

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

**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**

**SUPPLEMENTAL DECLARATION OF C. MACLAIN WELLS IN SUPPORT OF  
PLAINTIFF DEMARAY LLC'S SUR-REPLY TO SAMSUNG'S MOTION TO  
TRANSFER VENUE**

**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 Sur-Reply to Samsung’s Motion to Transfer Venue. 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 23** is a true and correct copy of U.S. Patent No. 10,453,726.<sup>1</sup> The face of the patent indicates it is assigned to Applied Material’s, Inc. (“Applied”). The named inventors are located in Texas, and the patent relates to PVD chambers.

3. Attached as **Exhibit 24** is a true and correct copy of U.S. Patent No. 10,446,428. The face of the patent indicates it is assigned to Applied and the named inventor is located in Texas, and the patent relates to PVD chambers.

4. Attached as **Exhibit 25** is a true and correct copy of U.S. Patent No. 10,381,247. The face of the patent indicates it is assigned to Applied and has named inventors located in Texas, and the patent relates to PVD chambers.

5. Attached as **Exhibit 26** is a true and correct copy of U.S. Patent No. 10,056,274. The face of the patent indicates it is assigned to Applied Materials Israel Ltd. and has named inventors located in Texas, and the patent relates to PVD chambers.

---

<sup>1</sup> The numbering of this exhibit continues sequentially from that of the earlier filed Declaration of C. Maclain Wells in Support of Demaray LLC’s Opposition to Samsung’s Motion to Transfer Venue (Dkt. 51-1). There is no **Exhibit 22** to maintain consistency with exhibit numbering in the Intel case.

6. Attached as **Exhibit 27** is a true and correct copy of U.S. Patent No. 10,468,292. The face of the patent indicates it is assigned to Applied and one of the two named inventors is located in Texas, and the patent relates to PVD chambers.

7. Attached as **Exhibit 28** is a true and correct copy of U.S. Patent No. 5,879,467. A version of this patent was marked as Exhibit 12 to the Deposition of Brian Marcucci.

8. Attached as **Exhibit 29** is a true and correct copy of U.S. Patent No. 5,789,878. A version of this patent was marked as Exhibit 13 to the Deposition of Brian Marcucci.

9. Attached as **Exhibit 30** is a true and correct copy of the cover document for Defendants' First Amended Preliminary Invalidation Contentions, which Defendants served on February 12, 2021.

10. Attached as **Exhibit 31** is a true and correct printout of <https://www.eetimes.com/applied-materials-to-more-than-double-the-size-of-companys-primary-manufacturing-facilities/>. A version of this web page was marked as Exhibit 11 to the Deposition of Brian Marcucci.

11. Attached as **Exhibit 32** is a true and correct printout of <https://www.advancedenergy.com/contact-us/>. A version of this web page was marked as Exhibit 10 to the Deposition of Brian Marcucci.

12. I understand that Brian Marcucci has confirmed that he is willing and able to travel to Waco, TX, to attend trial in this matter.

Executed on March 31, 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