

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

3 ----oOo----

4  
5 LAM RESEARCH CORP.,

6 Petitioner,

7 vs.

No. IPR2015-01767

8 DANIEL L. FLAMM,

Patent No. 6,017,221

9 Patent Owner.  
\_\_\_\_\_/

10  
11  
12  
13 DEPOSITION OF DANIEL L. FLAMM, Sc.D.

14 OAKLAND, CALIFORNIA

15 TUESDAY, JULY 26, 2016  
16  
17  
18  
19  
20  
21

22 BY: ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR ~

23 CSR LICENSE NO. 9830

24 JOB NO. 110249  
25

1 Q Reviewing claim 1, is the embodiment shown in  
2 Figure 4 encompassed in the scope of independent  
3 claim 1?

4 A I think so.

5 Q Do you agree that the element labeled 400 in  
6 Figure 4 is a wave adjustment circuit?

7 A I'd have to check and see what the legend  
8 says, because it refers to an outline, and --

9 Q Maybe I can help you.

10 If you look at column 16, lines 4 through 6,  
11 I believe there, it says --

12 A 16, lines 4 through 6. I don't -- I must be  
13 looking at the wrong pages. I don't see a 400 there.

14 Oh, here we go. 400. Yeah. Okay. So, it  
15 evidently refers to the contents of the -- what's  
16 enveloped by 400.

17 Q So, if we read that sentence that starts on  
18 line 4. Could you read that for me, the first --

19 A It starts on line 4?

20 Q The sentence.

21 A Oh.

22 "The helical resonator 126 includes a  
23 coil 132, an outer shield 133, a wave adjustment  
24 circuit 400, and other elements."

25 Q Could you also look at Figure 2A.

1 meant to say an inductively coupled discharge.

2 MR. FLEMING: Q. So what if it's selectively  
3 balanced at, let's say, 1 percent?

4 A I -- actually, you know, I'm not sure what  
5 1 percent means in this context, but we could invent  
6 something, I'm sure. But, you know, I'd have to  
7 think -- I'd have to think a great deal. I -- I would  
8 look to the specification to decide that.

9 Q So, in my review of the specification, I  
10 certainly didn't find anything that --

11 A Well, there are --

12 Q -- seemed to support selectively balanced.  
13 Do you have something in mind?

14 A I don't have anything in mind as we speak,  
15 because I haven't gone through the specification. I  
16 think it mentions selecting. I'd have to find -- I --  
17 I don't want to -- you know, I -- I declined to do it  
18 in real time because I'm not -- I'm not confident to  
19 kind of look at portions on the fly and decide on  
20 numbers. I don't -- I don't have preconceived numbers  
21 in mind.

22 Q So, selectively balanced has a very vague  
23 meaning?

24 A Well, it's really determined, as you asked  
25 earlier, by what -- somebody with ordinary skill in

1 the art would judge, you know, a boundary as with --

2 Q But it --

3 A -- respect to the specification.

4 Q -- it would appear then, when you say  
5 10 percent balanced, that that would be covered --

6 A That would probably be within the bounds  
7 of -- with selecting a 10 percent balance would  
8 probably be within the bounds.

9 Q So, the range of 10 percent to 100 percent  
10 balance would be --

11 A Well, we didn't say 100 percent. In fact, we  
12 almost -- we --

13 Q 95 percent?

14 A Well, now you're asking the same question in  
15 a different way. And I explained that I -- I -- you  
16 know, I'm not prepared to do claim construction right  
17 now.

18 Q Well, but you did say that at 10 percent  
19 balanced, it would be --

20 A Offhand, I think it would be fair to judge  
21 that if you selected -- you know, so it's a  
22 substantial distance away. You know, it's a -- so  
23 totally -- totally balanced, substantially balanced,  
24 okay, is within the -- within the scope of the claim,  
25 clearly.