

Docket No. 1642930-0005 IPR2

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBALFOUNDRIES U.S., INC., GLOBALFOUNDRIES DRESDEN
MODULE ONE LLC & CO. KG, GLOBALFOUNDRIES DRESDEN MODULE
TWO LLC & CO. KG
Petitioner

v.

ZOND, INC.
Patent Owner

Case No. IPR2014-01100
U.S. PATENT NO. 7,604,716
CLAIMS 12 and 13
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

GLOBALFOUNDRIES U.S., Inc., GLOBALFOUNDRIES Dresden Module One LLC & Co. KG, GLOBALFOUNDRIES Dresden Module Two LLC & Co. KG (collectively, "Petitioner") filed the present petition for *inter partes* review IPR2014-01100 (the "GF IPR") and hereby move for joinder of the GF IPR with IPR2014-00521, filed by Intel Corporation (the "Intel IPR"). The GF IPR is identical to the Intel IPR in all substantive respects, includes identical exhibits, and relies upon the same expert declarant. The Gillette Company and Proctor & Gamble, Inc. (collectively, "Gillette") has filed a petition identical to the Intel IPR and have likewise moved for joinder with the Intel IPR. Intel Corporation and Gillette do not oppose this motion while Zond declined to take a position at the time of filing.

BACKGROUND AND RELATED PROCEEDINGS

The GF 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. Fujitsu 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. A first complaint in 11:13-cv-11577-DPW (*Zond v. AMD, Inc., et al*) was served on defendant GlobalFoundries on December 5, 2013. Accordingly, all petitions for *inter partes* review that have been filed by defendants Intel and GlobalFoundries 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.” Order Granting Mot. to Stay, Dkt. 120.

On June 6, 2014, as clarified on July 22, 2014, in 11:13-cv-11577-DPW (*Zond v. AMD, Inc., et al*), the Court entered an order to administratively stay the case pending conclusion of *inter partes* reviews.

Currently, the family of *inter partes* review proceedings relating to the seven Zond patents (the “Zond IPRs”) consists of the following proceedings initiated by Intel and later by only the GlobalFoundries entities or jointly by AMD, GlobalFoundries, Renesas, and Toshiba:

Patent	Intel IPRs		Joint IPRs		GlobalFoundries IPRs		Claims
	Intel Ref	Intel Filed	Joint Ref	Joint Filed	GF Ref	GF Filed	Claims Challenged
6,805,779	2014-00598	04/09/14	n/a	n/a	IPR2014-01073	06/30/14	1-4, 10-15, 17, 18, 24-27 and 29

Petitioner's Motion for Joinder (IPR2014-01100)

	2014-00686	04/24/14	n/a	n/a	IPR2014-01076	06/30/14	5, 6, 8, 19, 22, 23, and 43
	2014-00765	05/16/14	IPR2014-01070	06/30/14	n/a	n/a	30-37, 39, 40
	2014-00820	05/27/14	IPR2014-01072	06/30/14	n/a	n/a	16, 28, 41, 42, 45 and 46
	2014-00913	06/06/14	IPR2014-01074	06/30/14	n/a	n/a	7, 9, 20, 21, 38, and 44
6,806,652	2014-00923	06/10/14	n/a	n/a	IPR2014-01089	07/01/14	35
	2014-00945	06/12/14	n/a	n/a	IPR2014-01088	07/01/14	1-17
	2014-00843	05/29/14	IPR2014-01066	06/30/14	n/a	n/a	18-34
6,853,142	2014-00498	03/13/14	n/a	n/a	IPR2014-01098	07/01/14	40, 41
	2014-00494	03/13/14	IPR2014-01075	06/30/14	n/a	n/a	1, 3-10, 12, 15, 17-20, 42
	2014-00495	03/13/14	IPR2014-01057	06/27/14	n/a	n/a	2, 11, 13, 14, 16
	2014-00496	03/13/14	IPR2014-01046	06/27/14	n/a	n/a	21, 24, 26-28, 31, 32, 37, 38
	2014-00497	03/13/14	IPR2014-01063	06/30/14	n/a	n/a	22, 23, 25, 29, 30, 33-36, 39, 43
7,147,759	2014-00443	03/06/14	n/a	n/a	IPR2014-01086	06/30/14	1, 4, 10-12, 17, 18, 44
	2014-00444	03/06/14	n/a	n/a	IPR2014-01087	06/30/14	2, 3, 5-9, 13-16, 19, 41-43, 45
	2014-00447	03/06/14	n/a	n/a	IPR2014-01083	06/30/14	40
	2014-00445	03/06/14	IPR2014-01047	06/27/14	n/a	n/a	20, 21, 34-36, 38, 39, 47, 49
	2014-00446	03/06/14	IPR2014-01059	06/27/14	n/a	n/a	22-33, 37, 46, 48, 50
7,604,716	2014-00520	03/27/14	n/a	n/a	IPR2014-01099	07/01/14	1-11 and 33
	2014-00521	03/27/14	n/a	n/a	IPR2014-01100	07/01/14	12 and 13

	2014-00522	03/27/14	IPR2014-01065	06/30/14	n/a	n/a	14-18 and 25-32
	2014-00523	03/27/14	IPR2014-01067	06/30/14	n/a	n/a	19-24
7,808,184	2014-00455	03/07/14	IPR2014-01042	06/27/14	n/a	n/a	1-5, 11-15
	2014-00456	03/07/14	IPR2014-01061	06/30/14	n/a	n/a	6-10, 16-20
7,811,421	2014-00468	03/07/14	IPR2014-01037	06/30/14	n/a	n/a	1, 2, 8, 10-13, 15-17, 22-25, 27-30, 33, 34, 38, 39, 42, 43, 46-48
	2014-00470	03/07/14	IPR2014-01071	06/30/14	n/a	n/a	9, 14, 21, 26, 35, 37
	2014-00473	03/07/14	IPR2014-01069	06/30/14	n/a	n/a	3-7, 18-20, 31, 32, 36, 40, 41, 44, 45

Similar to the above petitions, Gillette also filed a petition that addresses the same patent claims as the GF IPR and the Intel IPR. For the GF IPR, Gillette's corresponding petition is IPR2014-00973.

The petitions for IPR filed by Petitioner are the same as the petitions first filed by Intel against the same patent claims, and are identical to the Intel petitions in all substantive respects. They include identical grounds, analysis, and exhibits and rely upon the same expert declarants and declarations.

In addition to this motion, Petitioner is presently filing motions for joinder of each of their Zond IPR petitions with the corresponding petitions first filed by Intel, subject to the same conditions sought by this motion. Intel and Gillette do not oppose any of Petitioner's motions while Zond declined to take a position on the

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