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

APPLIED MATERIALS, INC. STMICROELECTRONICS, INC.

Petitioner,

v.

OCEAN SEMICONDUCTOR LLC,

Patent Owner.

Case IPR: Unassigned IPR2022-00681 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

DOCKET

Δ

LARM Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

Alexandria, VA 22313-1450

DOCKET ALARM Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

Petition for Inter Partes Review

of <u>IPR2022-00681</u>

U.S. Patent No. 6,968,248

TABLE OF CONTENTS

I.	MANDATORY NOTICES UNDER 37 C.F.R § 42.81			
	A.	37 C.F.R. § 42.8(b)(1): Real Parties-In-Interest1		
	B.	37 C.F.R. § 42.8(b)(2): Related Matters1		
	C.	37 C.F.R. § 42.8(b)(3), (4): Counsel and Service Information2		
	Ð.			
II.	SUN	MMARY OF THE '248 PATENT3		
	А.	Description of Subject Matter3		
	B.	Prosecution History 4		
	C.	Litigation History7		
III.		J.S.C. § 314(a): REASONABLE LIKELIHOOD THAT TTIONER WOULD PREVAIL87_		
	A.	Factors 1 and 2 Are Neutral: No Ruling on Any Motion ToStay and No Predictable Trial Date in Any Parallel Litigation9DistrictCourt Stays Favor Institution (Factor 1)8		
	B.	Factor 3 Uncertainty over the Trial Date in the District Court CaseAgainst PetitionerFavors Institution: Only Minimal Investment inParallel Proceedings to Date10 (Factor 2)8		
	C.	Factor 4 Favors Institution: Invalidity Contentions Not YetServed in Any Parallel Litigation 11 Investments in Invalidity Issues inParallel District CourtProceedings Are Minimal (Factor 3)9		
	D.	Factor 5 Favors Institution: Petitioner Not a Party to AnyParallel District Court Case12The Petition Raises Unique IssuesFavoring Institution10		

Petition for *Inter Partes* Review of IPR2022-00681 U.S. Patent No. 6,968,248

	Е.	Present	6 Favors Institution: No Other Forum for Petitioner To His Strong Arguments in Favor of Institution 13 <u>The 1</u> p (Factor 5)	Parties 10
	F.	-	erits of the Petition Support Institution (Factor 6)	<u>10</u>
IV.	35 U.	S.C. § 3	25(d) DOES NOT WEIGH AGAINST INSTITUTION	<u>1311</u>
V.	REQ	UIREMI	ENTS FOR IPR UNDER 37 C.F.R. § 42.104	<u>1513</u>
	A.	Ground	ls for Standing Under 37 C.F.R. § 42.104(a)	<u>1513</u>
	В.		cation of Challenge Under 37 C.F.R. § 42.104(b) lief Requested	<u>1513</u>
		F	87 C.F.R. § 42.104(b)(1), (2): Claims for Which IPR Is Requested, Specific Art and Statutory Ground on Which Challenge Is Based	<u>1513</u>
		2. 3	87 C.F.R. § 42.104(b)(3): Claim Construction	<u>1614</u>
VI.			ENGED CLAIMS OF THE '248 PATENT ARE ABLE UNDER 37 C.F.R. § 42.104(b)(4) AND (5)	<u>1715</u>
	A.	Persona "POSA	al of Ordinary Skill in the Art as of April 30, 2002	<u></u>
	B.	History	of Manufacturing Scheduling	<u>1815</u>
	C.	Summa	ary of Prior Art	<u>2320</u>
		1. 5	Schulze	<u>2320</u>
		2. 0	Gupta	<u>2926</u>
	D.	Ground Gupta	l: Claims 1-22 Are Obvious Over Schulze in View of	<u>3330</u>
		1. (Combination of Schulze and Gupta	<u>3330</u>
		а	a. A POSA Would Have Been Motivated To Adopt a Semiconductor Fabrication System With Automate	

DOCKET

	Petition for <i>Inter Partes</i> Review of <u>IPR2022-00681</u> U.S. Patent No. 6,968,248
	Monitoring and Assessment as Taught by Schulze
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 3432
c.	A POSA Would Have Had a Reasonable Expectation of Success Combining Schulze With Gupta <u>3735</u>

DOCKET A L A R M



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.