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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

YANGTZE MEMORY TECHNOLOGIES COMPANY, LTD., Plaintiff, v. MICRON TECHNOLOGY, INC., et al., Defendants.	Case No. 3:23-cv-05792-RFL **MICRON'S PRELIMINARY CLAIM CONSTRUCTIONS AND EXTRINSIC EVIDENCE PURSUANT TO PATENT LOCAL RULE 4-2** Honorable Rita F. Lin
MICRON TECHNOLOGY, INC., Counterclaim Plaintiff, v. YANGTZE MEMORY TECHNOLOGIES COMPANY, LTD., and YANGTZE MEMORY TECHNOLOGIES, INC., Counterclaim Defendants.	

Pursuant to Patent Local Rule 4-2, Defendant and Counterclaim Plaintiff Micron Technology, Inc., and Defendant Micron Consumer Products Group LLC (collectively "Micron") hereby provide the following preliminary constructions of claim terms, phrases, and clauses from U.S. Patent No. 10,950,623 ("the '623 patent"), U.S. Patent No. 11,501,822 ("the '822 patent"), U.S. Patent No. 10,658,378 ("the '378 patent"), U.S. Patent No. 10,937,806 ("the '806 patent"), U.S. Patent No. 10,861,872 ("the '872 patent"), U.S. Patent No. 11,468,957 ("the '957 patent"), U.S. Patent No. 11,600,342 ("the '342 patent"), U.S. Patent No. 10,868,031 ("the '031 patent"), U.S. Patent No. 8,945,996 ("the '996 patent"), and U.S. Patent No. 10,872,903 ("the '903 patent") that may warrant construction by the Court and identifies extrinsic evidence that may be used to support those proposed constructions.

Micron reserves the right to amend and supplement the preliminary constructions and the intrinsic and extrinsic evidence below in response to Plaintiff and Counterclaim Defendant Yangtze Memory Technologies Company, Ltd.'s and Counterclaim Defendant Yangtze Memory Technologies, Inc.'s (collectively "YMTC's") proposed constructions and intrinsic and extrinsic evidence and in response to the subsequent meet and confer, in a manner consistent with the Federal Rules of Civil Procedure and the Local Rules of this Court. In the event that YMTC is granted leave of Court to amend its infringement contentions, or should other claim terms, phrases, or clauses become relevant, Micron reserves the right to modify or supplement this disclosure.

Nothing in the lists below shall be construed to limit Micron's right to argue that any claim of the patents-in-suit is invalid. Further, the fact that Micron may have provided preliminary constructions of claim terms, phrases, or clauses below does not mean that it agrees that those terms, phrases, or clauses are amenable to construction or are valid under 35 U.S.C. § 112.

Pursuant to P.R. 4-2(b), Micron identifies Dr. E. Fred Schubert (the '822, '957, and '342, patents), Dr. Bruce L. Jacob (the '623, '872, '031, '996, and '903 patents), and Dr. Jack C. Lee (the '378 and '806 patents) as experts in this case who may provide testimony regarding claim construction, the patents-in-suit and their respective file histories, and/or the understanding of a person of ordinary skill in the art at the time of the filing of the patents-in-suit. Drs. Schubert, Jacob, and Lee may offer testimony regarding the technologies of the patents-in-suit. Micron

reserves the right to rely upon additional rebuttal testimony from Drs. Schubert, Jacob, and Lee with respect to the patents-in-suit.

Micron's counsel is prepared to meet and confer with YMTC's counsel at a mutually agreeable time for the purposes of finalizing this list of proposed claim terms for construction, narrowing and/or resolving differences, and facilitating the ultimate preparation of a Joint Claim Construction and Prehearing Statement:

I. THE '623 PATENT

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
dielectric trenches (YMTC term)	1-2	The plain and ordinary meaning is "trenches with dielectric material inside the trench openings"	Claim 1, 7:39-44, 9:46-49, 12:7-9, 14:63-66, 16:5-20, 16:43-45	Cappelletti, Flash Memories (1999) (MYM0030071 - MYM0030614), p. 73; Brown, Nonvolatile Semiconductor Memory Technology (1998) (MYM0029449 - MYM0030066), p. 253; Jaeger, Introduction to Microelectronic Fabrication, Vol. V (1988) (MYM0032249 - MYM0032494), p. 216; Prince, Semiconductor Memories (2d ed. 1991) (MYM0067758 - MYM0068592), p. 117. Micron may offer expert testimony from Dr. Jacob concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				phrase in view of the intrinsic and/or extrinsic evidence.

