

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLIED MATERIALS, INC.
Petitioner,

v.

DEMARAY LLC
Patent Owner.

Case IPR2021-00103
Patent No. 7,544,276

**PATENT OWNER'S OBJECTIONS TO EVIDENCE FILED WITH
PETITION PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence (“FRE”), Patent Owner hereby submits the following objections to certain exhibits filed with Petitioner’s Petition for *Inter Partes* Review of U.S. Patent No. 7,544,276.

Exhibit 1024 (Pinnacle Plus+ 10KW (325-650 Vdc) Master/Slave AE Bus, DeviceNet, MDXL User, UHF Output User Manual)

Patent Owner objects to Ex. 1024 as not properly authenticated under FRE 901 and 902. Ex. 1024 contains no identification of an author, a recipient, or the genuineness of its contents, and is further unaccompanied by testimony attesting to its authenticity. Patent Owner further objects to Ex. 1024 as irrelevant under FRE 401. Patent Owner further objects to Ex. 1024 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exceptions.

Exhibit 1025 (The Advanced Energy MDX Magnetron Drive, Advanced Energy Industries, Inc.)

Patent Owner objects to Ex. 1025 as not properly authenticated under FRE 901 and 902. Ex. 1025 contains no identification of an author, a recipient, or the genuineness of its contents, and is further unaccompanied by testimony attesting to its authenticity. Patent Owner further objects to Ex. 1025 as irrelevant under FRE 401. Patent Owner further objects to Ex. 1025 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exceptions.

Exhibit 1026 (Pinnacle 10x6 kW DeviceNet, MDXL User 5702063-C, User Manual)

Patent Owner objects to Ex. 1026 as not properly authenticated under FRE 901 and 902. Ex. 1026 contains no identification of an author, a recipient, or the genuineness of its contents, and is further unaccompanied by testimony attesting to its authenticity. Patent Owner further objects to Ex. 1026 as irrelevant under FRE 401. Patent Owner further objects to Ex. 1026 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exceptions.

Exhibit 1062 (Pinnacle 20 kW DeviceNet, MDXL User 5702199-A, User Manual)

Patent Owner objects to Ex. 1062 as not properly authenticated under FRE 901 and 902. Ex. 1062 contains no identification of an author, a recipient, or the genuineness of its contents, and is further unaccompanied by testimony attesting to its authenticity. Patent Owner further objects to Ex. 1062 as irrelevant under FRE 401. Patent Owner further objects to Ex. 1062 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exceptions.

Exhibit 1065 (Pinnacle Plus Pulsed DC Power Supply Data Sheet)

Patent Owner objects to Ex. 1065 as not properly authenticated under FRE 901 and 902. Ex. 1065 contains no identification of an author, a recipient, or the genuineness of its contents, and is further unaccompanied by testimony

attesting to its authenticity. Patent Owner further objects to Ex. 1065 as irrelevant under FRE 401. Patent Owner further objects to Ex. 1065 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exceptions.

Exhibit 1066 (Advanced Energy Industries, Inc. SEC 10-K)

Patent Owner objects to Ex. 1066 as not properly authenticated under FRE 901 and 902. Ex. 1066 contains no identification of an author, a recipient, or the genuineness of its contents, and is further unaccompanied by testimony attesting to its authenticity. Patent Owner objects to Ex. 1066 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exceptions.

Exhibit 1067 (Pinnacle Plus 10kW User 5702269-B, User Manual)

Patent Owner objects to Ex. 1067 as not properly authenticated under FRE 901 and 902. Ex. 1067 contains no identification of an author, a recipient, or the genuineness of its contents, and is further unaccompanied by testimony attesting to its authenticity. Patent Owner further objects to Ex. 1067 as irrelevant under FRE 401. Patent Owner further objects to Ex. 1067 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exceptions.

Dated: May 25, 2021

Respectfully submitted,

Hong Zhong

H. Annita Zhong, Reg. No. 66,530

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on May 25, 2021, a copy of the foregoing document **PATENT OWNER'S OBJECTIONS TO EVIDENCE FILED WITH PETITION PURSUANT TO 37 C.F.R. § 42.64(b)(1)** was served, by electronic mail, as agreed to by the parties, upon the following:

PAUL HASTINGS LLP

Naveen Modi, Reg. No. 46,224
PH-Applied_Materials-Demaray-IPR@paulhastings.com

Joseph E. Palys, Reg. No. 46,508
PH-Applied_Materials-Demaray-IPR@paulhastings.com

Howard Herr (pro hac admission to be requested)
PH-Applied_Materials-Demaray-IPR@paulhastings.com

By: /Susan M. Langworthy/
Susan M. Langworthy