

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ENTEGRIS, INC.,
Petitioner

v.

INPRIA CORP.,
Patent Owner

Case IPR2025-00267
Patent No. 11,673,903

**PATENT OWNER'S REPLY TO PETITIONER'S
SUPPLEMENTAL BRIEF ON DISCRETIONARY DENIAL**

TABLE OF CONTENTS

I. INTRODUCTION 1

II. ENTEGRIS’S REQUEST SHOULD BE DENIED BECAUSE THE
DISPOSITIVE CIRCUMSTANCES HAVE NOT CHANGED 2

III. THE PETITION SHOULD BE DENIED BECAUSE ITS UNIQUE
CIRCUMSTANCES WOULD WASTE BOARD RESOURCES.....4

TABLE OF AUTHORITIES

Page(s)

Cases

<i>Alliance Laundry Systems, LLC v. PayRange LLC</i> , IPR2025-00950, Paper 11 (Director Sept. 19, 2025)	4
<i>Arm Ltd. v. Daedalus Prime, LLC</i> , IPR2025-00207, Paper 14 (Director Aug. 6, 2025).....	2
<i>Azurity Pharms., Inc. v. Helsinn Healthcare S.A.</i> , IPR2025-00945, Paper 11 (Director Sept. 19, 2025)	5
<i>Tessell, Inc. v. Nutanix, Inc.</i> , IPR2025-00322, Paper 14 (Director June 12, 2025)	3

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. Del.), D.I. 116 (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)
2004-2027	<i>Reserved</i>
2028	Lam-Entegris Strategic Collaboration Announcement, <i>available at</i> https://www.entegris.com/en/home/about-us/news/lam-research-entegris-gelest-team-team-up-to-advance-euv-dry-resist-technology-ecosystem-july-2022.html (last visited May 12, 2025), and https://www.prnewswire.com/news-releases/lam-research-entegris-gelest-team-up-to-advance-euv-dry-resist-technology-ecosystem-301584404.html (last visited May 12, 2025)
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	Lam's Answer, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.), D.I. 52 (Jan. 12, 2024)
2031	Lam's Initial Invalidity Contentions, Ex. 13, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.) (May 13, 2024)
2032	Lam's Final Invalidity Contentions, Ex. 903-A, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.) (Feb. 20, 2025)
2033	Lam's Final Invalidity Contentions, Ex. 903-B, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.) (Feb. 20, 2025)
2034	Lam's Final Invalidity Contentions, Ex. 903-C, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.) (Feb. 20, 2025)
2035	Lam's Final Invalidity Contentions, Ex. 903-D, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.) (Feb. 20, 2025)
2036	Lam's Final Invalidity Contentions, Ex. 903-E, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.) (Feb. 20, 2025)

2037	Lam's Final Invalidity Contentions, Ex. 903-F, <i>Inpria Corp. v. Lam Research Corp.</i> , C.A. No. 22-01359-CJB (D. Del.) (Feb. 20, 2025)
2038	U.S. Patent No. 8,198,352
2039	May 9, 2025 email correspondence between counsel for Entegris and counsel for Inpria regarding Lam Common Interest
2040	JSR Corporation/Inpria Corporation and Lam Research Enter Cross Licensing and Collaboration Agreement to Advance Semiconductor Manufacturing, <i>available at</i> https://www.jsr.co.jp/jsr_e/news/2025/20250916.html (last visited October 2, 2025)
2041	Lam Research and JSR Corporation/Inpria Corporation Enter Cross-Licensing, Collaboration Agreement to Advance Semiconductor Manufacturing, <i>available at</i> https://investor.lamresearch.com/2025-09-15-Lam-Research-and-JSR-Corporation-Inpria-Corporation-Enter-Cross-Licensing,-Collaboration-Agreement-to-Advance-Semiconductor-Manufacturing (last visited October 2, 2025)
2042	PTAB de-designates SharkNinja Operating LLC v. iRobot Corp., <i>available at</i> https://www.uspto.gov/subscription-center/2025/ptab-de-designates-decision (last visited October 2, 2025)

I. INTRODUCTION

Entegris's Petition was discretionarily denied on July 2, 2025. Paper 12 ("Decision"). Entegris subsequently filed a rehearing request largely ignoring the substance of the Decision, and instead arguing that the Decision "violate[d] the APA and due process," was "contrary to PTAB precedent," and was "contrary to public policy." Paper 13. Nearly two months after filing its rehearing request, Entegris sought leave to file a supplemental brief addressing "changed circumstances." Ex. 3101. Tellingly, its supplemental brief (Paper 14) focuses less on these "changed circumstances" and more on other issues it could have presented in its first rehearing request, but chose not to. Entegris's requests for rehearing should be denied.

Although the parallel litigation between Inpria and Lam has now settled, the fact that Entegris and Lam are related parties has not changed and still justifies discretionary denial. Inpria and Lam's settlement, entered after Entegris's IPR was already denied, envisioned that "all related inter partes review (IPR) proceedings" would be dismissed. EX2040; EX2041. Lam's business partner Entegris should not be allowed to carry the torch in continuing such challenges.

The Board's limited resources would not be well spent on Entegris's challenges for additional reasons. First, Entegris challenged only one of several patents that were at issue in district court. Second, the settlement and licensing agreement creates settled expectations favoring Inpria and also introduces complex

RPI issues, making this IPR a particularly poor vehicle for a challenge to the '903 patent. Third, Entegris's allegations of Examiner error are meritless because, instead of conducting experiments on what the Examiner considered, Entegris asked its own employee to conduct modified experiments that included steps and substitutions that are not taught in Entegris's prior art. Tellingly, while Entegris makes the experiments a focus of its supplemental brief, it did not even make this argument in its original rehearing request.

