

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DEMARAY LLC,

Plaintiff

v.

INTEL CORPORATION,

Defendant.

Case No. 6:20-cv-00634-ADA

JURY TRIAL DEMANDED

DEMARAY LLC,

Plaintiff

v.

**SAMSUNG ELECTRONICS CO., LTD (A
KOREAN COMPANY), SAMSUNG
ELECTRONICS AMERICA, INC.,
SAMSUNG SEMICONDUCTOR, INC.,
and SAMSUNG AUSTIN
SEMICONDUCTOR, LLC,**

Defendants.

Case No. 6:20-cv-00636-ADA

JURY TRIAL DEMANDED

**DECLARATION OF C. MACLAIN WELLS IN SUPPORT OF PLAINTIFF DEMARAY
LLC'S OPENING CLAIM CONSTRUCTION BRIEF**

DECLARATION OF C. MACLAIN WELLS

I, C. Maclain Wells, declare as follows:

1. I am counsel at the law firm of Irell & Manella LLP, counsel for Plaintiff Demaray LLC (“Demaray”). I am a member in good standing of the State Bar of California and have been duly licensed to practice law before all of the courts of the State of California, and have been admitted to practice *pro hac vice* before this Court. I submit this declaration in support of Demaray’s Opening Claim Construction Brief. I have personal knowledge of the matters set forth in this declaration and, if called as a witness, could testify to its contents.

2. Attached as **Exhibit 1** is a copy of U.S. Patent No. 7,381,657 (“the ’657 Patent”).

3. Attached as **Exhibit 2** is a copy of U.S. Patent No. 7,544,276 (“the ’276 Patent”).

4. Attached as **Exhibit 3** is an excerpt from the file history of U.S. Patent No. 7,378,356 (“the ’356 Patent”), which Demaray produced at DEMINT00000001.¹

5. Attached as **Exhibit 4** is an excerpt from of the file history of the ’657 Patent, which Demaray produced at DEMINT00001543.

6. Attached as **Exhibit 5** is an excerpt from the New Oxford American Dictionary (2001 ed.), which Demaray produced at DEMINT00003509 and DEMINT00003855.

7. Attached as **Exhibit 6** is an excerpt from the Modern Dictionary of Electronics (7th ed.), which Demaray produced at DEMINT00003506.

8. Attached as **Exhibit 7** is an excerpt from the McGraw-Hills Dictionary of Scientific and Technical Terms (4th ed.), which Demaray produced at DEMINT00003499.

9. Attached as **Exhibit 8** is a copy of U.S. Patent No. 5,565,071. The document is

¹ For consistency, Demaray provides citations to Intel BATES numbers. Where applicable, Demaray has produced the same documents to the Samsung defendants.

incorporated by reference by the '657 and '276 Patents.

10. Attached as **Exhibit 9** is a copy of U.S. Patent No. 5,603,816. The document is cited on the face of the '657 and '276 Patents.

11. Attached as **Exhibit 10** is a copy of U.S. Patent No. 6,350,353. The document is cited on the face of the '657 and '276 Patents.

12. Attached as **Exhibit 11** is a copy of U.S. Patent No. 6,485,602. The document was cited by Defendants in their preliminary invalidity contentions and was raised as a primary reference in four pending IPR petitions regarding the Demaray patents in which Defendants are real parties in interest. *See* Intel Dkt. 39; Samsung Dkt. 42. In the four IPR petitions, Defendants did not seek construction of a single claim term.

13. Attached as **Exhibit 12** is a copy of U.S. App. No. 2002/0140103. The document is cited on the face of the '657 Patent.

14. Attached as **Exhibit 13** is a copy of U.S. App. No. 2004/0259305. The document is cited on the face of the '657 and '276 Patents.

15. Attached as **Exhibit 14** is a copy of U.S. App. No. 2003/0035906. The document is cited on the face of the '657 Patent.

16. Attached as **Exhibit 15** is a copy of a white paper by Scholl, titled "Power supplies for pulsed plasma technologies: State-of-the-art and outlook." The document is cited on the face of the face of the '657 and '276 Patents.

17. Attached as **Exhibit 16** is a copy of a white paper by Scholl, titled "Power Systems for Reactive Sputtering of Insulating Films." The document is cited on the face of the '657 and '276 Patents, and was produced by Defendants at DEFTS-PA_003056.

Executed on February 16, 2021 in Sebastopol, California. I declare under penalty of

perjury that the foregoing is true and correct.

By: /s/ C. Maclain Wells

C. Maclain Wells

Attorneys for Plaintiff DEMARAY LLC