

UNITED STATES INTERNATIONAL TRADE COMMISSION

In the Matter of:	)	Investigation No.
CERTAIN INTEGRATED CIRCUITS,	)	337-TA-1350
COMPONENTS THEREOF, AND PRODUCTS	)	
CONTAINING THE SAME	)	

CONDENSED TRANSCRIPT WITH KEYWORD INDEX OPEN/CLOSED SESSIONS

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1 1 UNITED STATES INTERNATIONAL TRADE COMMISSION 2 Washington, D.C. 3 BEFORE THE HONORABLE CAMERON R. ELLIOT 4 Administrative Law Judge 5 6 In the Matter of:) Investigation No. 7 CERTAIN INTEGRATED CIRCUITS,) 337-TA-1350 8 COMPONENTS THEREOF, AND PRODUCTS) 9 CONTAINING THE SAME) 10 11 12 13 International Trade Commission 14 500 E Street, S.W. 15 Washington, D.C. 16 17 Monday, October 16, 2023 18 19 EVIDENTIARY HEARING - Volume I 20 21 The Evidentiary Hearing commenced in Courtroom A, 22 pursuant to the notice of the Judge, at 9:00 a.m. Eastern. 23 24 25 Reported by: Karen Brynteson, RMR, CRR, FAPR	3 1 APPEARANCES (Continued): 2 For Complainant Realtek Semiconductor Corporation: 3 4 ERIK J. HALVERSON, ESQ. 5 K&L Gates LLP 6 Four Embarcadero Center, Suite 1200 7 San Francisco, CA 94111 8 9 ANTHONY ROTOLO, ESQ. 10 K&L Gates LLP 11 210 Sixth Avenue 12 Pittsburgh, PA 15222 13 14 15 16 17 18 19 20 21 22 23 24 25
2 1 APPEARANCES: 2 3 For Complainant Realtek Semiconductor Corporation: 4 THEODORE J. ANGELIS, ESQ. 5 ELIZABETH J. WEISKOPF, ESQ. 6 K&L Gates LLP 7 925 4th Avenue, Suite 2900 8 Seattle, WA 98104 9 10 GEORGE C. SUMMERFIELD, ESQ. 11 NELSON HUA, ESQ. 12 JOSHUA ENGEL, ESQ. 13 K&L Gates LLP 14 70 W. Madison, Suite 3100 15 Chicago, IL 60602 16 17 18 19 20 21 22 23 24 25	4 1 APPEARANCES (Continued): 2 3 For Respondent Advanced Micro Devices, Inc.: 4 BRIAN E. FERGUSON, ESQ. 5 ROBERT T. VLASIS, III, ESQ. 6 Winston & Strawn LLP 7 1901 L Street, N.W. 8 Washington, D.C. 20036 9 10 DAVID ENZMINGER, ESQ. 11 Winston & Strawn LLP 12 333 South Grand Avenue, 38th Floor 13 Los Angeles, CA 90071 14 15 REX MANN, ESQ. 16 CHARLES LIU, ESQ. 17 TRACEA RICE, ESQ. 18 Winston & Strawn LLP 19 2121 N. Pearl Street, Suite 900 20 Dallas, Texas 75201 21 22 23 24 25

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6 1 APPEARANCES (Continued): 2 3 ATTORNEY ADVISOR: 4 MICHAEL TURNER, Esq. 5 Attorney-Advisor 6 U.S. International Trade Commission 7 500 E Street, S.W. 8 Washington, D.C. 20436 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	8 1 JUDGE ELLIOT: All right. Good morning. So I 2 received your e-mail over the weekend, and, well, obviously 3 I didn't get back to you. So we'll have to deal with that, 4 but, in any event, I appreciate your sending me that, 5 because, you know, most of the time when we show up here, 6 the parties have disputes that they -- have arisen right 7 before the hearing starts, and so I'm glad that I know what 8 they are, at least what they are so far. There may be new 9 ones as well, but, in any event, I thank you for sending me 10 this. 11 Before we get to those, however, let me address 12 a few of my own issues. First of all, the -- AMD's Motion 13 in Limine Number 1 and motions for sanctions I have 14 deferred ruling on. And I've put that in writing, so you 15 should get an order on that sometime today. 16 But because I have deferred ruling, you should 17 proceed, I think -- I mean, I'll leave it up to you, 18 obviously -- but I think you should proceed as if I had 19 denied both of them, okay, as far as how your presentation 20 goes. 21 Otherwise, I believe I resolved all the pending 22 motions, all the motions in limine and all the other 23 motions. If I'm wrong about that, please tell me and I'll 24 take care of it, but I believe all the other motions have 25 been resolved.