II. THE '822 PATENT

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
Group (YMTC term)	1, 11	Plain and ordinary meaning	Claim 1, 5:18-35	Micron may offer expert testimony from Dr. Schubert concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
word line pre-pulse signal (YMTC term)	1, 11	a signal that increases in value and then decreases in value (or vice versa) before a programming step	Claims 1, 10, 11, Figs. 4 and 5, 3:43-59, 5:35-64, 6:30-7:18, 7:21-35, Preliminary response, IPR2024-00795, pp. 17-19	Aritome, NAND Flash Memory Technologies (2016) (MYM0027804 - MYM0028234), pp. 96-97; Cappelletti, Flash Memories (1999) (MYM0030071 - MYM0030614), p. 345; Newton's Telecom Dictionary (26th ed. 2011) (MYM0068599 - MYM0068602); Comprehensive Dictionary of Electrical Engineering (2d ed. 2005) (MYM0068593 - MYM0068595); The New Penguin

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				Dictionary of Computing (2001) (MYM0068596 - MYM0068598); Webster's II New College Dictionary (2001) (MYM0068603 - MYM0068605); IEEE Standard Dictionary of Electrical and Electronics Terms (1996) [MYM0069160 - MYM0069170]; The New Oxford American Dictionary (2010) [MYM0069171 - MYM0069174]; Wiley Electrical and Electronics Engineers Dictionary (2004) [MYM0069175 - MYM0069180]. Micron may offer expert testimony from Dr. Schubert concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.

III. THE '378 PATENT

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
epitaxial layer (YMTC term)	1, 18	a layer that is grown on the substrate and has the same crystalline orientation as the substrate	9:31-39, 20:49-51	Microsoft Computer Dictionary (2002) (definition of "epitaxial layer") (MYM0067601 - MYM0067603); Wiley Electrical and Electronics Engineers Dictionary (2004) (definition of "epitaxial layer", "epitaxial growth," and "epitaxy") (MYM0067604 - MYM0067607); American Heritage Dictionary of the English Language (2016) (definition of "epitaxy") (MYM0067608 - MYM0067610); Merriam-Webster's Collegiate Dictionary (2014) (definition of "epitaxy") (MYM0067613 - MYM0067615); Encyclopaedia Britannica (2014) (definition of "epitaxy") (MYM0067611 - MYM0067612). Micron may offer expert testimony from Dr. Lee concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s);

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
one or more contact layers on the one or more TACs, the one or more channel structures, and the slit structures (Micron term)	1	one or more layers that include contacts to form electrical connections to the one or more TACs, the one or more channel structures, and the slit structures	Figures 2, 3, 1:56-58, 2:9-13, 2:42-48, 5:6-10, 11:48-59, 19:4-8	U.S. Pat. Pub. No. 2021/0225863 (MYM0068887 - MYM0068909), [0038]; U.S. Pat. Pub. No. 2024/0172429 (MYM0068910 - MYM0068950), [0111]; Micheloni, 3D Flash Memories (2016) (MYM0033167 - MYM0033557), pp. 69-70, 77-80, 93-95, 115-120, 170-172, 211. Micron may offer expert testimony from Dr. Lee concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
local contacts disposed on the channel structures and the	15	contacts that are in direct contact with the channel structures and	Figures 2, 13, 11:16-31, 20:11-17	U.S. Pat. Pub. No. 2021/0225863 (MYM0068887 - MYM0068909),

