UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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., AND TOSHIBA CORPORATION

Petitioner

v.

ZOND, LLC
Patent Owner

Case IPR2014-01070
Patent 6,805,779

ZOND LLC'S PATENT OWNER PRELIMINARY RESPONSE PURSUANT TO 37 C.F.R. § 42.107(a)

`Table of Contents

I. INTRODUCTION

The Board should deny the present request for *inter partes* review of U.S. Patent No. 6,805,779 ("the '779 patent") because there is not a reasonable likelihood that the Petitioner will prevail at trial with respect to at least one claim of the '779 patent.[1]

Indeed, there are five different and independent groups of reasons why the Petitioner cannot prevail. First, the reference that is primarily relied upon by the Petitioner (*i.e.*, Mozgrin) was already considered by the Examiner and overcome during the prosecution of the application that led to the issuance of the '779 patent. Indeed, Mozgrin was considered by 6 different examiners and overcome during the prosecution of 9 other patents that are related to the '779 patent over nearly a 10 year period.[2]

---

[1] 35 U.S.C. § 314(a).

[2] Examiners Douglas Owens, Tung X. Le, Rodney McDonald, Wilson Lee, Don Wong, and Tuyet T. Vo allowed U.S. Patents 7,147,759, 7,808,184, 7,811,421, 8,125,155, 6,853,142, 7,604,716, 6,896,775, 6,896,773, 6,805,779, and 6,806,652 over Mozgrin and Wang over nearly a decade from the time that the application for the '759 patent was filed on 9/30/2002 to the time that the '155 patent issued on 2/28/2012.

Second, the Petitioner's obviousness rejections are all predicated on the false assumption that a skilled artisan could have achieved the combination of (i) generating a magnetic field proximate to a volume of ground state atoms to substantially trap electrons proximate to the volume of ground state atoms; (ii) generating a volume of metastable atoms from the volume of ground state atoms; and (iii) raising an energy of the metastable atoms so that some of the metastable atoms are ionized, thereby generating a plasma with a multi-step ionization process, as required by independent claims 30 and 40 of the '779 patent by combining the teachings of Mozgrin with Kudryavtsev and Pinsley.[3]

But these three references disclose very different structures and processes. Mozgrin teaches two different "[d]ischarge device configurations: (a) planar magnetron and (b) shaped-electrode configuration."[4] Mozgrin further discloses a "square voltage pulse application to the gap."[5] Kudryavtsev teaches a third type of discharge device configuration in which the "discharge occurred inside a cylindrical tube of diameter 2R = 2.5 cm and the distance between the electrodes was L = 52 cm." Kudryavtsev's system does not even

---

[3] Petition at pp. 18-40.

[4] Mozgrin, Ex. 1003 at Fig. 1 caption.

[5] *Id.* at p. 402, col. 2, ¶ 2.

DOCKET ALARM

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.