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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASML NETHERLANDS B.V., EXCELITAS TECHNOLOGIES CORP., AND QIOPTIQ
PHOTONICS GMBH & Co. KG,
Petitioners

v.

ENERGETIQ TECHNOLOGY, INC.,
Patent Owner.

Case IPR2015-01375

PETITIONERS' OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64, ASML Netherlands B.V., Excelitas Technologies Corp., and Qioptiq Photonics GmbH & Co. KG (collectively, "Petitioners") serve the following objections to evidence served with the Patent Owner's Response of Energetiq Technology, Inc. ("Patent Owner").

Petitioners object to Exhibit 2006, J. Gary Eden's Deposition Transcript Excerpts, as incomplete (FRE 106).

Petitioners object to Exhibit 2008, "A Novel Electrodeless Light Source for Wafer Inspection Applications," (January 4, 2006) PROTECTIVE ORDER MATERIAL, as incomplete (FRE 106), as hearsay (FRE 802), and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2010, Bucksbaum Declaration PROTECTIVE ORDER MATERIAL. Specifically, Petitioners object to ¶¶ 143-145, 188, 189, 196, 199-202, 204, and 206 as hearsay (FRE 802).

Petitioners object to Exhibit 2014, Bezel et al., "High Power Laser-Sustained Plasma Light Sources for KLA-Tencor Broadband Inspection Tools" (undated), as hearsay (FRE 802), as misleading/confusing (FRE 403), and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2015, LDLS™ Laser-Driven Light Source EQ-1000 High Brightness DUV Light Source (2008) ("LDLS Advertisement"), as

hearsay (FRE 802), as misleading/confusing (FRE 403), and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2016, Declaration of Donald K. Smith, Ph.D. PROTECTIVE ORDER MATERIAL. Specifically, Petitioners object to ¶¶ 7-9, 11-14, 18, 19, 23-26, 31-39, 43, 47-51, 54-60, 62, 63, and 65-71, as lacking personal knowledge/foundation (FRE 602) and as improper expert testimony by a lay witness (FRE 701). Petitioners further object to ¶¶ 20-23, 35, 36, 51-60, and 71, as hearsay (FRE 802).

Petitioners object to Exhibit 2017, Letter from Semrock, Inc. to R&D 100 Awards, dated February 28, 2011, as hearsay (FRE 802) and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2018, M. Rose, "Winners of 2010 Prism Awards Announced", January 27, 2011, <http://www.photonics.com/Article.aspx?AID=45757> (Accessed January 15, 2015), as hearsay (FRE 802) and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2019, R&D Magazine, "2011 R&D 100 Winner," <http://www.rdmag.com/awardwinners/2011/08/lightsourcelifetimeliftedlasertech> (Accessed January 7, 2016), as hearsay (FRE 802) and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2022, Fridman et al., Plasma Physics and Engineering, pp. 404-419, 618-619 (1st ed. 2004), as incomplete (FRE 106).

Petitioners object to Exhibit 2027, "Light Source Proposal..." (12/15/2005) PROTECTIVE ORDER MATERIAL, as incomplete (FRE 106) and as hearsay (FRE 802).

Petitioners object to Exhibit 2028, 2007 ASML/Energetiq Email PROTECTIVE ORDER MATERIAL, as incomplete (FRE 106) and as hearsay (FRE 802).

Petitioners object to Exhibit 2030, Project Agreement for Feasibility Study (May 3, 2006) PROTECTIVE ORDER MATERIAL, as incomplete (FRE 106), as hearsay (FRE 802), and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2031, Claim Chart comparing Energetiq's Laser-Driven Light Source Products to U.S. Patent No. 9,048,000 & 8,969,841, as hearsay (FRE 802), as misleading/confusing (FRE 403), and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2033, "Operation and Maintenance Manual, Model EQ-99, LDLS Laser Driven Light Source," Rev. 2 (March 2012), as lacking authentication (FRE 901) and as hearsay (FRE 802).

Petitioners object to Exhibit 2034, Infringement Chart for '000 Patent & '841 Patent, as hearsay (FRE 802), as misleading/confusing (FRE 403), and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2035, Letter from R&D Magazine to Energetiq Technology, Inc. (June 15, 2011), as hearsay (FRE 802) and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2036, Presentation to ASML, "LDLS Laser Driven Light Sources for i-Line" (10/25/2007) PROTECTIVE ORDER MATERIAL, as hearsay (FRE 802), and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2037, Presentation to ASML, "Next Generation LDLS UV Lamp for ASML" (2/12/2008) PROTECTIVE ORDER MATERIAL, as hearsay (FRE 802), and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2039, RnD-ISAN LLC, "Laser Pumped Plasma Broadband Light Source", as hearsay (FRE 802) and as lacking authentication (FRE 901).

Petitioners object to Exhibit 2040, 2007 Energetiq License Agreement PROTECTIVE ORDER MATERIAL, as incomplete (FRE 106), as hearsay (FRE 802), and as lacking authentication (FRE 901).

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