

**U.S. District Court  
California Northern District (San Jose)  
CIVIL DOCKET FOR CASE #: 5:20-cv-05676-EJD**

Applied Materials, Inc. v. Demaray LLC  
Assigned to: Judge Edward J. Davila  
Referred to: Judge Nathanael M. Cousins  
Cause: 28:2201 Declaratory Judgement

Date Filed: 08/13/2020  
Jury Demand: Plaintiff  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

**Plaintiff**

**Applied Materials, Inc.**

represented by **Yar R. Chaikovsky**  
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V.

**Defendant**

**Demaray LLC**

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Date Filed	#	Docket Text
08/13/2020	<a href="#">1</a>	COMPLAINT against Demaray LLC ( Filing fee \$ 400, receipt number 0971-14814038.). Filed by Applied Materials, Inc.. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Civil Cover Sheet)(Chaikovsky, Yar) (Filed on 8/13/2020) (Entered: 08/13/2020)
08/13/2020	<a href="#">2</a>	Proposed Summons. (Chaikovsky, Yar) (Filed on 8/13/2020) (Entered: 08/13/2020)
08/13/2020	<a href="#">3</a>	REPORT on the filing or determination of an action regarding <i>a Patent or Trademark</i> (cc: form mailed to register). (Chaikovsky, Yar) (Filed on 8/13/2020) (Entered: 08/13/2020)
08/13/2020	<a href="#">4</a>	Corporate Disclosure Statement by Applied Materials, Inc. (Chaikovsky, Yar) (Filed on 8/13/2020) (Entered: 08/13/2020)
08/14/2020	5	Case assigned to Judge Nathanael M. Cousins.  Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a> .  Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a> . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 8/28/2020. (haS, COURT STAFF) (Filed on 8/14/2020) (Entered: 08/14/2020)
08/14/2020	<a href="#">6</a>	<b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 11/11/2020. Initial Case Management Conference set for 11/18/2020 10:00 AM in San Jose, Courtroom 5, 4th Floor. (sfbS, COURT STAFF) (Filed on 8/14/2020) (Entered: 08/14/2020)</b>
08/14/2020	<a href="#">7</a>	Summons Issued as to Demaray LLC. (sfbS, COURT STAFF) (Filed on 8/14/2020) (Entered: 08/14/2020)
08/21/2020	<a href="#">8</a>	SUMMONS Returned Executed by Applied Materials, Inc.. Demaray LLC served on 8/20/2020, answer due 9/10/2020. (Chaikovsky, Yar) (Filed on 8/21/2020) (Entered: 08/21/2020)
08/28/2020	<a href="#">9</a>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Applied