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213 1 another short break for the afternoon, about ten minutes. 2 It appears that we're behind schedule. Partly this is 3 because, of course, we spent quite a bit of time this 4 morning talking about objections and so forth, but even 5 with that, it seems like we're behind schedule. 6 So unless anyone objects, I propose we go to 7 5:00 o'clock, but for now I have 4:05. Let's come back in 8 ten minutes, 4:15, 4:15. And during our break, please 9 don't discuss your testimony with anyone. 10 (A recess was taken at 4:05 p.m., after which 11 the proceedings resumed at 4:15 p.m.) 12 JUDGE ELLIOT: All right. Mr. Ferguson. 13 MR. FERGUSON: Your Honor, we can start on the 14 public record. 15 JUDGE ELLIOT: Very well. 16 (Whereupon, the hearing resumed in open 17 session.) 18 19 20 21 22 23 24 25	215 1 Figure 5. Okay? 2 A. All right. 3 Q. Now, my understanding is that red box is what 4 you have identified as the first region; is that fair? 5 A. Yes. 6 Q. And I would like to pull up the patent again. 7 And let's look at -- this is JX-3, let's look at column 10, 8 lines 6 through 7. 9 Okay. Do you see that the patent says that when 10 the tap segment does not exist between the 11 extension-conductor segments, the first region 120 is a 12 hollow region. Do you see that? 13 A. Yes. 14 Q. And it continues and says "that is, is a region 15 without wiring as shown in Figures 1 through 6 and Figures 16 10 through 15." 17 Do you see that? 18 A. Yes. 19 Q. Let's go back to your previous demonstrative, 20 your demonstrative 2C.248. And this is Figure 5 on the 21 right, correct? 22 A. Yes. 23 Q. So this is one of those figures where the 24 specification indicated that the first region is hollow, 25 correct?
214 1 O P E N S E S S I O N 2 C R O S S - E X A M I N A T I O N 3 BY MR. FERGUSON: 4 Q. Good afternoon, Dr. Phinney. 5 A. Good afternoon. 6 Q. It has been a long day, hanging in there. 7 I would like to start with the preamble of claim 8 1 of the '582 patent, okay? 9 A. All right. 10 Q. We're going to pull that up. And when you gave 11 your infringement report in this case, you indicated that 12 the preamble was not limiting, correct? 13 A. When I gave what? 14 Q. Your infringement expert report. You indicated 15 that the preamble was not limiting, correct? 16 A. Yeah, that's right. 17 Q. And do you still have that opinion today? 18 A. Yeah, I think that 00 the same things I said in 19 my report, yeah. 20 Q. Now, I would like to pull up your demonstrative, 21 CDX-2C.248, Rob. 22 Okay. You recall this, correct? 23 A. Yes. 24 Q. And there's a lot of information in here. One 25 of the things I want to focus on is the red box shown in	216 1 A. Yeah, I agree with that. 2 Q. Okay. And the extension-conductor segments 151 3 and 152 are in that first region, the way you have drawn 4 it, correct? 5 A. I think I would I would agree with that. 6 Q. And so those are wiring, they are in the first 7 region when the specification told us that there should not 8 be any wiring in the first region in Figures 1 through 5 9 and 10 through 15, correct? 10 A. I agree that they are wiring. I understand that 11 wiring to be more related to like the center tap. 12 Q. But you agree that the extension-conductor 13 segments are wiring, correct? 14 A. Yeah, they are wired. 15 Q. The first region as you drew it should have been 16 between the inner edges of the extension-conductor segment 17 in order to be consistent with the specification that we 18 just looked at, right? 19 A. I disagree. 20 MR. FERGUSON: Now we need to go on the AMD 21 confidential record. 22 JUDGE ELLIOT: Very well. 23 (Whereupon, the hearing proceeded in 24 confidential session.) 25

