

By: Christopher Frerking (chris@ntknet.com)
Reg. No. 42,557

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LAM RESEARCH CORP.,

Petitioner

v.

DANIEL L. FLAMM,

Patent Owner

CASE IPR2015-01767
U.S. Patent No. 6,017,221

PATENT OWNER'S RESPONSE

Mail Stop: PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

TABLE OF CONTENTS

TABLE OF CONTENTS.....	i
TABLE OF AUTHORITIES.....	ii
EXHIBIT LIST.....	iii
I. Introduction	1
II. Lieberman is Fundamentally Different From the ‘221.....	6
III. Lam’s Contentions.....	11
A. Lieberman Does Not Teach Claim 1.....	11
B. Selectively Balanced.....	14
C. Phase and Anti-Phase Portions of the Capacitive Currents and the Wave Adjustment Circuit.....	15
IV. Lieberman and Dible Do Not Render ‘221 Obvious.....	16
V. Dependent Claims.....	22
VI. Conclusion.....	23

TABLE OF AUTHORITIES

<u>Cases</u>	<u>Page(s)</u>
<i>Hartness Int'l Inc. v. Simplimatic Eng. Co.</i> , 819 F.2d 1100 (Fed. Cir. 1987).....	22
<i>Kimberly Clark Corp. v. Johnson & Johnson</i> , 745 F.2d 1437 (Fed. Cir. 1984).....	22

EXHIBIT LIST

Exhibit 2001	DECLARATION OF DANIEL L. FLAMM, Sc.D
--------------	--------------------------------------

Daniel L. Flamm, Sc.D., the sole inventor and owner of the U.S. Patent No. 6,017,221 (“the ‘221 patent”), through his counsel, submits this response to the instant petition.

I. Introduction

Lam makes two invalidity contentions for the single independent claim of the ‘221 patent; anticipation via either of the Lieberman references (Ex’s 1002 and 1012) and obviousness via either of the Lieberman references in view of the Dible patent (Ex. 1003). As will be demonstrated, neither ground warrants invalidating the ‘221 patent.

Claim 1

The ‘221 patent relates to a process for fabricating a product. Claim 1 is the only independent claim. It claims:

A process for fabricating a product using a plasma source, said process comprising the steps of subjecting a substrate to entities, at least one of said entities emanating from a gaseous discharge excited by a high frequency field from an inductive coupling structure in which a phase portion and an anti-phase portion of capacitive currents coupled from the inductive coupling structure are selectively balanced;

wherein said inductive coupling structure is adjusted using a wave adjustment circuit, said wave adjustment circuit adjusting the phase portion and the anti-phase portion of the capacitively coupled currents.

(Ex. 1001 at 22:58-23:2.)

The claim has five key limitations because of the interdependence of the

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.