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Filed By: Donald R. Steinberg, Reg. No. 37,241
David L. Cavanaugh, Reg. No. 36,476
Michael H. Smith, Reg. No. 71,190
60 State Street
Boston, Massachusetts 02109
Tel: (617) 526-6000
Email: Don.Steinberg@wilmerhale.com
David.Cavanaugh@wilmerhale.com
MichaelH.Smith@wilmerhale.com

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 IPR2016-00555

**PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 8,309,943
CLAIMS 14, 15, 17, AND 18**

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I. MANDATORY NOTICES

A. Real Parties-in-Interest

ASML Netherlands B.V., Excelitas Technologies Corp., and Qioptiq Photonics GmbH & Co. KG (“Petitioners”) are the real parties-in-interest.

B. Related Matters

U.S. Patent No. 8,309,943 (“the ’943 patent” Ex. 1301) is one member of a patent family of continuation and divisional applications. Exhibit 1302 shows the U.S. members of this patent family and the relationships among them. Petitioners have already filed a petition seeking *inter partes* review of claims 1, 3, 13, and 16 of the ’943 patent, which the Board instituted on November 30, 2015 on all challenged claims. (See Case No. IPR2015-01277 (PTAB Nov. 30, 2015) (Paper 13).) Petitioners are also seeking *inter partes* review of related U.S. Patent Nos. 7,435,982 (“the ’982 patent”); 7,786,455 (“the ’455 patent”); 8,525,138 (“the ’138 patent”); 8,969,841 (“the ’841 patent”); and 9,048,000 (“the ’000 patent”), as summarized below:

Patent No.	IPR No.	Challenged Claims	Status
7,435,982	IPR2015-01300 IPR2015-01303	1, 3-4, 10, 16, 21, 24-27, 30, 31, 34, 37, 42-43, 49, 55, 61-64, 67, 68, 71, 72, 74, and 78	Instituted on all challenged claims
7,435,982	IPR2015-01377	23 and 60	Instituted on all challenged claims
7,786,455	IPR2015-01279	19, 39-41	Instituted on all challenged claims

U.S. Patent 8,309,943
Petition for *Inter Partes* Review

8,309,943	IPR2015-01277	1, 3, 13, and 16	Instituted on all challenged claims
8,525,138	IPR2015-01368	1-5	Instituted on all challenged claims
8,969,841	IPR2015-01362	1, 2, 3, and 7	Instituted on all challenged claims
8,969,841	IPR2016-00127	10, 13, 14	Pending
9,048,000	IPR2015-01375	1, 15, and 18	Instituted on all challenged claims
9,048,000	IPR2016-00126	7-10	Pending

Petitioners are also filing additional petitions on the '138, '982, '455, '943, '841, and '000 patents, as well as on the related U.S. Patent No. 9,185,786 ("the '5786 patent").¹ Petitioners request that the *inter partes* reviews of the '943, '982, '455, '138, '841, '000, and '5786 patents be assigned to the same Panel for administrative efficiency.

The following litigation matters would affect or be affected by a decision in this proceeding: *Energetiq Tech., Inc. v. ASML Netherlands B.V. et al*, Civil Action No.: 1:15-cv-10240-LTS (D. Mass.) and *In the Matter of Certain Laser-Driven Light Sources, Subsystems Containing Laser-Driven Light Sources, and Products Containing Same*, Inv. No. 337-TA-983.

C. Counsel

Lead Counsel: Donald R. Steinberg (Registration No. 37,241)

¹ The use of the '5786 shortened form is to distinguish this patent from another Energetiq patent in the family, U.S. Patent No. 7,989,786 ("the '9786 patent").

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