

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

APPLIED MATERIALS, INC.

Petitioner,

v.

OCEAN SEMICONDUCTOR LLC,

Patent Owner.

---

Case IPR: Unassigned  
U.S. Patent No. 6,968,248

---

**PETITION FOR *INTER PARTES* REVIEW  
OF U.S. PATENT NO. 6,968,248**

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

TABLE OF CONTENTS

I.	MANDATORY NOTICES UNDER 37 C.F.R. § 42.8.....	1
A.	37 C.F.R. § 42.8(b)(1): Real Parties-In-Interest .....	1
B.	37 C.F.R. § 42.8(b)(2): Related Matters .....	1
C.	37 C.F.R. § 42.8(b)(3), (4): Counsel and Service Information .....	2
D.	37 C.F.R. § 42.103: Payment of Fees .....	2
II.	SUMMARY OF THE '248 PATENT .....	3
A.	Description of Subject Matter .....	3
B.	Prosecution History .....	4
C.	Litigation History .....	7
III.	35 U.S.C. § 314(a): REASONABLE LIKELIHOOD THAT PETITIONER WOULD PREVAIL .....	8
A.	Factors 1 and 2 Are Neutral: No Ruling on Any Motion To Stay and No Predictable Trial Date in Any Parallel Litigation .....	9
B.	Factor 3 Favors Institution: Only Minimal Investment in Parallel Proceedings to Date .....	10
C.	Factor 4 Favors Institution: Invalidity Contentions Not Yet Served in Any Parallel Litigation.....	11
D.	Factor 5 Favors Institution: Petitioner Not a Party to Any Parallel District Court Case.....	12
E.	Factor 6 Favors Institution: No Other Forum for Petitioner To Present Its Strong Arguments in Favor of Institution .....	13
IV.	35 U.S.C. § 325(d) DOES NOT WEIGH AGAINST INSTITUTION.....	13
V.	REQUIREMENTS FOR IPR UNDER 37 C.F.R. § 42.104.....	15
A.	Grounds for Standing Under 37 C.F.R. § 42.104(a) .....	15

**Petition for *Inter Partes* Review  
of U.S. Patent No. 6,968,248**

B.	Identification of Challenge Under 37 C.F.R. § 42.104(b) and Relief Requested.....	15
1.	37 C.F.R. § 42.104(b)(1), (2): Claims for Which IPR Is Requested, Specific Art and Statutory Ground on Which Challenge Is Based.....	15
2.	37 C.F.R. § 42.104(b)(3): Claim Construction.....	16
VI.	THE CHALLENGED CLAIMS OF THE '248 PATENT ARE UNPATENTABLE UNDER 37 C.F.R. § 42.104(b)(4) AND (5) .....	17
A.	Personal of Ordinary Skill in the Art as of April 30, 2002 (“POSA”).....	17
B.	History of Manufacturing Scheduling.....	18
C.	Summary of Prior Art.....	23
1.	Schulze .....	23
2.	Gupta.....	29
D.	Ground: Claims 1-22 Are Obvious Over Schulze in View of Gupta .....	33
1.	Combination of Schulze and Gupta .....	33
a.	A POSA Would Have Been Motivated To Adopt a Semiconductor Fabrication System With Automated Monitoring and Assessment as Taught by Schulze.....	33
b.	A POSA Would Have Been Motivated To Enhance the Operational Efficiency of Schulze’s Semiconductor Fabrication System With the Event-Driven Software Local Scheduler Taught by Gupta.....	34
c.	A POSA Would Have Had a Reasonable Expectation of Success Combining Schulze With Gupta.....	37

**Petition for *Inter Partes* Review  
of U.S. Patent No. 6,968,248**

2.	Independent Claim 1 .....	41
a.	[1.Pre] A method for scheduling in an automated manufacturing environment.....	41
b.	[1.a] automatically detecting an occurrence of a predetermined event in an integrated, automated process flow .....	42
c.	[1.b] “automatically notifying a software scheduling agent of the occurrence”.....	42
d.	[1.c] reactively scheduling an action from the software scheduling agent responsive to the detection of the predetermined event .....	45
3.	Independent Claim 14.....	47
a.	a computer system, including a plurality of software scheduling agents.....	48
b.	“a plurality of predetermined events”.....	50
c.	“scheduling appointments for activities”.....	50
4.	Claims 6, 15, 18 .....	51
5.	Claims 2-5, 10-13, 16, 17, 21, 22 .....	55
a.	Claims 2 and 16 .....	56
b.	Claims 3, 4, 17 .....	57
c.	Claims 10, 11, 21 .....	60
d.	Claims 12, 13, 22.....	61
e.	Claim 5.....	63
6.	Claims 7 and 19.....	64
7.	Claims 8, 9, 20 .....	66

**Petition for *Inter Partes* Review  
of U.S. Patent No. 6,968,248**

E. Objective Indicia of Nonobviousness Do Not Weigh in Favor of  
Patentability of Claims 1-22.....67

VII. CONCLUSION.....68

# 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.