

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LAM RESEARCH CORP.,
Petitioner

v.

INPRIA CORP.,
Patent Owner

Case IPR2025-00256
Patent No. 11,537,048

PATENT OWNER'S PRELIMINARY RESPONSE

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	BACKGROUND	1
	A. District of Delaware Litigation	2
	B. The '048 Patent Prosecution	3
III.	LEVEL OF ORDINARY SKILL	4
IV.	CLAIM CONSTRUCTION	4
V.	ARGUMENT.....	6
	A. 35 U.S.C. § 315(b) – Lam’s Petition is Time Barred.....	6
	B. 35 U.S.C. § 314(a) – Lam has no Reasonable Likelihood of Prevailing with Respect to Any of the Claims	8
	1. Lam’s Priority Date Challenge is Legally Flawed for Arguing that the Effective Filing Date is the Date of the Specification Amendment.....	8
	2. Lam’s Priority Date Challenge Fails on the Merits Meaning Its Grounds Are Based on Non-Prior Art	11
VI.	CONCLUSION.....	15

TABLE OF AUTHORITIES

Cases	Page(s)
<i>Inventio AG v. Thyssenkrupp Elevator Ams. Corp.</i> , 649 F.3d 1350 (Fed. Cir. 2011)	5
<i>Toyota Motor Corp. v. Cellport Sys., Inc.</i> , IPR2015-00633, Paper 11 (Aug. 14, 2015)	4
<i>David O. B. A. Adebimpe v. The Johns Hopkins University</i> , PGR2016-00020, Paper 14 (Jul. 25, 2016)	10
<i>Front Row Technologies, LLC v. MLB Advanced Media, L.P.</i> , PGR2015-00023, Paper 8 (Feb. 22, 2016)	10
<i>MPL Brands NV, Inc. v. BuzzBallz, LLC</i> , IPR2024-01098, Paper 8 (Jan. 27, 2025)	10
<i>Westphal v. Fawzi</i> , 555 F.2d 575 (C.C.P.A. 1981)	10
<i>Muncie Gear Works v. Outboard, Marine & Mfg. Co.</i> , 315 U.S. 759 (1942)	11
<i>Enzo Biochem, Inc. v. Gen-Probe Inc.</i> , 323 F.3d 956 (Fed. Cir. 2002)	11
Statutes	
35 U.S.C. § 100(i)	9, 10, 11
35 U.S.C. § 112(6)	4
35 U.S.C. § 312(a)(5)	6
35 U.S.C. § 314(a)	1, 8
35 U.S.C. § 315(b)	1, 6
Other Authorities	
37 C.F.R. § 42.105(a)	8
37 C.F.R. § 42.106(a)	8
37 C.F.R. § 42.106(a)(2)	8

37 C.F.R. § 1.57(d) 12

37 C.F.R. § 1.57(g) 12

LIST OF EXHIBITS

<u>Exhibit No.</u>	<u>Description</u>
2001	Case Docket for <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.)
2002	Order, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB, D.I. 116 (D. Del. May 3, 2024)
2003	Lam's Initial Invalidity Contentions, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.) (May 13, 2024)
2004	Lam's Final Invalidity Contentions, Ex. 048-G, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del) (Feb. 20, 2025)
2005	Lam's Final Invalidity Contentions, Ex. 048-H, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del) (Feb. 20, 2025)
2006-2009	<i>Reserved</i>
2010	Lam's Final Invalidity Contentions, Ex. 048-B, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del) (Feb. 20, 2025)
2011	Lam's Initial Invalidity Contentions, Ex. 5, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.) (Sept. 24, 2024)
2012	[Ex. 1024 from IPR2025-00309] - Declaration of Stephen Gillen
2013	Email from Stephen Gillen (Dec. 14, 2024, 12:40 AM ET)
2014	Email from Stephen Gillen (Dec. 14, 2024, 12:29 AM ET)
2015	USPS Packing Slip - EJ680364635US and EJ680364621US
2016	USPS.com® - USPS Tracking® Results - EJ680364621US
2017	USPS.com® - USPS Tracking® Results - EJ680364635US
2018	April 15, 2025 letter from Lam Counsel to Inpria counsel, <i>Inpria Corporation v. Lam Research Corp.</i> , <i>Case No. 22-1359-CJB (D. Del.) and IPR2025-00256</i> , regarding <i>Sotera</i> -type stipulation
2019-2028	<i>Reserved</i>
2029	Amended Complaint, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.), D.I. 43 (Dec. 13, 2023)
2030-2038	<i>Reserved</i>