08/28/2020	10	<p>CLERK'S NOTICE OF IMPENDING REASSIGNMENT TO A U.S. DISTRICT COURT JUDGE: The Clerk of this Court will now randomly reassign this case to a District Judge because a party has not consented to the jurisdiction of a Magistrate Judge. You will be informed by separate notice of the district judge to whom this case is reassigned.</p> <p>ALL HEARING DATES PRESENTLY SCHEDULED BEFORE THE CURRENT MAGISTRATE JUDGE ARE VACATED.</p> <p><i>This is a text only docket entry; there is no document associated with this notice.</i> (lmh, COURT STAFF) (Filed on 8/28/2020) (Entered: 08/28/2020)</p>
08/28/2020	<a href="#">11</a>	<p><b>ORDER REASSIGNING CASE. Case reassigned using a proportionate, random, and blind system pursuant to General Order No. 44 to Judge Edward J. Davila for all further proceedings. Notice: The assigned judge participates in the Cameras in the Courtroom Pilot Project. See General Order No. 65 and <a href="http://cand.uscourts.gov/cameras">http://cand.uscourts.gov/cameras</a>. Magistrate Judge Nathanael M. Cousins remains as referral judge assigned to case. Reassignment Order signed by Clerk on 8/28/2020. (Attachments: # <a href="#">1</a> Notice of Eligibility for Video Recording)(bwS, COURT STAFF) (Filed on 8/28/2020) (Entered: 08/28/2020)</b></p>
08/28/2020	12	<p>(Text Only) CLERKS NOTICE RESETTING CASE MANAGEMENT CONFERENCE FOLLOWING REASSIGNMENT. Joint Case Management Statement due by 11/30/2020. Initial Case Management Conference set for 12/10/2020 10:00 AM in San Jose, Courtroom 4, 5th Floor before Hon. Edward J. Davila. The Court does not issue a revised Initial Case Management Scheduling Order with ADR Deadlines. Standing orders can be downloaded from the court's web page at <a href="http://cand.uscourts.gov/ejdorders">http://cand.uscourts.gov/ejdorders</a>. <i>This is a text only docket entry, there is no document associated with this notice.</i> (amkS, COURT STAFF) (Filed on 8/28/2020) (Entered: 08/28/2020)</p>
09/01/2020	<a href="#">13</a>	<p>AMENDED COMPLAINT <i>First Amended Complaint for Declaratory Judgment</i> against Demaray LLC. Filed by Applied Materials, Inc.. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F)(Chaikovsky, Yar) (Filed on 9/1/2020) (Entered: 09/01/2020)</p>
09/04/2020	<a href="#">14</a>	<p>MOTION for Preliminary Injunction <i>Applied Materials, Inc.'s Motion for Preliminary Injunction to Enjoin Demaray LLC from Proceeding with Customer Suits During the Pendency of this Action</i> filed by Applied Materials, Inc.. Motion Hearing set for 10/22/2020 09:00 AM in San Jose, Courtroom 4, 5th Floor before Judge Edward J. Davila. Responses due by 9/18/2020. Replies due by 9/25/2020. (Attachments: # <a href="#">1</a> Declaration of Boris Lubarsky, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C, # <a href="#">5</a> Exhibit D, # <a href="#">6</a> Exhibit E, # <a href="#">7</a> Exhibit F, # <a href="#">8</a> Exhibit G, # <a href="#">9</a> Exhibit H, # <a href="#">10</a> Exhibit I, # <a href="#">11</a> Exhibit J, # <a href="#">12</a> Proposed Order)(Chaikovsky, Yar) (Filed on 9/4/2020) (Entered: 09/04/2020)</p>
09/10/2020	<a href="#">15</a>	<p>Renotice motion hearing re <a href="#">14</a> MOTION for Preliminary Injunction <i>Applied Materials, Inc.'s Motion for Preliminary Injunction to Enjoin Demaray LLC from Proceeding with Customer Suits During the Pendency of this Action</i> filed by Applied Materials, Inc.. (Related document(s) <a href="#">14</a> ) (Chaikovsky, Yar) (Filed on 9/10/2020) (Entered: 09/10/2020)</p>
09/10/2020		<p>***Set/Reset Motion hearing per ECF <a href="#">15</a> Re-Notice: as to <a href="#">14</a> Motion for Preliminary Injunction. Motion Hearing set for 11/12/2020 09:00 AM in San Jose, Courtroom 4, 5th Floor before Judge Edward J. Davila. (amkS, COURT STAFF) (Filed on 9/10/2020) (Entered: 09/11/2020)</p>
09/11/2020	<a href="#">16</a>	<p>NOTICE of Appearance by Benjamin W. Hattenbach (Hattenbach, Benjamin) (Filed on 9/11/2020) (Entered: 09/11/2020)</p>
09/11/2020	<a href="#">17</a>	<p>NOTICE of Appearance by Crawford Meakin Wells (Wells, Crawford) (Filed on</p>

