UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
SAMSUNG ELECTRONICS COMPANY, LTD. Petitioner
v.
DANIEL L. FLAMM Patent Owner.
Patent No. RE40,264 E

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. RE40,264 E



			Page		
I.	Intro	oduction	1		
II.	Mandatory notices				
	A.	Real party in interest.			
	B.	Related matters	2		
	C.	Notice of counsel and service information			
III.	Requirements for inter partes review				
	A.	Ground for standing			
	B.	Identification of challenge			
IV.	Overview of the '264 patent				
	A.	The specification describes multi-temperature etch processes			
	B.	The claims recite known etching techniques and conventional features			
	C.	The earliest possible priority date for the '264 patent is September 1997			
V.	Overview of the prior art				
	A.	A. Two-temperature etch processes were well known in the pri			
		1. Muller (Ex. 1002)	11		
		2. Matsumura (Ex. 1003)	13		
		3. Kadomura (Ex. 1005)	15		
	B. Selecting thermal mass for a substrate holder was a known technique		16		
		1. Anderson (Ex. 1011)	17		
		2. Hinman (Ex. 1010)	18		
	C.	Level of ordinary skill in the art			
	D.	Proposed claim constructions	19		
		1. "Selected thermal mass"	19		



(continued)

Page

		2.	"The thermal mass of the substrate holder is selected for a predetermined temperature change within a specific interval of time"	20	
VI.	Claims 13-26 and 64-65 of the '264 patent are unpatentable				
	A.	Ground 1: Claims 13-16, 18-19, 21-23, and 64-65 are obvious over Muller, Matsumura, Anderson, and Hinman			
		1.	Claim 13	21	
		2.	Claim 14	35	
		3.	Claim 15	36	
		4.	Claim 16	37	
		5.	Claim 18	38	
		6.	Claim 19	38	
		7.	Claim 21	39	
		8.	Claim 22	40	
		9.	Claim 23	41	
		10.	Claim 64	42	
		11.	Claim 65	42	
	B.		and 2: Claims 19-20 are obvious over Muller, Matsumura, erson, Hinman, and Wright	43	
		1.	Claim 13		
		2.	Claim 19		
		3.	Claim 20	44	
	C.		and 3: Claim 17 is obvious over Muller, Matsumura, erson, Hinman, and Kikuchi	45	
		1.	Claim 13		
		2.	Claim 17		
	D.	Grou	and 4: Claims 24-26 are obvious over Muller, Matsumura, erson, Hinman, and Moslehi '849		
		1.	Claim 23		



(continued)

			Page		
	2.	Claim 24	48		
	3.	Claim 25	50		
	4.	Claim 26	50		
E.		und 5: Claims 13-16, 18-23, and 64-65 are obvious over omura, Matsumura, Anderson, and Hinman	51		
	1.	Claim 13	51		
	2.	Claim 14	64		
	3.	Claim 15	65		
	4.	Claim 16	65		
	5.	Claim 18	65		
	6.	Claim 19	66		
	7.	Claim 20	66		
	8.	Claim 21	67		
	9.	Claim 22	68		
	10.	Claim 23	68		
	11.	Claim 64	69		
	12.	Claim 65	69		
F.	Ground 6: Claim 17 is obvious over Kadomura, Matsumura, Anderson, Hinman, and Kikuchi				
	1.	Claim 13	70		
	2.	Claim 17	70		
G.		Ground 7: Claims 24-26 are obvious over Kadomura, Matsumura, Anderson, Hinman, and Moslehi '84972			
	1.	Claim 23	72		
	2.	Claim 24	73		
	3.	Claim 25	75		
	4.	Claim 26	75		



(continued)

				rage
	H.	Ground 8: Claim 15 is obvious over Kadomura, Matsumura, Anderson, Hinman, and Muller		
			Claim 13	
		2.	Claim 15	76
VII.	35 U.S	S.C.	§§ 314(a) & 325(d)	78
VIII	Concl	ມເຄັດເ	1	79



DOCKET A L A R M

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.

