

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING CO., LTD,
Petitioner,

v.

GODO KAISHA IP BRIDGE 1,
Patent Owner.

IPR2017-01843¹
Patent 7,893,501

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

¹ Case IPR2017-01844 has been consolidated with this proceeding.

Patent Owner Godo Kaisha IP Bridge 1 (“Patent Owner”), by and through their attorneys, respectfully requests oral argument, currently scheduled for September 6, 2018. Patent Owner requests a total of 60 minutes to present its arguments for IPR2017-01843.

The oral argument for IPR2017-01841 is also scheduled for September 6, 2018 and involves the same patent—U.S. Patent No. 7,893,501. In IPR2017-01841, Patent Owner is also requesting a total of 60 minutes to present its arguments. If the oral arguments are consolidated for IPR2017-01841 and IPR2017-01843, Patent Owner still requests a total of 120 minutes to present its arguments for both proceedings. Patent Owner requests this amount of time for such a consolidated hearing because the prior art, disputed limitations, and issues in IPR2017-01841 are different from those in IPR2017-01843.

Pursuant to 37 C.F.R § 42.70(a), and without intending to waive any issue not specifically identified, Patent Owner identifies the following issues to be argued:

1. The proper construction of “a silicon nitride film;”
2. Failure of Petitioner to meet its burden of proving obviousness of claims 1, 4-5, 7, 9–11, 15–19, and 23–25 under 35 U.S.C. § 103(a) in view of Misra over Tsai;

3. Failure of Petitioner to meet its burden of proving obviousness of claims 6 and 21 under 35 U.S.C. § 103(a) in view of Misra, Tsai, and Oda;
4. Failure of Petitioner to meet its burden of proving obviousness of claims 12 and 13 under 35 U.S.C. § 103(a) in view of Misra, Tsai, and Hokazono;
5. Exclusion of Petitioner's improper new arguments in its Reply as identified in Paper No. 27;
 - a. Petitioner's improper new theory of unpatentability based on the new argument that Misra's spacers 23 are allegedly not formed of silicon nitride.
 - b. Petitioner's improper new argument citing a portion of Misra that is nowhere cited in the Petition to support its improper new argument described in 5.a.
6. Exclusion of certain portions of the July 25th deposition transcript of Petitioner's expert (Ex. 2232) as set forth in Patent Owner's Motion to Exclude Evidence;
7. Any issues specified by Petitioner in its request for Oral Argument;
8. Any motions or issues that remain pending at the time of the hearing;

9. Any other issues the Board deems necessary for issuing a final written decision.

Dated: August 9, 2018

Respectfully submitted,
Godo Kaisha IP Bridge 1

By /Joshua J. Miller /
Gerald B. Hrycyszyn, Reg. No. 50,474
Richard F. Giunta, Reg. No. 36,149
Edmund J. Walsh, Reg. No. 32,950
Joshua J. Miller (admitted *pro hac vice*)
WOLF GREENFIELD & SACKS, P.C.
600 Atlantic Ave.
Boston, MA 02210-2206
Tel: 617-646-8000/Fax: 617-646-8646

CERTIFICATE OF SERVICE UNDER 37 C.F.R. §42.6 (e)(4)

I certify that on August 9, 2018 I will cause a copy of the foregoing document to be served via electronic mail, as previously consented to by Petitioner, upon the following:

David L. Cavanaugh David.Cavanaugh@wilmerhale.com

Dominic E. Massa Dominic.Massa@wilmerhale.com

Michael H. Smith MichaelH.Smith@wilmerhale.com

Date: August 9, 2018

/MacAulay Rush /
MacAulay Rush
Patent Paralegal
WOLF GREENFIELD & SACKS, P.C.