I. INTRODUCTION

Patent Owner Inpria, Corp. (“PO” or “Inpria”) respectfully submits this Preliminary Response to the Petition for *inter partes* review (Paper 1) (the “Petition” or “Pet.”) filed by Lam Research Corp. (“Petitioner” or “Lam”) against claims 1-20 (“the challenged claims”) of U.S. Patent No. 11,537,048 (“the ’048 patent”). First, the Petition should be discretionarily denied for the reasons argued in Patent Owner’s Brief Supporting Discretionary Denial, filed concurrently with this Preliminary Response. Second, the Petition should be denied under 35 U.S.C. § 315(b) as time barred. Third, the Petition should be denied under 35 U.S.C. § 314(a) because Lam has not met its burden of demonstrating a reasonable likelihood of prevailing with respect to any of the challenged claims because its priority date challenge is both a flawed legal theory and incorrect on the merits. Accordingly, as discussed in more detail below, institution should be denied.

II. BACKGROUND

The ’048 patent issued from U.S. Patent Application No. 16/987,120 (“the ’120 application”) filed on August 6, 2020, and claims priority to:

1. U.S. Patent Application No. 16/238,779 (“the ’779 application”) filed on January 3, 2019,
2. U.S. Patent Application No. 15/291,738 (“the ’738 application”) filed on October 12, 2016,

3. Provisional Patent Application No. 62/297,540 (“the ’540 provisional”) filed on February 19, 2016, and
4. Provisional Patent Application No. 62/240,812 (“the ’812 provisional”) filed on October 13, 2015.

A. District of Delaware Litigation

The ’048 patent is currently being litigated in the District of Delaware. *See Inpria Corp. v. Lam Research Corp.*, 1:22-cv-01359 (D. Del.) (“the Delaware litigation”). The Delaware litigation began on October 14, 2022, Ex. 2001 at 12 (D.I. 1),¹ and Inpria first asserted the ’048 patent in an Amended Complaint served on December 13, 2023, *id.* at 17 (D.I. 43-44). *See also* Ex. 2029. Trial is scheduled for April 20, 2026. *Id.* at 62 (D.I. 443).

Patent validity issues have been moving forward in district court. On May 14, 2024, Lam served its Initial Invalidity Contentions. *Id.* at 8 (D.I. 117); Ex. 2003 at 14-15. On October 18, 2024, the parties filed a Joint Claim Construction Brief, *id.* at 34 (D.I. 199), which Lam cites throughout its Petition and uses to frame its

¹ For the Board’s convenience, Inpria has included a printout of the district court docket sheet as Exhibit 2001 to reference certain filings, events, and orders from the parallel district court proceeding.

arguments (and those of Patent Owner) on the construction of claim terms and the priority date of the '048 patent. Pet. at 5-13 (citing Ex. 1010).

On February 20, 2025, Lam served Final Invalidity Contentions. Ex. 2001 at 45 (D.I. 288). Lam is advancing arguments based not only on the references at issue in this Petition and other patents and printed publications, but also based on the same priority argument, system art (including in combination with art at issue in the IPR), and Section 112.

B. The '048 Patent Prosecution

Inpria's '048 patent underwent a thorough review during prosecution. There were three non-final office actions and two final office actions. Ex. 1002 at 70-85, 144-158, 206-222, 282-293, 478-490. During this extensive back-and-forth, the Petition's argument about amendments associated with Figure 16 was considered by the Office. Inpria explained how the amendment contained no new matter because it was based on the specification as filed, including, for example, *Maeng et al., Atomic Layer Deposition of Ta-Based Thin Films: Reactions of Alkylamide Precursor with Various Reactants*, J. VACUUM SCI. & TECHNOL. B 24:2276 (2006) ("Maeng"), which was incorporated by reference, and that explanation was accepted by the Patent Office. See, e.g., Ex. 1002 at 9-19, 16, 269, 456. Lam now attempts to parallel track its priority argument from the Delaware litigation as well as

relitigate the Patent Office's acceptance of the Figure 16 amendments during prosecution.

