

DOCKET NO.: 0110198-00199US4

Filed on behalf of The Gillette Company

By: Michael A. Diener, Reg. No. 37,122

Larissa B. Park, Reg. No. 59,051

Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street

Boston, MA 02109

Tel: (617) 526-6000

Email: Michael.Diener@wilmerhale.com

Larissa.Park@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

THE GILLETTE COMPANY

Petitioner

v.

ZOND, INC.

Patent Owner

IPR Trial No. TBD

**PETITION FOR *INTER PARTES* REVIEW OF  
U.S. PATENT NO. 6,853,142  
CHALLENGING CLAIMS 22, 23, 25, 29, 30, 33-36, 39 AND 43  
UNDER 35 U.S.C. § 312 AND 37 C.F.R. § 42.104**

**TABLE OF CONTENTS**

I.	Mandatory Notices .....	- 1 -
A.	Real Party-in-Interest .....	- 1 -
B.	Related Matters.....	- 1 -
C.	Counsel.....	- 1 -
D.	Service Information.....	- 2 -
II.	Certification of Grounds for Standing.....	- 2 -
III.	Overview of Challenge and Relief Requested .....	- 2 -
A.	Prior Art Patents and Printed Publications.....	- 2 -
B.	Grounds for Challenge .....	- 3 -
IV.	Brief Description of Technology.....	- 4 -
A.	Plasma.....	- 4 -
B.	Ions and Excited Atoms .....	- 5 -
V.	Overview of the ‘142 Patent .....	- 7 -
A.	Summary of Alleged Invention of the ‘142 Patent .....	- 7 -
B.	Prosecution History .....	- 7 -
VI.	Overview of the Primary Prior Art References .....	- 8 -
A.	Summary of the Prior Art.....	- 8 -
B.	Overview of Mozgrin .....	- 8 -
C.	Overview of Kudryavtsev .....	- 10 -
D.	Overview of Wang .....	- 11 -
VII.	Claim Construction.....	- 12 -
A.	“weakly-ionized plasma” and “strongly-ionized plasma” .....	- 13 -
VIII.	Specific Grounds for Petition.....	- 15 -
A.	Ground I: Claims 22, 23, 25, 29, 30, 33-36, 39 and 43 are obvious in view of the combination of Mozgrin and Kudryavtsev .....	- 15 -
1.	Independent claim 21 .....	- 15 -
2.	Independent claim 31 .....	- 29 -
3.	Dependent claims 22, 23, 25, 29, 30, 33-36, 39 and 43 are obvious in view of the combination of Mozgrin and Kudryavtsev .....	- 31 -

B. Ground II: Claims 22, 23, 25, 29, 30, 33-36, 39 and 43 are obvious in view of the combination of Wang and Kudryavtsev ..... - 39 -

    1. Independent claim 21 ..... - 39 -

    2. Independent claim 31 ..... - 49 -

    3. Dependent claims 22, 23, 25, 29, 30, 33-36, 39 and 43 are obvious in view of the combination of Wang and Kudryavtsev ..... - 51 -

IX. Conclusion ..... - 57 -

**TABLE OF AUTHORITIES**

*In re ICON Health & Fitness, Inc.*, 496 F.3d 1374, 1379 (Fed. Cir. 2007).

37 C.F.R. §42.22(a)(1)

37 C.F.R. § 42.100(b)

37 C.F.R. §42.104(a)

37 C.F.R. §42.104(b)(1)-(5)

77 Fed. Reg. 48764 (Aug. 14, 2012).

35 U.S.C. § 315(c)

37 C.F.R. § 42.22

37 C.F.R. § 42.122(b)

## I. MANDATORY NOTICES

### A. Real Party-in-Interest

The Gillette Company (“Petitioner”), a wholly-owned subsidiary of the Procter & Gamble Co., is the real party-in-interest.

### B. Related Matters

Zond has asserted U.S. Patent No. 6,853,142 (“‘142 Patent”) (Ex. 1301) 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 is also filing additional Petitions for *Inter Partes* review in several patents related<sup>1</sup> to the ‘142 Patent.

The below-listed claims of the ‘142 Patent are presently the subject of a substantially identical petition for *inter partes* review styled Intel Corporation v. Zond, Inc., which was filed March 13, 2014 and assigned Case No. IPR2014-00497. Petitioner will seek joinder with that *inter partes* review under 35 U.S.C. § 315(c), 37 C.F.R. §§ 42.22 and 42.122(b).

### C. Counsel

---

<sup>1</sup> The related patents, e.g., name the same alleged inventor.

# 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.