

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ZOND LLC,

Plaintiff,

v.

FUJITSU SEMICONDUCTOR LIMITED,
FUJITSU SEMICONDUCTOR AMERICA,
INC., TAIWAN SEMICONDUCTOR
MANUFACTURING COMPANY,
LIMITED, and TSMC NORTH AMERICA
CORP.,

Defendants.

CIVIL ACTION NO. 13-cv-11634-WGY

PLAINTIFF ZOND LLC'S PRELIMINARY PROPOSED CLAIM CONSTRUCTIONS

Pursuant to Local Patent Rule Appendix E § (B)(1) and the Court's Scheduling Order (Dkt. No. 54), Plaintiff Zond LLC ("Zond") hereby serves its Preliminary Proposed Claim Constructions for the terms it has identified for construction regarding U.S. Patent Nos. 6,805,779 ("the '779 patent"), 6,806,652 ("the '652 patent"), 6,853,142 ("the '142 patent"), 7,147,759 ("the '759 patent"), 7,604,716 ("the '716 patent"), 7,808,184 ("the '184 patent"), and 7,811,421 ("the '421 patent") (together, the "patents-in-suit"). Zond is prepared to meet and confer with Defendants at a mutually agreeable time for the purposes of narrowing the issues in advance of claim construction briefing and finalizing the preparation of a Joint Claim Construction and Prehearing Statement.

Zond's presentation of a preliminary proposed claim construction is not intended, and should not be construed, as a waiver of any argument. Zond's proposed preliminary constructions for disputed terms, clauses, and claim elements are based on information that is

INTEL 1415

currently available to Zond and information derived from the Defendants' Preliminary Invalidity Contentions and Preliminary Non-Infringement Contentions, served on March 21, 2014 and other discovery in this case. In the event that any Defendant amends its Invalidity or Non-Infringement Contentions, or should other terms, clauses, and claim elements become relevant, Zond reserves the right to modify this disclosure. Zond also reserves the right to modify this disclosure should additional information become available through discovery. Further, Zond reserves the right to modify this disclosure once it has reviewed Defendants' proposed claim constructions and in light of arguments made or positions taken by Defendants as this case proceeds. Zond additionally reserves its rights to supplement or modify its proposed constructions based on the constructions proposed by Defendants in light of Defendants' refusal to meet and confer with Zond regarding the parties' proposed claim terms for construction in advance of the date for service of proposed constructions.

Zond reserves its right to alter, modify, or amend these preliminary proposed constructions at any time.

Claim Term	Zond's Preliminary Proposed Claim Construction
Arc[ing]	Plain and ordinary meaning
Rise[-]time	Plain and ordinary meaning
Electron impact dissociation	A process whereby molecules in the process gas are broken apart by an impacting electron having energy that is above the dissociation threshold of the molecules
Metastable atoms	Excited atoms having energy levels from which dipole radiation is theoretically forbidden
Multi-step ionization process	An ionization process having two or more distinct steps
Quasi-static electric field	An electric field that has a characteristic time of electric field variation that is much greater than the collision time for electrons with neutral gas particles

High-density plasma / strongly-ionized plasma	A plasma with a relatively high peak density of ions
Super-ionizing	Converting at least 75% of the neutral atoms in the plasma to ions
Weakly-ionized plasma	A plasma with a relatively low peak density of ions

Dated: May 28, 2014

Respectfully submitted,

/s/ David C. Radulescu

David S. Godkin (BBO#196530)
 Andrew A. Caffrey III (BBO#660481)
 Birnbaum & Godkin, LLP
 280 Summer Street
 Boston, MA 02210
 617-307-6100
 godkin@birnbaumgodkin.com
 caffrey@birnbaumgodkin.com

David C. Radulescu, Ph.D.
 Tigran Vardanian
 Etai Lahav
 Robin M. Davis
 Gregory S. Maskel
 Daniel Kesack
 Michael Sadowitz
 RADULESCU LLP
 136 Madison Ave, 6th Floor
 New York, NY 10016
 646-502-5950
 david@radulescullp.com
 tigran@radulescullp.com
 etai@radulescullp.com
 robin@radulescullp.com
 greg@radulescullp.com
 daniel@radulescullp.com
 mike@radulescullp.com

Counsel for Plaintiff Zond LLC

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorneys of record for each other party by electronic mail on May 28, 2014.

/s/ Michael Sadowitz
Michael Sadowitz