III. LEVEL OF ORDINARY SKILL

For purposes of this Preliminary Response, Inpria adopts Lam's definition of a person of ordinary skill in the art ("POSITA"). Inpria reserves the right to propose an alternative definition of a POSITA should the Board grant institution.

IV. CLAIM CONSTRUCTION

Lam raises five claim constructions based on means plus function. *See* Pet. at 4-8; Ex. 1010. But Lam's own arguments indicate determining whether the claims recite means-plus-function terms is unnecessary to resolve the dispute. Pet. at 4 (arguing "even if Inpria argues these terms fall outside §112 ¶6,^[2] the limitations are still taught by the prior art"). Thus, the Board need not make a means-plus-function determination. *See Toyota Motor Corp. v. Cellport Sys., Inc.*, IPR2015-00633, Paper 11, at 16 (Aug. 14, 2015) (citing *Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999)). Under any reasonable construction of the claim

² Lam throughout its Petition refers to 35 U.S.C. § 112(6). Patent Owner clarifies that the applicable statute under the Leahy-Smith America Invents Act is 35 U.S.C. § 112(f).

terms, Lam has failed to demonstrate that the prior art discloses or suggests the challenged claims.

In any case, Lam fails to overcome the presumption against 35 U.S.C. § 112(f). Lam argues that “[t]he terms ‘structure’ and ‘configuration’ act as generic placeholders for unspecified functions, similar to ‘means,’” but relies solely on conclusory statements from its expert. Pet. at 4 (citing Ex. 1003 at ¶ 25). Lam ignores that the claims provide sufficient structure by reciting, *inter alia*, inputs, outputs, and connections. *See Inventio AG v. Thyssenkrupp Elevator Ams. Corp.*, 649 F.3d 1350, 1358-59 (Fed. Cir. 2011) (holding that “modernizing device” was not a means-plus-function limitation because the claims “delineate the components that the modernizing device is connected to, describe how the modernizing device interacts with those components, and describe the processing that the modernizing device performs”). Claim 1 of the ’048 patent recites, for instance, (i) the structure’s connections, which are the “structure configured to deliver flow from a supply of an inert gas” and the “inlet” of the “deposition chamber,” (ii) the structure’s input, which is an “organotin compound” and “an inert gas” as a “carrier gas,” and (iii) the structure’s output, which is the “organotin compound with the inert gas as a carrier gas” delivered through the “inlet,” such that the structure can “deliver flow of a first precursor vapor from the supply of the organotin compound with inert gas as a

carrier gas” to “provide for formation of an organotin layer on the substrate surface with the deposition chamber.” Ex. 1001 at 34:49-35:30.

V. ARGUMENT

A. 35 U.S.C. § 315(b) – Lam’s Petition is Time Barred

Lam’s Petition should be denied as time barred. Inpria first asserted the ’048 patent in an Amended Complaint served on December 13, 2023. Ex. 2001 at 17 (D.I. 43-44); *see also* Ex. 2029. Lam failed to serve its petition and supporting evidence until after December 13, 2024, notwithstanding its certificate of service, which incorrectly states that service was effected on December 12, 2024, which is a day *before* Lam’s Petition was even filed. *See* Pet. at Certificate of Service; *see also* 35 U.S.C. § 312(a)(5). The Stephen Gillen declaration filed by Lam in related case IPR2025-00309 also filed against the ’048 patent (and the incorporated exhibits) helps to shed light on the timing of the events. *See* Ex. 2012 (Ex. 1024 from related IPR2025-00309).

For electronic service, the Gillen Declaration and Inpria’s exhibits confirm that electronic service was not effected until 12:29 AM ET on December 14, 2024. As Mr. Gillen testified in the -00309 proceeding, he “served via email a courtesy copy [wherein] [t]he service email was transmitted on December 14, 2024 at 12:40 am ET.” Ex. 2012 at ¶¶ 6-7 (identifying Exhibit C as the service email). Mr. Gillen only alleged a 12:40 AM ET service time for the -00309 proceeding because he had

inadvertently omitted the -00309 petition in the original email at 12:28 AM ET attempting to serve both “the Petition and Exhibits for IPR2025-00256 and IPR2025-00309.” *Id.* at Ex. C; Ex. 2013. Inpria’s Exhibit 2014 is that same earlier-in-the-chain email showing a receipt time of 12:29 AM ET. Ex. 2014 at 1. As such, electronic service for this proceeding was effected early in the morning of December 14, 2024.

