

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLIED MATERIALS, INC.,
Petitioner

v.

OCEAN SEMICONDUCTOR LLC,
Patent Owner

IPR2021-01342
U.S. Patent No. 6,968,248

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S
HEARING DEMONSTRATIVES**

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
Submitted Electronically via PTAB E2E

Pursuant to the Board’s October 19, 2022 Hearing Order (Paper 48), Patent Owner Ocean Semiconductor LLC hereby submits its objections to Petitioner Applied Materials, Inc. Hearing Demonstratives (Ex. 1050). The parties met and conferred in relation to the below objections on November 9, 2022.

Demonstrative Slide	Patent Owner’s Objection
Slide 3	Fed. R. Evid. 403, 704 – Mischaracterizes and inaccurately summarizes expert testimony; improperly cites expert testimony for a legal conclusion
Slide 6	37 C.F.R. § 42.23(b); CTPG at 84 – Improper; not only has there not been any stipulation or agreement on any of these points, Petitioner has never even argued that Patent Owner has not disputed these claim elements
Slide 7	Fed. R. Evid. 403; 37 C.F.R. § 42.23(b); CTPG at 84 – Mischaracterizes Patent Owner’s position when it states that these claims are “undisputed”; in addition, Patent Owner has not conceded that there are no objective indicia and Petitioner has not argued that it has
Slide 12	Fed. R. Evid. 704 – Improperly cites expert testimony for a legal conclusion
Slide 13	Fed. R. Evid. 401, 403 – There is no “Schulze Gupta” – that reference does not exist
Slide 14	Fed. R. Evid. 403 – Misleadingly quotes expert witness out of context and does not include the question to which he was responding
Slide 24	Fed. R. Evid. 401, 403 – Slide insufficiently indicates that the text and diagram come from Shanfield Declaration rather than from Gupta itself and is therefore misleading; there is no “Schulze Gupta” – that reference does not exist
Slide 31	Fed. R. Evid. 401, 403 – There is no “Schulze Gupta” – that reference does not exist

Slides 27-31	Fed. R. Evid. 403; 37 C.F.R. § 42.23(b); CTPG at 84 – These arguments come from Petitioner’s procedural motions, appear nowhere in its principal briefs, and are therefore improper for oral argument on the merits. While Patent Owner does not object to Petitioner arguing these points, they are not appropriate demonstratives.
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Dated: November 14, 2022

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served electronically via electronic mail on November 14, 2022 on the following counsel of record for Petitioners:

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