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
slit structures (Micron term)		contacts that are in direct contact with the slit structures		[0038]; U.S. Pat. Pub. No. 2024/0172429 (MYM0068910 - MYM0068950), [0111]; Micheloni, 3D Flash Memories (2016) (MYM0033167 - MYM0033557), pp. 69-70, 77-80, 93-95, 115-120, 170-172, 211. Micron may offer expert testimony from Dr. Lee concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
local contact[s] (YMTC term)	15, 18	contacts that are in direct contact with the memory array structures	Figures 2, 13, 11:16-31, 11:48-59, 17:10-22, 20:11-17	U.S. Pat. Pub. No. 2021/0225863 (MYM0068887 - MYM0068909), [0038]; U.S. Pat. Pub. No. 2024/0172429 (MYM0068910 - MYM0068950), [0111]; Micheloni, 3D Flash Memories (2016) (MYM0033167 - MYM0033557), pp. 69-70, 77-80, 93-95, 115-120, 170-172, 211.

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				Micron may offer expert testimony from Dr. Lee concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
dielectric structure (YMTC term)	1-2, 6, 7, 15-17	Plain and ordinary meaning	5:50-59, 10:35-56, 13:2-3	American Heritage Dictionary of the English Language (2016) (defining "dielectric") (MYM0067574 - MYM0067576); Merriam-Webster's Collegiate Dictionary (2014) (defining "dielectric") (MYM0067581 - MYM0067583); Microsoft Computer Dictionary (2002) (defining "dielectric") (MYM0067584 - MYM0067586); New Penguin Dictionary of Computing (2001) (defining "dielectric") (MYM0067587 - MYM0067589); Comprehensive Dictionary of Electrical Engineering (2005) (defining "dielectric")

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				(MYM0067577 - MYM0067580); Wiley Electrical and Electronics Engineering Dictionary (2005) (defining "dielectric") (MYM0067594 - MYM0067597); Newton's Telecom Dictionary (2011) (defining "dielectric") (MYM0067590 - MYM0067593). Micron may offer expert testimony from Dr. Lee concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
through array contact (YMTC term)	7, 17	Plain and ordinary meaning	Abstract, 1:38-55, 2:31-32, 52-55, 5:46-59, 6:14-16, 6:34-40, 6:51-62, 10:18-24, 10:57-59, 10:67-11:2, 11:3-15, 18:27-	Micheloni, 3D Flash Memories (2016) (MYM0033167 - MYM0033557), p. 122; U.S. Pat. Pub. No. 2021/0126005A1 (YMTC) (MYM0068863 - MYM0068886), [0052]-[0053]; U.S. Pat. No. 10,879,264 (Sandisk)

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
			28, 20:24-27, 20:45-47, Fig. 2.	(MYM0068614 - MYM0068732). Micron may offer expert testimony from Dr. Lee concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.

IV. THE '806 PATENT

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence[1]	Extrinsic Evidence
local contacts disposed on the first and second channel structures and the slit structures (Micron term)	8	"contacts that are in direct contact with first and second channel structures and contacts that are in direct contact with the slit structures	Figures 2, 13, 11:16-31, 20:11-17	U.S. Pat. Pub. No. 2021/0225863 (MYM0068887 - MYM0068909), [0038]; U.S. Pat. Pub. No. 2024/0172429 (MYM0068910 - MYM0068950), [0111]; Micheloni, 3D Flash Memories (2016) (MYM0033167 - MYM0033557), pp. 69-70, 77-80, 93-95, 115-120, 170-172, 211.

[1] For consistency, citations are to the specification of the '378 patent, which shares the same specification as that of the '806 patent.

