#### U.S. PATENT 6,806,652 – Claims 1-17 Petition for *Inter Partes* Review

DOCKET NO.: 0107131-00270US1 Filed on behalf of Intel Corporation

By: Michael A. Diener, Reg. No. 37,122 Michael H. Smith, Reg. No. 71,190

Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street Boston, MA 02109 Tel: (617) 526-6000

Email: Michael.Diener@wilmerhale.com MichaelH.Smith@wilmerhale.com

## UNITED STATES PATENT AND TRADEMARK OFFICE

\_\_\_\_\_

### BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION
Petitioner

V.

ZOND, INC. Patent Owner

IPR Trial No. TBD

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 6,806,652 CHALLENGING CLAIMS 1-17 UNDER 35 U.S.C. § 312 AND 37 C.F.R. § 42.104



# **TABLE OF CONTENTS**

I. Mandatory Notices
B. Related Matters
C. Counsel
D. Service Information  II. Certification of GROUNDS FOR STANDING  III. OVERVIEW OF CHALLENGE AND RELIEF REQUESTED  A. Prior Art Patents and Printed Publications  B. Grounds for Challenge  C. Legal Principles  IV. brief description of technology  A. Plasma  B. Excited atoms  V. Overview of the '652 Patent  A. Summary of Alleged Invention of the '652 Patent  VI. Claim construction  12  A. Introduction  13  B. "Super-ionizing the initial plasma" (all claims)  14  VII. Overview of the primary prior art references
II. Certification of GROUNDS FOR STANDING
III. OVERVIEW OF CHALLENGE AND RELIEF REQUESTED  A. Prior Art Patents and Printed Publications  B. Grounds for Challenge  C. Legal Principles  IV. brief description of technology  A. Plasma  B. Excited atoms  V. Overview of the '652 Patent  A. Summary of Alleged Invention of the '652 Patent  VI. Claim construction  A. Introduction  B. "Super-ionizing the initial plasma" (all claims)  12  VII. Overview of the primary prior art references
A. Prior Art Patents and Printed Publications  B. Grounds for Challenge  C. Legal Principles  IV. brief description of technology  A. Plasma  B. Excited atoms  V. Overview of the '652 Patent  A. Summary of Alleged Invention of the '652 Patent  VI. Claim construction  A. Introduction  B. "Super-ionizing the initial plasma" (all claims)  VII. Overview of the primary prior art references
B. Grounds for Challenge  C. Legal Principles  IV. brief description of technology  A. Plasma  B. Excited atoms  V. Overview of the '652 Patent  A. Summary of Alleged Invention of the '652 Patent  VI. Claim construction  12  A. Introduction  13  B. "Super-ionizing the initial plasma" (all claims)  14  VII. Overview of the primary prior art references
C. Legal Principles
IV. brief description of technology
A. Plasma  B. Excited atoms  V. Overview of the '652 Patent  A. Summary of Alleged Invention of the '652 Patent  VI. Claim construction  A. Introduction  B. "Super-ionizing the initial plasma" (all claims)  VII. Overview of the primary prior art references
B. Excited atoms  V. Overview of the '652 Patent  A. Summary of Alleged Invention of the '652 Patent  VI. Claim construction  A. Introduction  B. "Super-ionizing the initial plasma" (all claims)  VII. Overview of the primary prior art references
V. Overview of the '652 Patent 9   A. Summary of Alleged Invention of the '652 Patent 9   VI. Claim construction 12   A. Introduction 12   B. "Super-ionizing the initial plasma" (all claims) 13   VII. Overview of the primary prior art references 14
A. Summary of Alleged Invention of the '652 Patent
VI. Claim construction 12   A. Introduction 12   B. "Super-ionizing the initial plasma" (all claims) 13   VII. Overview of the primary prior art references 14
A. Introduction
B. "Super-ionizing the initial plasma" (all claims)
VII. Overview of the primary prior art references
A. Overview of Mozgrin14
B. Overview of Kudryavtsev16
C. Overview of Fahey19
D. Overview of Iwamura 19
VIII. Specific Grounds for Petition
A. Ground I: Claims 1-14, 16, and 17 would have been obvious in view of the combination of Mozgrin, Kudryavtsev, and Fahey21
1. Independent claim 1



		2.	Dependent claims 2-14, 16, and 17	34
	B.	Grou	and II: Claim 5 would have been obvious in view of the combination of Mozgrin, Kudryavtsev, Fahey, and Vratny	48
	C.	Grou	and III: Claims 8-10 would have been obvious in view of the combination of Mozgrin, Kudryavtsev, Fahey, and Lantsmar	ı 50
	D.	Grou	and IV: Claim 15 would have been obvious in view of the combination of Mozgrin, Kudryavtsev, Fahey, and Wang	53
	E.	Grou	and V: Claims 1-14, 16, and 17 would have been obvious over the references cited for Ground I (Mozgrin, Kudryavtsev, and Fahey) and Iwamura	
	F.	Grou	and VI: Claim 5 would have been obvious over the references cited for Ground V (Mozgrin, Kudryavtsev, Fahey, and Iwamura) and Vratny	58
	G.	Grou	and VII: Claims 8-10 would have been obvious the references cited for Ground V (Mozgrin, Kudryavtsev, Fahey, and Iwamura) and Lantsman	59
	Н.	Grou	and VIII: Claim 15 would have been obvious over the reference cited for Ground V (Mozgrin, Kudryavtsev, Fahey, and Iwamura) and Wang	es 60
v	Conc	lusion	,	60



## **TABLE OF AUTHORITIES**

## **Cases**

ICON Health & Fitness, Inc., 496 F.3d 1374, 1379 (Fed. Cir. 2007)	13
In KSR International Co. v. Teleflex Inc., 550 U.S. 398, 415 (2007)	4
KSR	5, 58, 59, 60
Rockwell Int'l Corp. v. United States, 147 F.3d 1358, 1364 (Fed. Cir. 1	998)4
Statutes	
35 U.S.C. § 103	4
35 U.S.C. § 314(a)	4
Rules	
Rule 42.104(a)	2
Rules 42.22(a)(1) and 42.104(b)(1)-(2)	2
Rule 42.104(b)(4)-(5)	20
Regulations	
37 C.F.R. § 42.100(b)	12
77 Fed. Reg. 48764 (Aug. 14, 2012)	13



#### I. MANDATORY NOTICES

## A. Real Party-in-Interest

Intel Corporation ("Petitioner") is the real party-in-interest.

#### **B.** Related Matters

Zond has asserted U.S. Patent No. 6,806,652 ("the '652 Patent") (Ex. 1001) against numerous parties in the District of Massachusetts, 1:13-cv-11570-RGS (Zond v. Intel); 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-11591-RGS (Zond v. SK Hynix, Inc.); 1:13-cv-11625-NMG (Zond v. Renesas Elec. Corp.); 1:13-cv-11634-WGY (Zond v. Fujitsu, et al.); and 1:13-cv-11567-DJC (Zond v. Gillette, Co.). Petitioner has filed Petitions IPR2014-00843 and IPR2014-00923 for Inter Partes review for other claims of the '652 Patent.

#### C. Counsel

Lead Counsel: Michael A. Diener (Registration No. 37,122)

Backup Counsel: Michael H. Smith (Registration No. 71,190)

#### **D.** Service Information

E-mail: Michael.Diener@wilmerhale.com

MichaelH.Smith@wilmerhale.com

Post and hand delivery: Wilmer, Cutler, Pickering, Hale and Dorr, LLP

60 State Street



# DOCKET

# 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.

