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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LAM RESEARCH CORP.,

Petitioner

v.

DANIEL L. FLAMM,

Patent Owner

CASE IPR2015-01768
U.S. Patent No. RE40,264 E

**PATENT OWNER'S RESPONSE
FOURTH PETITION**

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EXHIBIT LIST

Ex. 2005	Lam Research Corp. v. Daniel L. Flamm, Case No. IPR2015-01759, DECISION Denying Institution of <i>Inter Partes</i> Review, Paper 7 (Feb. 24, 2016)
Ex. 2006	Lam Research Corp. v. Daniel L. Flamm, Case No. IPR2015-01766, DECISION Denying Institution of <i>Inter Partes</i> Review, Paper 7 (Feb. 24, 2016)

Daniel L. Flamm, Sc.D., the sole inventor and owner of the U.S. Patent No. RE40,264 (“the ‘264 patent”), through his counsel, submits this response to the instant petition.

I. Introduction

This is Dr. Flamm’s response to Lam’s fourth of seven petitions for *inter partes* review on Patent No. RE40,264. Lam filed four petitions in August, 2015, and filed three more in January, 2016. Trials were instituted on two of the first four petitions—denominated by Lam as the Second and Fourth Petitions (Case Nos. IPR2015-01764 and IPR2015-01766, respectively)—and denied to institute on the other two—denominated by Lam as the First and Third Petitions (Case Nos. IPR2015-01759 and IPR2015-01766, respectively). Dr. Flamm filed Preliminary Responses to the later-filed three petitions on April 27, 2016.

Lam’s Second Petition and the Third Petition (as well as its Fifth Petition) address independent claims 27 and 37 and various of their dependent claims. The history of the Second Petition and the Third Petition is somewhat tangled; both petitions addressed independent claims 27 and 37, but then each addressed different dependent claims. The Second Petition was directed toward dependent claims 28-30, 33, 35-36, 38-39, 42-43, 45-46, 49, 66-67 and 69 (which depends from claim 51). The Third Petition was directed toward dependent claims 31-32, 34, 40-41, 44, 47-48, and 50. The Third Petition was denied in its entirety, including as to independent

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