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence[1]	Extrinsic Evidence
				Micron may offer expert testimony from Dr. Lee concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence..
local contact[s] (YMTC term)	8, 10	contacts that are in direct contact with the memory array structures	Figures 2, 13, 11:16-31, 11:48-59, 17:10-22, 20:11-17	U.S. Pat. Pub. No. 2021/0225863 (MYM0068887 - MYM0068909), [0038]; U.S. Pat. Pub. No. 2024/0172429 (MYM0068910 - MYM0068950), [0111]; Micheloni, 3D Flash Memories (2016) (MYM0033167 - MYM0033557), at pp. 69-70, 77-80, 93-95, 115-120, 170-172, 211. Micron may offer expert testimony from Dr. Lee concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence[1]	Extrinsic Evidence
				in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence..
dielectric structure (YMTC term)	8-9	Plain and ordinary meaning	5:50-59, 10:35-56, 13:2-3	American Heritage Dictionary of the English Language (2016) (defining "dielectric") (MYM0067574 - MYM0067576); Merriam-Webster's Collegiate Dictionary (2014) (defining "dielectric") (MYM0067581 - MYM0067583); Microsoft Computer Dictionary (2002) (defining "dielectric") (MYM0067584 - MYM0067586); New Penguin Dictionary of Computing (2001) (defining "dielectric") (MYM0067587 - MYM0067589); Comprehensive Dictionary of Electrical Engineering (2005) (defining "dielectric") (MYM0067577 - MYM0067580); Wiley Electrical and Electronics Engineering Dictionary (2005) (defining "dielectric") (MYM0067594 - MYM0067597); Newton's Telecom Dictionary (2011) (defining "dielectric") (MYM0067590 - MYM0067593).

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence[1]	Extrinsic Evidence
				Micron may offer expert testimony from Dr. Lee concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
through array contact (YMTC term)	8	Plain and ordinary meaning	Abstract, 1:38-55, 2:31-32, 52-55, 5:46-59, 6:14-16, 6:34-40, 6:51-62, 10:18-24, 10:57-59, 10:67-11:2, 11:3-15, 18:27-28, 20:24-27, 20:45-47, Fig. 2.	Micheloni, 3D Flash Memories (2016) (MYM0033167 - MYM0033557), p. 122; U.S. Pat. Pub. No. 2021/0126005A1 (YMTC) (MYM0068863 - MYM0068886), [0052]-[0053]; U.S. Pat. No. 10,879,264 (Sandisk) (MYM0068614 - MYM0068732). Micron may offer expert testimony from Dr. Lee concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence[1]	Extrinsic Evidence
				meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.

V. THE '872 PATENT

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
dummy source structure (Micron term)	1-6, 9, 11-13	structure that occupies a void used for a gate replacement process	4:44-55, 4:65-67, 5:17-28, 5:31-34, 5:37-58. 8/8/20 Amendment/ Response in App. 16/402,202, 514.	Micron may offer expert testimony from Dr. Jacob concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
dummy channel structure (YMTC term)	7-10	Electrically isolated channel structure formed in a dummy channel hole. To the extent YMTC proposes a broader construction, the scope of the claims is unclear and the term is indefinite.	4:33-37, 6:31-35, 8:42-45. 8/8/20 Amendment/ Response in App. 16/402,202, 514	U.S. Pat. No. 10,559,583 (MYM0035919 - MYM0035967), e.g., 5:33-36, 13:57-59; KR20180061554 (MYM0067683 - MYM0067750), e.g., [0008], [0055], [0114]; U.S. Pat. No. 9,893,082 (MYM0069093 - MYM0069154), e.g., 15:22-23, 21:7-8; U.S. Pat. Pub. No. 2018/0026047 (MYM0068733 - MYM0068781), e.g., [0039], [0094]; U.S. Pat. Pub. No. 2018/0122819 (MYM0068782 -

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				MYM0068812), e.g., [0026], [0084]. Micron may offer expert testimony from Dr. Jacob concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence; and 4) that under YMTC's interpretation, the claim term, read in light of the specification and file history, fail to inform, with reasonable certainty, those skilled in the art about the scope of the invention.
conductive contact (YMTC term)	1, 13	a conductive material that fills the dummy source hole	11:35-39, 16:23-31, 16:63-66, Figure 2L	*See* extrinsic evidence for "dummy channel structure" U.S. Pat. No. 10,381,369 (MYM0035748 - MYM0035787), e.g., Figures 4B and 5 and corresponding description thereof; U.S. Pat. Pub. No. 2017/0179026 (MYM0036789 - MYM0036966), e.g., [0287]-[0288], Fig. 26A; U.S. Pat. No. 9,859,297 (MYM0039159 - MYM0039204), e.g., 6:9-67, 19:65-20:2; McGraw-