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1103 1 APPEARANCES (Continued): 2 3 ATTORNEY ADVISOR: 4 MICHAEL TURNER, Esq. 5 Attorney-Advisor 6 U.S. International Trade Commission 7 500 E Street, S.W. 8 Washington, D.C. 20436 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	1105 1 you for that. Looks like everything is under control. And 2 I think we can just go ahead. 3 MR. FERGUSON: Thank you, Your Honor. And we 4 can go on the public record for some of this. 5 JUDGE ELLIOT: Very well. 6 DIRECT EXAMINATION -- Resumed 7 BY MR. FERGUSON: 8 Q. Good morning, Dr. Prucnal. 9 A. Good morning. 10 Q. Let's start with your opinions regarding whether 11 you believe the asserted claims of the '582 patent are 12 infringed. And do you have an opinion in that regard? 13 A. Yes, that they are not infringed. 14 Q. Let's move to reason number 1. And what is your 15 opinion regarding whether the AMD products have the claimed 16 capacitor component corresponding to the first region as 17 claimed? 18 A. My opinion is that they do not. 19 Q. And what do we see on slide -- RDX-4.69 20 regarding this portion of your opinion? 21 A. Well, first of all, claim 1 requires that the 22 capacitor component be arranged corresponding to the first 23 region. And the claim defines the first region by the two 24 extension-conductor segments and the coil-conductor 25 segment. That's shown by the region 120 shown in Figure 6

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1266 1 curved, non-rectilinear shapes? 2 A. In part, yes. 3 Q. Okay. All right. Let's move on to Muh and 4 Niknejad. And we can put up CDX-0022.124. Okay. 5 So this is what you called -- this was your 6 slide. Remember testifying to this? 7 A. Yes. 8 Q. And this is what you call one of the fundamental 9 problems with the Muh and Niknejad combination, right? 10 This is the first fundamental problem you 11 identify, correct? 12 A. Yes. 13 Q. And you say that the Muh capacitor that's shown 14 in Figure 3B does not correspond to the first region to 15 substantially overlap with the coil and does not extend 16 away from the coil. That's your opinion, right? 17 A. Yes. 18 MR. FERGUSON: We can go back on public, Your 19 Honor. 20 JUDGE ELLIOT: Very well. 21 (Whereupon, the hearing resumed in open 22 session.) 23 24 25	1268 1 Q. Okay. And so his first region is in the dotted 2 red line. And you see he draws it so that it's over and 3 extends over the yellow capacitor, right? 4 A. Yes. 5 Q. Okay. And this all relates to the claim 6 construction dispute that we have about this, right, that 7 -- the issue about where the extension-conductor segments 8 join the coil-conductor segment, right? 9 A. I think that's an aspect of it, yeah. 10 Q. Yeah. Okay. And so if you were wrong about 11 that claim construction dispute, then that would change 12 where the first region would be drawn, right? 13 A. I think that's right. 14 Q. Okay. All right. Let's go back to your 15 demonstrative, CDX-22.24 -- or 124. 16 And so the Muh capacitor or the capacitor that 17 you're pointing to here from Muh is the parallel plate 18 capacitor, correct? 19 A. Yes. 20 Q. But Muh also discloses they used an 21 interdigitated finger capacitor in the test chip, right? 22 A. That's my recollection, yes. 23 Q. Good. And you understand that Dr. Prucnal is 24 pointing to the teaching in Niknejad concerning what finger 25 capacitors look like, to support his obviousness opinion,
1267 1 O P E N S E S S I O N 2 BY MR. FERGUSON: 3 Q. Okay. Now, on this slide, when we look over to 4 the -- we can look at either of them, but let's look at the 5 one on the right, which is the blowup. The red box that 6 you've drawn, that's what you call the first region, 7 correct? 8 A. Yes. 9 Q. Okay. And you drew that red box with -- looking 10 at it sort of towards the right, you drew that red box line 11 as sort of ending where those squares are located, where 12 the capacitor connects to the inductor, right? 13 A. I think I understand what you're saying. You 14 know, it's just outside of those squares that go upward 15 from the ends of the capacitor. 16 Q. Fair. Thank you. 17 So -- but you understand Dr. Prucnal has a 18 different opinion as to where the first region ends, 19 correct? 20 A. Yes. 21 Q. So let's pull up RDX-4.54. 4.53, sorry. Okay. 22 And do you recall this is Dr. Prucnal's slide 23 that shows the same image? And he has drawn where he views 24 the first region would be located, correct? 25 A. Yes.	1269 1 right? 2 A. That's my understanding, yes. 3 Q. All right. So let's look at RDX-4.61. 4 Okay. Do you recall this slide from 5 Dr. Prucnal's testimony? 6 A. I do. 7 Q. And you know that Dr. Prucnal's opinion is that 8 it would have been obvious to orient the finger capacitor 9 in the way that he shows on this demonstrative such that 10 the connecting segments would be aligned in the same 11 direction as the extension-conductor segments of the 12 inductor, right? 13 A. Yes. 14 Q. And you believe that a person of ordinary skill 15 would have instead oriented the finger capacitor in a 16 different way by rotating it 90 degrees from what he shows 17 in this demonstrative, right? 18 A. More or less. And also not offset in the manner 19 that he said. 20 Q. And we can see that orientation that you propose 21 in your demonstrative, CDX-22.127. And you've put what you 22 have shown to be, I believe, a finger capacitor there. And 23 it's rotated 90 degrees roughly from what Dr. Prucnal 24 showed, correct? 25 A. Yes. I meant it to be down in the plane, so