For physical service, the Gillen Declaration includes a photograph that Mr. Gillen testifies “shows a time of 10:00 pm PT / 1:00 am ET” for a package stated to have tracking number “EJ680364635US” underneath the barcode. Ex. 2012 at ¶ 4, Ex. A. But the tracking number under the barcode in this photograph is actually “EJ680364621US,” which reflects the tracking number for service of the Petition for this proceeding. Ex. 2012 at ¶ 4, Ex. A; Ex. 2015 (packing slip with tracking numbers EJ680364635US and EJ680364621US). But despite taking a picture of the service package at “10:00 pm PT / 1:00 am ET,” and confirming that electronic service was only sent on December 14, 2024, the Gillen Declaration curiously omits any mention of when the package was actually provided to USPS. Tracking details for both packages confirms, however, that the packages were not received by USPS until late at night on December 14, 2024, at 10:52pm. *Compare* Ex. 2016 (USPS.com document showing that the box with tracking number EJ680364621US was received by USPS on December 14, 2024 at 10:52 p.m. PT), *with* Ex. 2012 at

¶ 5, Ex. B (USPS.com document showing the box with tracking number EJ680364635US was also received by USPS on December 14, 2024 at 10:52 p.m. PT); *see also* Ex. 2017. Thus, the great weight of evidence indicates that Lam did not provide the package to USPS for service until December 14, 2024.

37 C.F.R. § 42.106(a) provides that a petition “will not be accorded a filing date until” the petitioner “[e]ffects service of the petition on the correspondence address of record as provided in § 42.105(a).” 37 C.F.R. § 42.106(a)(2); *see also* 37 C.F.R. § 42.105(a). The evidence indicates that service on the correspondence address of record was effective when received by USPS on December 14, 2024 at 10:52 p.m. *See* Ex. 2016; Ex. 2012 at Ex. B; *see also* Ex. 2014 (confirming electronic service on December 14, 2024). Thus, Lam’s Petition should be denied as time barred.

B. 35 U.S.C. § 314(a) – Lam has no Reasonable Likelihood of Prevailing with Respect to Any of the Claims

1. Lam’s Priority Date Challenge is Legally Flawed for Arguing that the Effective Filing Date is the Date of the Specification Amendment

Lam’s Petition relies on a theory of breaking the priority chain between the ’048 patent and the instant specification filed on August 6, 2020, as well as any earlier-filed non-provisional or provisional application to which the ’048 patent claims priority. *See* Pet. at 9-13. Based on this theory, Lam alleges that “the earliest priority date (or effective filing date) for the Challenged Claims is January 20,

2021—the date that the first version of Figure 16 and related text were added.” *Id.* at 13.

Lam’s priority date theory is legally defective. The effective filing date of the ’048 patent can only be its August 6, 2020 actual filing date or the filing date of a priority application—such as a parent or grandparent application—and not the filing date of a later-filed amendment. This is shown by the applicable statutory text:

35 U.S.C. § 100 - Definitions

...

(i)

(1) The term “effective filing date” for a claimed invention in a patent or application for patent means—

(A) if subparagraph (B) does not apply, the actual filing date of the patent or the application for the patent containing a claim to the invention; or

(B) the filing date of the earliest application for which the patent or application is entitled, as to such invention, to a right of priority under section 119, 365(a), 365(b), 386(a), or 386(b) or to the benefit of

an earlier filing date under section 120, 121, 365(c),
or 386(c).

The Board has repeatedly found that the priority date of an application is either its filing date or the filing date of its parent application, but not the date of any amendments during prosecution. *See David O. B. A. Adebimpe v. The Johns Hopkins University*, PGR2016-00020, Paper 14, at 3-4, (Jul. 25, 2016) (“Section 100(i)(1) does not make any provision for the effective filing date to be later than the actual filing date of the application in question, even when the application is amended later, and even when the later amendment introduces claims that lack written-description support in the original specification.”); *Front Row Technologies, LLC v. MLB Advanced Media, L.P.*, PGR2015-00023, Paper 8, at 3, (Feb. 22, 2016) (“[n]owhere does the statute contemplate that the effective filing date might depend on the date of a *later-filed* amendment”); *MPL Brands NV, Inc. v. BuzzBallz, LLC*, IPR2024-01098, Paper 8, at 17-26 (Jan. 27, 2025) (finding that if a patent claimed priority to a grandparent but the intervening parent added unsupported figures during prosecution, the patent could have an effective filing date of the intervening parent rather than the date the figures were added). Lam’s priority theory is also inconsistent with precedent rejecting a “late claiming” doctrine for determining the effective filing date of an application. *See Westphal v. Fawzi*, 555 F.2d 575, 577 (C.C.P.A. 1981) (holding that “[a]n amendment of a claim or a later filed claim does

not change the ‘date of the application’ as the reference date for applicability of the time bars in § 102(b)’’).