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				Hill Dictionary of Electric & Computer Engineering (2003) (defining "electric contact") (MYM0067598 - MYM0067600). Micron may offer expert testimony from Dr. Jacob concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.

VI. THE '957 PATENT

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
in [a/the] pre-verify stage (YMTC term)	1, 4-5	The plain and ordinary meaning is "a time period before the verify stage in which voltages are applied to prepare for the verify stage"	Figures 4-10, 1:50, 3:23, 5:1-30, 9:57-10:7, 13:26-58, 15:31-16:16.	U.S. Pat. No. 10,665,299 (MYM0025567 - MYM0025606), e.g., 5:10-28. Micron may offer expert testimony from Dr. Schubert concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
in [a/the] verify stage (YMTC term)	1, 4-5	The plain and ordinary meaning is "a time period before any post-pulse and post-recovery stages in which the target memory cell is read to verify the success of a program operation"	Figures 4-10, 9:31-43, 9:57-10:7	U.S. Pat. No. 10,665,299 (MYM0025567 - MYM0025606), e.g., 5:10-28; U.S. Pat. No. 10,276,251 (MYM0035540 - MYM0035565), e.g., 10:43-47, 16:16-21; U.S. Pat. No. 9,361,993 (MYM0038613 - MYM0038651), e.g., 11:50-52, 17:10-13; U.S. Pat. No. 9,805,807 (MYM0069051 - MYM0069092), e.g., 5:47-52. Micron may offer expert testimony from Dr. Schubert concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.

VII. THE '031 PATENT

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
filling structure surrounding the multiple staircase structure (YMTC term)	1	Plain and ordinary meaning To the extent the Court deems a construction appropriate, the plain and ordinary meaning is "material that fills areas surrounding the multiple staircase structure"	Abstract, 13:39-44, 22:65-23:7, Figures 1-13	https://www.studycountry.com/wiki/what-is-a-piece-of-land-surrounded-by-water-on-2-sides (definition of isthmus) (MYM0069155 - MYM0069159); U.S. Pat. No. 9,530,492 (MYM0038652 - MYM0038728). Micron may offer expert testimony from Dr. Jacob concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.

VIII. THE '996 PATENT

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
dummy structure (YMTC term)	1-4, 7-8, 12, 13, 17, 25	Plain and ordinary meaning. To the extent the Court deems a construction appropriate, the plain and ordinary meaning is "electrically inoperable structure that mimics a physical property of	5:60-6:3, 6:18-25, 7:11-22, 7:25-35, 7:25-35, 10:52-59	U.S. Pat. No. 10,559,583 (MYM0035919 - MYM0035967), e.g., 5:33-36, 13:57-59; KR20180061554 (MYM0067683 - MYM0067750), e.g., [0008], [0055], [0114]; U.S. Pat. No. 9,893,082 (MYM0069093 - MYM0069154), e.g., 15:22-23, 21:7-8; U.S.

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
		an operative structure."		Pat. Pub. No. 2018/0026047 (MYM0068733 - MYM0068781), e.g., [0039], [0094]; U.S. Pat. Pub. No. 2018/0122819 (MYM0068782 - MYM0068812), e.g., [0026], [0084]. Micron may offer expert testimony from Dr. Jacob concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.