		9/11/2020) (Entered: 09/11/2020)
09/11/2020	<a href="#">18</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">14</a> MOTION for Preliminary Injunction <i>Applied Materials, Inc.'s Motion for Preliminary Injunction to Enjoin Demaray LLC from Proceeding with Customer Suits During the Pendency of this Action</i> filed by Demaray LLC. (Attachments: # <a href="#">1</a> Declaration, # <a href="#">2</a> Proposed Order)(Wells, Crawford) (Filed on 9/11/2020) (Entered: 09/11/2020)
09/11/2020	<a href="#">19</a>	Certificate of Interested Entities by Demaray LLC (Wells, Crawford) (Filed on 9/11/2020) (Entered: 09/11/2020)
09/11/2020	<a href="#">20</a>	STIPULATION re <a href="#">13</a> Amended Complaint, filed by Demaray LLC. (Wells, Crawford) (Filed on 9/11/2020) (Entered: 09/11/2020)
09/15/2020	<a href="#">21</a>	<b>Order Granting <a href="#">18</a> Defendant Demaray LLC's Unopposed Motion for Extension of Time to Respond to Plaintiff Applied Materials' Motion for Preliminary Injunction. Signed by Judge Edward J. Davila on 9/15/2020. (ejdlc2S, COURT STAFF) (Filed on 9/15/2020) (Entered: 09/15/2020)</b>
09/15/2020		***Set/Reset Deadlines per ECF <a href="#">21</a> Order: as to <a href="#">14</a> Motion for Preliminary Injunction. Response due by 9/25/2020. (amkS, COURT STAFF) (Filed on 9/15/2020) (Entered: 09/16/2020)
09/25/2020	<a href="#">22</a>	NOTICE of Appearance by Morgan Chu <i>for Demaray</i> (Chu, Morgan) (Filed on 9/25/2020) (Entered: 09/25/2020)
09/25/2020	<a href="#">23</a>	OPPOSITION/RESPONSE (re <a href="#">14</a> MOTION for Preliminary Injunction <i>Applied Materials, Inc.'s Motion for Preliminary Injunction to Enjoin Demaray LLC from Proceeding with Customer Suits During the Pendency of this Action</i> ) filed by Demaray LLC. (Attachments: # <a href="#">1</a> Declaration of Dr. Demaray, # <a href="#">2</a> Declaration of Wells, # <a href="#">3</a> Exhibit 1, # <a href="#">4</a> Exhibit 2, # <a href="#">5</a> Exhibit 3, # <a href="#">6</a> Exhibit 4, # <a href="#">7</a> Exhibit 5, # <a href="#">8</a> Exhibit 6, # <a href="#">9</a> Exhibit 7, # <a href="#">10</a> Exhibit 8, # <a href="#">11</a> Exhibit 9, # <a href="#">12</a> Exhibit 10, # <a href="#">13</a> Exhibit 11, # <a href="#">14</a> Exhibit 12, # <a href="#">15</a> Exhibit 13, # <a href="#">16</a> Exhibit 14, # <a href="#">17</a> Exhibit 15, # <a href="#">18</a> Exhibit 16)(Wells, Crawford) (Filed on 9/25/2020) (Entered: 09/25/2020)
09/28/2020	<a href="#">24</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">23</a> Opposition/Response to Motion,, <i>Applied Material, Inc.'s Unopposed Motion for Extension of Time to File Reply</i> filed by Applied Materials, Inc.. (Attachments: # <a href="#">1</a> Declaration of Philip Ou, # <a href="#">2</a> Proposed Order)(Chaikovsky, Yar) (Filed on 9/28/2020) (Entered: 09/28/2020)
09/29/2020	<a href="#">25</a>	<b>Order Granting Applied Materials, Inc.'s Unopposed Motion for Extension of Time to File Reply to its Motion for Preliminary Injunction. Signed by Judge Edward J. Davila on 9/29/2020. (ejdlc2S, COURT STAFF) (Filed on 9/29/2020) (Entered: 09/29/2020)</b>
09/29/2020		***Set/Reset Deadlines per ECF <a href="#">25</a> Order: as to <a href="#">14</a> Motion for Preliminary Injunction. Replies due by 10/9/2020. (amkS, COURT STAFF) (Filed on 9/29/2020) (Entered: 09/29/2020)
10/09/2020	<a href="#">26</a>	Administrative Motion to File Under Seal filed by Applied Materials, Inc.. (Attachments: # <a href="#">1</a> Declaration Decl. of B. Lubarsky ISO Admin Motion to File Under Seal, # <a href="#">2</a> Proposed Order, # <a href="#">3</a> Redacted Version of Applied Material's Reply ISO Motion for Preliminary Injunction, # <a href="#">4</a> SEALED Version of Applied Material's Reply ISO Motion for Preliminary Injunction, # <a href="#">5</a> Redacted Version of Exhibit N, # <a href="#">6</a> SEALED Version of Exhibit N, # <a href="#">7</a> Redacted Version of Decl. of R. Greuter, # <a href="#">8</a> SEALED Version of Decl. of R. Greuter, # <a href="#">9</a> Redacted Version of Decl. of T. Herrgott, # <a href="#">10</a> SEALED Version of Decl. of T. Herrgott, # <a href="#">11</a> Redacted Version of Decl. of D. Hyung Kim, # <a href="#">12</a> SEALED Version of Decl. of D.