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1270 1 looking more isometric. 2 Q. Okay. Okay. Fair enough. 3 So that's two ways to orient the finger 4 capacitor, correct? 5 A. Yes. 6 Q. Okay. But it's your opinion that a POSITA would 7 not have chosen to orient the finger capacitor in the way 8 that Dr. Prucnal proposed, right? Is that your opinion? 9 A. Yes. 10 Q. And on this slide CDX-22.127, you cite a couple 11 of pieces of prior art and you say that that confirms 12 Dr. Prucnal's contrary opinion is hindsight bias. Do you 13 see that? 14 A. Yes. 15 Q. Now, did you consider any prior art that shows 16 the connecting segments of the capacitor component oriented 17 in the way that Dr. Prucnal proposed? 18 A. I think other than this Jing reference and then 19 the references that Dr. Prucnal provided, I think that's -- 20 those are the ones that I considered in forming this 21 opinion. 22 Q. Okay. Well, let's look at RDX-4.25. 23 And, again, this is showing the RBR1000 again, 24 right? 25 A. Yes.	1272 1 slide? 2 A. Yes. 3 Q. All right. Now, the circled structure in the 4 middle that's shown on slide 114, that's -- that has finger 5 structures that are electrode segments, right? Do you 6 agree with that? 7 A. I don't know that I could agree with that. 8 They're very fuzzy. 9 Q. Okay. So you don't know if -- if, well, 10 Dr. Prucnal called those finger structures that are 11 electrode segments, then you don't have any basis to 12 disagree with him, other than you don't think the image is 13 clear enough? 14 A. Well, he said they were on M3 and M2. And 15 they're not there. 16 Q. Okay. So you're talking about the 17 cross-section, right? 18 A. I suppose, yes. 19 Q. Okay. Yeah. The orange lines that you added, 20 and I think you and Mr. Angelis referred to those as the 21 finger clip -- or the "paperclip," those are the connecting 22 segments for that finger capacitor, right? 23 A. I don't know that I would agree with that, but I 24 know that Dr. Prucnal identifies at least part of those 25 paperclips as being the connecting segment.
1271 1 Q. Okay. And Dr. Prucnal has shown on the right 2 what he calls the exemplary capacitor component, and you'll 3 see that -- you see that, right? 4 A. Yes. 5 Q. And those capacitor components have connecting 6 segments, correct? 7 A. I think they do, yes. 8 Q. Okay. And those connecting segments are 9 oriented vertically on this page, right, on this screen? 10 A. I think that's right. 11 Q. So those are oriented in the same direction that 12 Dr. Prucnal proposed with respect to how he would orient 13 the finger capacitor in Muh/Niknejad combination, right? 14 A. Yes, putting aside the whole -- you know, 15 granting the extension-conductor segment and its direction, 16 yeah, I would agree with that. Yeah. 17 Q. Yeah, understood. 18 And Qualcomm is a very successful integrated 19 circuit manufacturing company -- strike that. 20 Qualcomm is a very successful integrated circuit 21 design house, correct? 22 A. I'd agree with that. 23 Q. All right. Let's turn to the RFR6122. Let's go 24 to your CDX-22.114, I believe it is. 25 Okay. Do you recall testifying about this	1273 1 Q. Okay. And you've stated that the connecting 2 segment -- with respect to the '582, the connecting segment 3 of the capacitor component creates a physical connection 4 with the electrode segments. Is that right? 5 A. Yeah, I think that's right. 6 Q. Okay. Do you want to see your report or would 7 you agree with that? 8 A. Maybe -- I think you just said it's a physical 9 connection? 10 Q. Right. 11 A. Yeah, that's -- that's the kind of connection I 12 identify. 13 Q. Okay. And you've also testified, you've stated 14 in your expert report, that the connection between the 15 connecting segment and the electrode segment on the 16 capacitor can be through one or more vias, right? Do you 17 agree with that? 18 A. Yes. 19 Q. Okay. And it's also your opinion that after 20 reviewing the '582 patent and the asserted claims, that a 21 POSITA would conclude that the claims at issue are purely 22 structural and do not include any functional requirements, 23 right? 24 A. Yes. 25 Q. And the claims identify a capacitor component

