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5 Attorneys for Defendant
6 and Third-Party Plaintiff
7 DANIEL L. FLAMM

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 LAM RESEARCH CORP,

12 Plaintiff,

13 v.

14 DANIEL L. FLAMM,

15 Defendant.

Case No. 4:15-cv-01277-BLF

ANSWER TO SECOND AMENDED
COMPLAINT

16 DANIEL L. FLAMM,

17 Third-Party Plaintiff,

18 v.

19 GLOBALFOUNDRIES U.S. INC.; INTEL
20 CORPORATION; MAXIM INTEGRATED
21 PRODUCTS, INC.; and MICRON
TECHNOLOGY, INC.,

22 Third-Party Defendants.
23

24 Defendant Daniel L. Flamm hereby responds to the Second Amended Complaint
25 filed by Lam Research Corp. (“Lam”) as follows:
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NATURE OF ACTION

1. Admitted.

PARTIES

Lam Research Corporation

2. Admitted.

3. Admitted.

4. Admitted.

5. Admitted.

6. Admitted.

7. Admitted.

Daniel L. Flamm

8. Dr. Flamm admits that he is the inventor or co-inventor and that he is the assignee of the '849, '221, and '264 patents.

9. Admitted.

10. Admitted.

11. Admitted.

12. Admitted.

13. Admitted.

14. Admitted.

15. Admitted.

JURISDICTION AND VENUE

16. Admitted.

17. Admitted.

18. Admitted.

19. Admitted.

INTRADISTRICT ASSIGNMENT

20. Admitted.

THE PATENTS-IN-SUIT

21. Admitted.

22. Admitted.

23. Admitted.

24. Admitted.

25. Admitted.

26. Admitted.

27. Admitted.

FACTUAL BACKGROUND

Flamm’s Accusations Against Lam’s Products

28. Admitted.

29. Dr. Flamm lacks knowledge and information sufficient to form a belief as to the identity of all of Lam’s customers, but admits the remaining allegations in this paragraph.

30. Dr. Flamm admits that counsel representing him accused certain semiconductor manufacturers of infringing the ‘849, ‘221, and ‘264 patents, but denies that it ever accused Lam or Lam’s products of infringing those patents. Dr. Flamm denies the remaining allegations contained in this paragraph.

31. Dr. Flamm lacks knowledge and information sufficient to form a belief as to the veracity of the allegations in this paragraph.

32. Dr. Flamm lacks knowledge and information sufficient to form a belief as to the identity of Lam’s customers, but admits that counsel representing him sent letters to certain semiconductor manufacturers in July 2015 that, in part, regarded this lawsuit and further admits that the quoted language appears in those letters. Dr. Flamm denies

1 that those letters accused Lam or Lam's products of infringing those patents and denies
2 the remaining allegations contained in this paragraph.

3 **The '849 Patent**

4 33. Dr. Flamm admits that the quoted language appears in claim charts
5 prepared by Dr. Flamm's counsel. Dr. Flamm denies the remaining allegations contained
6 in this paragraph.

7 34. Dr. Flamm admits that the quoted language appears in claim charts
8 prepared by Dr. Flamm's counsel. Dr. Flamm denies the remaining allegations contained
9 in this paragraph.

10 35. Dr. Flamm admits that his counsel prepared the claim chart that appears in
11 this paragraph without the highlighting. Dr. Flamm denies the remaining allegations
12 contained in this paragraph.

13 36. Denied.

14 37. Dr. Flamm lacks knowledge and information sufficient to form a belief as
15 to whether and what Lam encouraged its customers to do and denies the remaining
16 allegations contained in this paragraph.

17 **The '221 Patent**

18 38. Dr. Flamm admits that the quoted language appears in claim charts
19 prepared by Dr. Flamm's counsel. Dr. Flamm denies the remaining allegations contained
20 in this paragraph.

21 39. Dr. Flamm admits that his counsel prepared the claim chart that appears in
22 this paragraph without the highlighting. Dr. Flamm denies the remaining allegations
23 contained in this paragraph.

24 40. Denied.

1 41. Dr. Flamm lacks knowledge and information sufficient to form a belief as
2 to whether and what Lam encouraged its customers to do and denies the remaining
3 allegations contained in this paragraph.

4 **The '264 Patent**

5 42. Dr. Flamm admits that the quoted language appears in claim charts
6 prepared by Dr. Flamm's counsel. Dr. Flamm denies the remaining allegations contained
7 in this paragraph.

8 43. Dr. Flamm admits that his counsel prepared the claim chart that appears in
9 this paragraph without the highlighting. Dr. Flamm denies the remaining allegations
10 contained in this paragraph.

11 44. Denied.

12 45. Dr. Flamm lacks knowledge and information sufficient to form a belief as
13 to whether and what Lam encouraged its customers to do. Dr. Flamm admits that the
14 quoted language appears in letters prepared by his counsel, but denies the remaining
15 allegations contained in this paragraph.

16 **Lam's Indemnity Obligations to Its Customers**

17 46. Dr. Flamm admits that his counsel has accused certain semiconductor
18 manufacturers of infringing the '849, '221, and '264 patents, in part by operating
19 equipment supplied by Lam in an infringing manner. Dr. Flamm denies the remaining
20 allegations contained in this paragraph.

21 47. Dr. Flamm lacks information sufficient to form a belief as to the veracity
22 of the allegations contained in this paragraph.

23 48. Dr. Flamm admits that he owns the '849, '221, and '264 patents but denies
24 the remaining allegations contained in this paragraph.

25 49. Dr. Flamm lacks information sufficient to form a belief as to the veracity
26 of the allegations contained in this paragraph.

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