

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

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APPLIED MATERIALS, INC.

Petitioner

v.

OCEAN SEMICONDUCTOR LLC,

Patent Owner.

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Case IPR: Unassigned  
U.S. Patent No. 6,836,691

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**DECLARATION OF MILTIADIS HATALIS, Ph.D., IN SUPPORT OF  
PETITION FOR *INTER PARTES* REVIEW  
OF U.S. PATENT NO. 6,836,691**

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*Inter Partes Review of U.S. Patent No. 6,836,691  
Declaration of Miltiadis Hatalis, Ph.D. (Ex. 1002)*

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***Inter Partes Review of U.S. Patent No. 6,836,691  
Declaration of Miltiadis Hatalis, Ph.D. (Ex. 1002)***

I, Miltiadis Hatalis, Ph.D., hereby declare as follows:

**I. OVERVIEW**

1. I make this declaration in support of Petitioner Applied Materials, Inc.'s petition for *inter partes* review of U.S. Patent No. 6,836,691 (Ex. 1001), which I refer to in my declaration as "the '691 patent." I have been asked to address claims 1-19 of the '691 patent.

2. I am over 18 years of age and otherwise competent to make this declaration.

3. I am being compensated for my time spent on this matter at my standard consulting rate of \$450 per hour. My compensation is not dependent on the substance of my opinions, my testimony, or the outcome of the *inter partes* review proceeding.

4. I am not an employee of Petitioner or any affiliate or subsidiary thereof.

5. This declaration summarizes the opinions I have formed to date. I reserve the right to modify my opinions, if necessary, based on further review and analysis of information that I receive subsequent to the filings of this report, including in response to positions that parties to the *inter partes* review proceeding, or their experts, may take that I have not yet seen.

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6. I understand that the '691 patent issued on December 28, 2004, and resulted from U.S. Application No. 10/427,620, filed on May 1, 2003.

I understand that, based on that date, the earliest possible date to which the '691 patent may claim priority is May 1, 2003. I have been asked to provide my analysis of the '691 patent based on prior art and the knowledge in the art before May 1, 2003. I also understand that the '691 patent is currently assigned to Ocean Semiconductor LLC ("Ocean").

7. In preparing this declaration, I have reviewed the '691 patent (Ex. 1001) and considered each of the documents cited in this petition, in light of the general knowledge in the art before May 1, 2003. I have also relied upon my experience in the relevant art and considered the viewpoint of a person of ordinary skill in the art ("POSA"; defined in Section IV) before May 1, 2003.

8. The claims of the '691 patent are generally directed to methods and systems for collecting metrology data relating to processing workpieces, generating context data (including collection purpose data) for that metrology data, filtering the metrology data based on the collection purpose data, and conducting a process control activity based on the filtered metrology data.

9. Broadly, this declaration sets forth my opinion that claims 1-19 of the '691 patent would have been obvious over the prior art.

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