1274 1 and require only that the component have connecting 2 segments and electrode segments, correct? 3 A. Could you just ask that again? I'm sorry. 4 Q. Sure. You agree that the claims identify a 5 capacitor component and require only that the component, 6 the capacitor component, have connecting segments and 7 electrode segments, right? 8 A. There's a lot of text there, a lot of 9 limitations, so I'm not -- 10 Q. Okay. 11 A. -- quite sure what you're asking, but those are 12 two requirements. 13 Q. But, again, there's no requirement that there's 14 any -- there's no functional requirements in the claim, 15 right? 16 A. I think that's right. 17 Q. Okay. 18 MR. FERGUSON: Nothing further. 19 REDIRECT EXAMINATION 20 BY MR. ANGELIS: 21 Q. Dr. Phinney, how do you know that the sister 22 coil in the RBR1000 was intentionally designed to add 23 inductance? 24 A. It has to do with its size and particularly its 25 -- the size of its inner window and the fact that it can --	1276 1 MS. WEISKOPF: Thank you, Your Honor. This is 2 Elizabeth Weiskopf for Complainants. 3 Whereupon-- 4 SHUKRI SOURI, 5 having been previously duly sworn/affirmed, was examined 6 and testified as follows: 7 JUDGE ELLIOT: And sir, let me remind you, 8 you're still under oath. 9 MS. WEISKOPF: May I proceed, Your Honor? 10 JUDGE ELLIOT: Yes. 11 DIRECT EXAMINATION 12 BY MS. WEISKOPF: 13 Q. Good afternoon, Dr. Sourì. Which patent will 14 you be addressing today? 15 A. Good afternoon. I'll be discussing my opinions 16 on the validity of the '218 patent. 17 Q. Did you prepare demonstrative slides to assist 18 with your testimony today? 19 A. I did, correct. They're on the screen. 20 Q. And they're labeled CDX-23. Is that right? 21 A. Correct. 22 Q. Okay. Let's turn to slide 4. Can you please 23 remind us what the '218 patent describes? 24 A. Yeah. Briefly, the '218 patent, we discussed it 25 earlier this week in detail, this is a patent that
1275 1 its shape and, you know, it's made of this flat trace 2 that's quite similar to the window size and trace side of 3 the adjoining two-turn coil. 4 So all that together tells me that it 5 contributes significant inductance and was designed to have 6 low Q because it was constructed -- it was made with these 7 flat traces. 8 Q. And what did you draw upon to reach those 9 conclusions? 10 A. That's just what I see it. I'm like, oh, that's 11 an -- that's an inductor. I mean, it -- that -- it -- when 12 I see it, I see that the designer did not want to incur an 13 area penalty by going around another octagon. They needed 14 an intermediate value of inductance and chose that type of 15 approach to achieve it with the appropriate Q. 16 MR. ANGELIS: Nothing further, Your Honor. 17 JUDGE ELLIOT: Very well. So we're done with 18 Dr. Phinney, right? 19 MR. ANGELIS: We are, Your Honor. 20 JUDGE ELLIOT: Very well. 21 Thank you, sir. 22 (The witness stood down.) 23 JUDGE ELLIOT: So let's start with Dr. Sourì and 24 see how far we can go. I intend to take a break in about 25 15 minutes.	1277 1 describes a power mesh arrangement in an integrated circuit 2 that has multiple power domains. And it's related to an 3 algorithm, a formula that can be reused to streamline a 4 power routing structure in an integrated circuit that 5 requires -- or that has multiple power domains. 6 Q. Referencing slide 5, please explain what this 7 slide is showing. 8 A. Again, just very briefly, this is the 9 superposition of Figure 4 from the patent, representing an 10 embodiment of the global power mesh, on top of Figure 3 of 11 the patent, representing an embodiment of the two partial 12 local power meshes. And, again, I'm sticking with the same 13 annotations, VDD1 in red, and it couples down to the 14 partial local power mesh using vias, as discussed earlier. 15 And then the second power level, VDD2, which 16 annotated here in blue, again, using vias to couple down to 17 the second partial local power mesh. And, again, the idea 18 is to streamline that power routing design process. 19 Q. Okay. And what is this yellow illustration? 20 A. Here I'm illustrating the ground wires in the 21 global power mesh. And, again, it's the same process. It 22 is used as part of this streamlined process to design a 23 power routing structure. And I think that there will also 24 be vias that I will now show and indicate how they couple 25 down to the two partial local power meshes.