IX. THE '903 PATENT

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
a cavity of the [first/second] control gate (YMTC term)	1	Plain and ordinary meaning	Abstract, 4:49-5:3, 7:26-8:50, 12:52-64, Figs. 4, 11-14.	The American Heritage Dictionary (2009) (defining "cavity") (MYM0067565 - MYM0067567); Merriam-Webster's Collegiate Dictionary (2006) (defining "cavity")

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				(MYM0067568 - MYM0067570); Webster's Third New International Dictionary (2002) (defining "cavity") (MYM0067571 - MYM0067573). Micron may offer expert testimony from Dr. Jacob concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
a [first/second/third/fourth] cavity of the [first/second] control gate (YMTC term)	17	Plain and ordinary meaning	Abstract, 4:49-5:3, 7:26-8:50, 12:52-64, Figs. 4, 11-14.	The American Heritage Dictionary (2009) (defining "cavity") (MYM0067565 - MYM0067567); Merriam-Webster's Collegiate Dictionary (2006) (defining "cavity") (MYM0067568 - MYM0067570); Webster's Third New International Dictionary (2002) (defining "cavity") (MYM0067571 - MYM0067573).

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				Micron may offer expert testimony from Dr. Jacob concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.
Polysilicon (YMTC term)	8, 18	Plain and ordinary meaning	5:36-39, 6:34-36, 7:20-23, 8:51-55, 9:9-12, 9:18-21, 9:58-61.	Wiley Electrical and Electronics Engineering Dictionary (2004) (defining "polysilicon" and "polycrystalline") (MYM0067754 - MYM0067757); Webster's Third New International Dictionary (2002) (defining "polycrystalline") MYM0067751 - MYM0067753). Micron may offer expert testimony from Dr. Jacob concerning: 1) the technical background of this patent; 2) the qualifications of one of ordinary skill in the art at the time of

Claim Term, Phrase, or Clause	Claim(s)	Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
				the alleged invention(s); and 3) the understanding of a person of ordinary skill in the art concerning the meaning of this term or phrase in view of the intrinsic and/or extrinsic evidence.

Dated: August 5, 2024

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: */s/Jared Bobrow*
Jared Bobrow

Attorneys for Defendant and Counterclaim Plaintiff Micron Technology, Inc. and Defendant Micron Consumer Products Group, LLC

CERTIFICATE OF SERVICE

I am employed in the County of San Mateo, State of California. I am over the age of 18 years old and not a party to this action. My business address is Orrick, Herrington & Sutcliffe LLP, 1000 Marsh Road, Menlo Park, California 94025-1015. On August 5, 2024, I served the **MICRON TECHNOLOGY, INC.'S PRELIMINARY CLAIM CONSTRUCTIONS AND EXTRINSIC EVIDENCE PURSUANT TO PATENT LOCAL RULE 4-2** on all interested parties to this action in the manner described as follows:

☐ **(VIA U.S. MAIL)** On August 5, 2024, by placing a true copy of the document(s) listed above in an envelope, with postage thereon fully prepaid, addressed as set forth below and then sealing the envelope and depositing it in the U.S. mail at Menlo Park, California.

☒ **(VIA EMAIL)** On August 5, 2024, via electronic mail in Adobe PDF format the document(s) listed above to the electronic address(es) set forth below.

☐ **(VIA OVERNIGHT-FED EX)** I caused the within document(s) to be delivered by overnight courier to the address(es) set forth below.

James R. Batchelder (Bar No. 136347) james.batchelder@ropesgray.com Andrew T. Radsch (Bar No. 303665) andrew.radsch@ropesgray.com James F. Mack (Bar No. 322056) james.mack@ropesgray.com Nancy N. Attalla (Bar No. 341070) nancy.attalla@ropesgray.com Rachael Bacha (NY Bar No. 4817938) rachael.bacha@ropesgray.com Allen S. Cross (DC Bar No. 252687) allen.cross@ropesgray.com Nicole S. L. Pobre (DCB # 1735421) nicole.pobre@ropesgray.com ymtc-micron-ropes-service@ropesgray.com
Counsel for Yangtze Memory Technologies Company, Ltd. & Yangtze Memory Technologies, Inc.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed on August 5, 2024, at Menlo Park, California.

/s/Matthew Bonini
Matthew Bonini