Lam cites no case to the contrary. Lam’s citation to *Muncie Gear Works v. Outboard, Marine & Mfg. Co.*, 315 U.S. 759, 768 (1942) from over eighty years ago, Pet. at 10, is inapposite for at least the reason that it does not interpret the relevant statutory authority which defines “effective filing date.” 35 U.S.C. § 100(i)(1). Lam’s citation to *Enzo Biochem, Inc. v. Gen-Probe Inc.*, 323 F.3d 956, 987 (Fed. Cir. 2002) states the general proposition that added material must find support in the original specification. See Pet. at 10. This does not support Lam’s theory that the effective filing date of a patent—even to the extent that added matter is not supported—is controlled by the filing date of the added matter.

2. Lam’s Priority Date Challenge Fails on the Merits Meaning Its Grounds Are Based on Non-Prior Art

The ’048 patent claims are entitled to an effective filing date of at least October 12, 2016. See Ex. 1001 at code 65 (claiming priority to, *inter alia*, “application No. 15/291,738, filed on Oct. 12, 2016”). Lam attempts to disrupt this priority claim by arguing Inpria’s addition of Figure 16 during prosecution constituted new matter, and thus, according to Lam, the ’048 patent claims are only entitled to an effective filing date of the day the final form of Figure 16 was added. Pet. at 9-13. The second part of Lam’s argument is legally incorrect for the reasons above, but the predicate is faulty as well. Inpria’s amendments adding Figure 16

were supported by the original specification, including both express disclosures and incorporation by reference of Maeng, and therefore did not constitute new matter. Because the claims are entitled to at least an October 12, 2016 priority date (if not earlier), Ground 1 fails for relying on Meyers’s April 13, 2017 publication date and Grounds 2 and 3 fail for relying on Berney’s December 30, 2020 publication date. Pet. at 13.

When a patent applicant incorporates a document by reference, the “information incorporated is as much a part of the application as filed as if the text was repeated in the application.” MPEP § 2163.07(b). However, if the applicant’s claims rely on material in an incorporated reference for § 112 support, and that incorporated reference is not a U.S. patent or U.S. patent application publication, the applicant must “submit[] an amendment ... to include the material incorporated by reference.” MPEP § 608.01(p)(I)(A); *see also id.* at Examples 1 and 2; 37 C.F.R. § 1.57 (d), (g).³ In other words, the applicant must expressly incorporate the relied-upon material that was previously incorporated only by reference.

³ The reason being that, under 37 C.F.R. § 1.57(d), “essential matter” (matter upon which the claims rely for § 112 support) may only be incorporated by reference for a U.S. patent or U.S. patent application publication. Because Inpria amended its

Such an amendment expressly incorporating previously incorporated-by-reference material is allowed under the rules and precedent. *See* 37 C.F.R. § 1.57(g); *In re Hawkins*, 486 F.2d 569, 574-75 (C.C.P.A. 1973); *see also* MPEP § 608.01(p). But in making the amendment, the applicant must confirm that the amendment does not include “new matter.” *See* 37 C.F.R. § 1.57(g). Inpria complied with those requirements in adding Figure 16 by referring to the original specification, including, for example, the “incorporation by reference of Maeng et al.” and by confirming that “[n]o new matter is introduced.” Ex. 1002 at 456-457.⁴

Under 35 U.S.C. § 132, the Office reviews the added matter in the specification amendments to determine whether to object to the added matter as new matter and reject any affected claim limitations under 35 U.S.C. § 112. *See* MPEP §§ 608.04, 2163.06, 2181(III). In reviewing such amendments, the Office explains that “rephrasing” and “[a]mendments ... which are supported in the original

specification, Lam’s hypothetical situation where Maeng’s figure would be relied on only by bare incorporation by reference, Pet. at 11 n.2, is irrelevant.