		Hyung Kim, # <a href="#">13</a> Redacted Version of Decl. of K. Miller, # <a href="#">14</a> SEALED Version of Decl. of K. Miller)(Chaikovsky, Yar) (Filed on 10/9/2020) (Entered: 10/09/2020)
10/09/2020	<a href="#">27</a>	***POSTED IN ERROR. PLEASE SEE DOCKET ENTRY #28*** REPLY (re <a href="#">14</a> MOTION for Preliminary Injunction <i>Applied Materials, Inc.'s Motion for Preliminary Injunction to Enjoin Demaray LLC from Proceeding with Customer Suits During the Pendency of this Action</i> ) filed by Applied Materials, Inc.. (Attachments: # <a href="#">1</a> Declaration of B. Lubarsky ISO Applied Material's Reply ISO Motion for Preliminary Injunction, # <a href="#">2</a> Exhibit K, # <a href="#">3</a> Exhibit L, # <a href="#">4</a> Exhibit M, # <a href="#">5</a> Exhibit N, # <a href="#">6</a> Declaration of R. Greuter, # <a href="#">7</a> Declaration of T. Herrgott, # <a href="#">8</a> Declaration of D. Hyung Kim, # <a href="#">9</a> Declaration of K. Miller) (Chaikovsky, Yar) (Filed on 10/9/2020) Modified on 10/14/2020 (dhmS, COURT STAFF). (Entered: 10/09/2020)
10/14/2020	<a href="#">28</a>	REPLY (re <a href="#">14</a> MOTION for Preliminary Injunction <i>Applied Materials, Inc.'s Motion for Preliminary Injunction to Enjoin Demaray LLC from Proceeding with Customer Suits During the Pendency of this Action</i> ) <b>CORRECTED</b> Reply In Support of Motion for Preliminary Injunction filed by Applied Materials, Inc.. (Attachments: # <a href="#">1</a> Declaration of B. Lubarsky, # <a href="#">2</a> Exhibit K, # <a href="#">3</a> Exhibit L, # <a href="#">4</a> Exhibit M, # <a href="#">5</a> Exhibit N, # <a href="#">6</a> Declaration of R. Greuter, # <a href="#">7</a> Declaration of T. Herrgott, # <a href="#">8</a> Declaration of D. Hyung Kim, # <a href="#">9</a> Declaration of K. Miller, # <a href="#">10</a> Declaration of R. Thompson, # <a href="#">11</a> Declaration of B. Dietz, # <a href="#">12</a> Declaration of T. Cross)(Chaikovsky, Yar) (Filed on 10/14/2020) (Entered: 10/14/2020)
10/16/2020	<a href="#">29</a>	OBJECTIONS to re <a href="#">28</a> Reply to Opposition/Response,, by Demaray LLC. (Wells, Crawford) (Filed on 10/16/2020) (Entered: 10/16/2020)
10/19/2020	<a href="#">30</a>	ADMINISTRATIVE MOTION for Leave to File Sur-Reply re <a href="#">14</a> MOTION for Preliminary Injunction <i>Applied Materials, Inc.'s Motion for Preliminary Injunction to Enjoin Demaray LLC from Proceeding with Customer Suits During the Pendency of this Action</i> filed by Demaray LLC. Responses due by 10/23/2020. (Attachments: # <a href="#">1</a> Declaration of C. Maclain Wells, # <a href="#">2</a> Proposed Order)(Wells, Crawford) (Filed on 10/19/2020) (Entered: 10/19/2020)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
10/21/2020 09:01:02			
<b>PACER Login:</b>	ph1281:2961951:3941599	<b>Client Code:</b>	93264.00005
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	5:20-cv-05676-EJD
<b>Billable Pages:</b>	5	<b>Cost:</b>	0.50