II. ENTEGRIS'S REQUEST SHOULD BE DENIED BECAUSE THE DISPOSITIVE CIRCUMSTANCES HAVE NOT CHANGED

Entegris's request treats dismissal of the parallel litigation as a silver bullet for referral upon settlement, citing *Arm Ltd. v. Daedalus Prime, LLC*, IPR2025-00207, Paper 14 at 2-3 (Director Aug. 6, 2025). Paper 14 at 3. *Arm* is not so one-dimensional. The petitioner in *Arm* asked for reconsideration one week after the decision, much sooner than Entegris did here (three months). Entegris's approach would encourage parties to file meritless rehearing requests in the hopes of some later changed circumstances. Further, the petitioner in *Arm* identified the fact that "substantially identical claims" in a related patent had recently been held unpatentable by the Board. *Arm* at 3. This was a significant factor because the "similarity of the patent issues" between the prior Board decision and the petitioner's challenges meant that "it is efficient for the Board to take up this case." *Id.* No such efficiency exists here. To the contrary, Entegris presents a fact-intensive inquiry

into flawed experimental testing involving steps not taught in the prior art. DD Req. at 21-35.

Entegris's involvement with Lam further complicates matters. Inpria previously raised the relationship between Lam and Entegris as a reason for discretionary denial. The Director agreed and held that "the parties are related" and that "there is a business relationship between [Lam] and [Entegris] here." Decision at 2. Entegris challenged the Director's conclusion in its first rehearing request (Paper 13), but provided absolutely no evidence supporting its argument and identified nothing that the Director "misapprehended or overlooked." The salient facts are beyond dispute: (1) although the patents were asserted against Lam, Entegris and Lam split the work and challenged different patents, both filing around Lam's bar date (DD Req. at 20); (2) Lam's invalidity contentions in the district court incorporated by reference everything presented by Entegris in this IPR (*id.* at 14-18); (3) Lam and Entegris invoked common interest privilege (*id.* at 19); and (4) Entegris somehow obtained and filed in this IPR a copy of an email sent only to Lam's counsel (not Entegris's) (EX1028) just days after it was sent despite this email not appearing on the public docket. Paper 11.

Entegris's request should be discretionarily denied to prevent unfair dealings. *See Tessell, Inc. v. Nutanix, Inc.*, IPR2025-00322, Paper 14 (Director June 12, 2025). Inpria and Lam entered a licensing agreement and agreed "to dismiss all claims

against each other in the litigation Inpria v. Lam Research (Case 1:22cv01359) in the District Court of Delaware and all related inter partes review (IPR) proceedings.” EX2040; EX2041. In these circumstances, it would be unjust to allow Lam’s business partner Entegris to use the settlement as an excuse to revive its Petition and waste the Board’s limited resources.

III. THE PETITION SHOULD BE DENIED BECAUSE ITS UNIQUE CIRCUMSTANCES WOULD WASTE BOARD RESOURCES

First, the patent at issue here is just one of several that were at issue in district court. Regardless of the outcome of this IPR, other patents that were at issue in district court would remain.

Second, the settlement and licensing agreement creates settled expectations favoring Inpria and introduces complex RPI issues. The agreement between Inpria and Lam was entered into *after* Entegris’s Petition was denied in an effort “to support chipmakers as they scale in the AI era.” EX2040; EX2041. The agreement was announced on September 15, 2025, after Lam was time barred and 75 days after Entegris’s Petition was denied on July 2, 2025. EX2040; EX2041; Paper 12. Board resources should not be used to disturb Inpria’s settled expectations. *See, e.g., Alliance Laundry Systems, LLC v. PayRange LLC*, IPR2025-00950, Paper 11 at 3 (Director Sept. 19, 2025) (licensing a patent within six years of issuance “creates some settled expectations favoring Patent Owner”). Relatedly, the Petition should not be considered on the merits before the RPI issue is resolved. *See* EX2042 (the

“disclosure of RPIs serves purposes other than time-bar and estoppel issues” before institution). If the Petition is referred, the interests of justice would necessitate discovery into the relationship between Lam and Entegris in preparing the Petition.

Third, Entegris’s allegations of examiner error (Paper 14 at 5) based on *Azurity Pharms., Inc. v. Helsinn Healthcare S.A.*, IPR2025-00945, Paper 11 at 3 (Director Sept. 19, 2025) are meritless because Entegris’s grounds are based on experiments with modifications not found in the prior art. *Azurity*, by contrast, involved analyzing “the data and evidence presented to the patent examiner.” *Azurity* at 3 (pointing to a table of data that was in the prosecution history that petitioner argued was overlooked). Entegris did not focus on what was presented to the Examiner, but instead asked its own employee to conduct experiments that include foil-wrapping, particular reagent excesses, and solvent substitutions that are not found in the prior art. *See* DD Req. at 21-35; POPR at 7-24. And Entegris did not provide lab notebooks or NMR data to substantiate its experiments that are the basis for its allegations of error. DD Req. at 23-24. Entegris’s unsubstantiated and non-prior art procedures fail to show error.

Respectfully submitted,

Dated: October 2, 2025

By: / Naveen Modi /
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CERTIFICATE OF SERVICE

I hereby certify that on October 2, 2025, I caused a true and correct copy of the foregoing Patent Owner's Reply to Petitioner's Supplemental Brief on Discretionary Denial to be served via email on Petitioner at the following addresses:

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