⁴ Lam’s weak attempt to twist an admission out of Inpria’s description of Figure 16 as “new” when it was added to the specification, Pet. at 10, should be rejected out of hand. The question is not whether the figure was “new,” but rather whether it was “new matter,” which it was not for the reasons described in this section.

description are NOT new matter.” MPEP § 2163.07. Furthermore, information contained in the drawings can be added to the specification (or vice versa) “without introducing new matter.” MPEP § 2163.06. The Examiner here reviewed the amendments and did not issue a new matter rejection. *See* Ex. 1002 at 456 (adding Fig. 16), 284 (Examiner acknowledging addition of Fig. 16 without including new matter rejection, but requiring corrected drawings), 269 (amending Fig. 16 as specified by Examiner), 16 (Notice of Allowance relying on structure from Fig. 16).

Collectively, this means that Inpria’s amendments adding Figure 16 did not constitute new matter, as the Examiner correctly found, because the amendments were supported by the specification as filed, including, for example, Maeng’s Figure 1 that was previously incorporated by reference. *See* Ex. 1010 at 31-33, 40-41 (citing Ex. 1001 at 19:64-20:10).

Lam contends here—just as it does in the Delaware litigation—that Figure 16 and the corresponding text are new matter because that figure is an “altered” version of Figure 1 in Maeng. Pet. at 11. But Lam fails to rebut the specification support that Inpria identified, instead only giving a deficient facial description of the passage—which Lam’s expert then parrots (even copying the same emphasis), Ex. 1003 at ¶ 31—without describing how its cursory description of the specification connects to the supposedly different aspects between the figures. Pet. at 12-13 (citing Ex. 1003 at ¶¶ 30-33). And even though Inpria included thorough expert

testimony describing how “the alterations are supported by the originally filed specification,” Ex. 1010 at 41, Lam fails to rebut this showing in its Petition.

Lam also recycles its argument from the Delaware Litigation attempting to manufacture an inconsistency between the patentee’s position that Figure 16 is supported through the incorporation by reference of Maeng and Inpria’s arguments during prosecution to overcome Maeng. Pet. at 12. But contrary to Lam’s argument, Inpria did not argue that Maeng’s “apparatus” was “unable to perform the claimed function of delivering an organotin compound.” *Id.* Instead, Inpria argued that Maeng’s “process conditions,” such as “high heating,” were not suitable for forming and preserving an organotin layer. Ex. 1010 at 41; Ex. 1002 at 53-54, 202-203.

For these reasons, the ’048 patent claims are entitled to an effective filing date of at least October 12, 2016 (if not earlier), and thus Lam’s grounds should be rejected for relying on non-prior art. As Inpria has already demonstrated—and Lam has given no reason to second guess here—Inpria’s amendment adding Figure 16 was proper and did not add new matter. Lam’s contrary arguments are without merit.

VI. CONCLUSION

For these reasons, Inpria respectfully requests that the Board deny the Petition

for *inter partes* review of the '048 patent.⁵

Respectfully submitted,

Dated: May 12, 2025

By: /Naveen Modi/
Naveen Modi (Registration No. 46,224)
Counsel for Patent Owner

⁵ If trial is instituted, Inpria reserves the right to raise additional arguments as to why Lam has failed to carry its burden and why the challenged claims should be confirmed.

CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. § 42.24(d), the undersigned certifies that the foregoing Patent Owner's Preliminary Response contains, as measured by the word-processing system used to prepare this paper, 3,428 words. This word count does not include the items excluded by 37 C.F.R. § 42.24.

Respectfully submitted,

Dated: May 12, 2025

By: /Naveen Modi/
Naveen Modi (Registration No. 46,224)
Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2025, I caused a true and correct copy of the foregoing Patent Owner's Preliminary Response to be served via email on Petitioner at the following addresses:

Dion M. Bregman (Reg. No. 45,645)
Michael J. Lyons (Reg. No. 37,386)
Ahren C. Hsu-Hoffman (Reg. No. 50,862)
Alison P. Patitucci (Reg. No. 75,370)
Zachary D. Miller (*pro hac vice*)
E-mail: MLB-Lam-IPR-Team@morganlewis.com

Respectfully submitted,

Dated: May 12, 2025

By: /Naveen Modi/
Naveen Modi (Registration No. 46,224)
Counsel for Patent Owner