14	2014-00827	5/28/14	2014-00865	5/30/14	22, 23, 25, 29, 30, 33-36, 39, 43
	2014-00498	3/13/14	n/a	n/a	n/a	n/a	40, 41

Patent	Intel IPRs		TSMC IPRs		Fujitsu IPRs		Claims
	Intel Ref	Intel Filed	TSMC Ref	TSMC Filed	Fujitsu Ref	Fujitsu Filed	Claims in IPR
7147759	2014-00445	3/6/14	2014-00781	5/19/14	2014-00845	5/29/14	20, 21, 34-36, 38, 39, 47, 49
	2014-00446	3/6/14	2014-00782	5/19/14	2014-00850	5/29/14	22-33, 37, 46, 48, 50
	2014-00443	3/6/14	n/a	n/a	n/a	n/a	1, 4, 10-12, 17, 18, 44
	2014-00444	3/6/14	n/a	n/a	n/a	n/a	2, 3, 5-9, 13-16, 19, 41-43, 45
	2014-00447	3/6/14	n/a	n/a	n/a	n/a	40
7604716	2014-00522	3/27/14	2014-00807	5/23/14	2014-00846	5/29/14	14-18, 25-32
	2014-00523	3/27/14	2014-00808	5/23/14	2014-00849	5/29/14	19-24
	2014-00520	3/27/14	n/a	n/a	n/a	n/a	1-11, 33
	2014-00521	3/27/14	n/a	n/a	n/a	n/a	12, 13
7808184	2014-00455	3/7/14	2014-00799	5/22/14	2014-00855	5/30/14	1-5, 11-15
	2014-00456	3/7/14	2014-00803	5/22/14	2014-00858	5/30/14	6-10, 16-20
7811421	2014-00468	3/7/14	2014-00800	5/22/14	2014-00844	5/29/14	1, 2, 8, 10-13, 15-17, 22-25, 27-30, 33, 34, 38, 39, 42, 43, 46-48
	2014-00470	3/7/14	2014-00802	5/22/14	2014-00848	5/29/14	9, 14, 21, 26, 35, 37
	2014-00473	3/7/14	2014-00805	5/23/14	2014-00851	5/30/14	3-7, 18-20, 31, 32, 36, 40, 41, 44, 45

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.