

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

MOSAID TECHNOLOGIES INC.,

Plaintiff,

v.

INFINEON TECHNOLOGIES AG and
INFINEON TECHNOLOGIES AMERICAS
CORP.,

Defendants.

Civil No. 1:25-cv-436-ADA

JURY TRIAL DEMANDED

**DEFENDANTS' ELECTION OF ASSERTED
PRIOR ART GROUNDS**

Pursuant to the First Amended Scheduling Order (D.I. 43), Defendants Infineon Technologies AG and Infineon Technologies Americas Corp. (collectively, "Infineon") elect the following prior art invalidity grounds:

I. U.S. Patent No. 10,140,028

Asserted Claim	Listing of Grounds
1	1. Ryu, in view of Cole, Arcoleo, and Grundy 2. Spansion 29NS-N in view of Widmer '307, Flach '617, and JESD79-2B 3. Spansion 29NS-N in view of Roohparvar '791, Smith '581, and Waldrop '804 4. Hynix in view of Roohparvar '791, Smith '581, Waldrop '804, Roohparvar '270, and Garrett '005 5. Hynix in view of Widmer '307, Flach '617, JESD79-2B, Roohparvar '270, and Garrett '005
2	1. Ryu, Cole in view of Arcoleo, and Grundy 2. Spansion 29NS-N, Widmer '307, Flach '617, and JESD79-2B 3. Spansion 29NS-N in view of Roohparvar '791, Smith '581, and Waldrop '804

	4. Hynix in view of Roohparvar '791, Smith '581, Waldrop '804, and Roohparvar '270 5. Hynix in view of Widmer '307, Flach '617, JESD79-2B, and Roohparvar '270
3	1. Ryu, Cole in view of Arcoleo, and Grundy 2. Spansion 29NS-N in view of Widmer '307, Flach '617, and JESD79-2B 3. Spansion 29NS-N in view of Roohparvar '791, Smith '581, and Waldrop '804 4. Hynix in view of Roohparvar '791, Smith '581, Waldrop '804, and Roohparvar '270 5. Hynix in view of Widmer '307, Flach '617, JESD79-2B, and Roohparvar '270
10	1. Ryu in view of Cole, Arcoleo, and Grundy 2. Spansion 29NS-N in view of Widmer '307, Flach '617, and JESD79-2B 3. Spansion 29NS-N in view of Roohparvar '791, Smith '581, and Waldrop '804 4. Hynix in view of Roohparvar '791, Smith '581, Waldrop '804, and Roohparvar '270 5. Hynix in view of Widmer '307, Flach '617, JESD79-2B, and Roohparvar '270
11	1. Ryu in view of Cole, Arcoleo, and Grundy 2. Spansion 29NS-N in view of Widmer '307, Flach '617, and JESD79-2B 3. Spansion 29NS-N in view of Roohparvar '791, Smith '581, and Waldrop '804 4. Hynix in view of Roohparvar '791, Smith '581, Waldrop '804, and Roohparvar '270 5. Hynix in view of Widmer '307, Flach '617, JESD79-2B, and Roohparvar '270
12	1. Ryu in view of Cole, Arcoleo, and Grundy 2. Spansion 29NS-N in view of Widmer '307, Flach '617, and JESD79-2B 3. Spansion 29NS-N in view of Roohparvar '791, Smith '581, and Waldrop '804 4. Hynix in view of Roohparvar '791, Smith '581, Waldrop '804, and Roohparvar '270 5. Hynix in view of Widmer '307, Flach '617, JESD79-2B, and Roohparvar '270
13	1. Ryu in view of Cole, Arcoleo, and Grundy 2. Spansion 29NS-N in view of Widmer '307, Flach '617, and JESD79-2B 3. Spansion 29NS-N in view of Roohparvar '791, Smith '581, and Waldrop '804

	4. Hynix in view of Roohparvar '791, Smith '581, Waldrop '804, and Roohparvar '270 5. Hynix in view of Widmer '307, Flach '617, JESD79-2B, and Roohparvar '270
14	1. Ryu in view of Cole, Arcoleo, and Grundy 2. Spansion 29NS-N in view of Widmer '307, Flach '617, and JESD79-2B 3. Spansion 29NS-N in view of Roohparvar '791, Smith '581, and Waldrop '804 4. Hynix in view of Roohparvar '791, Smith '581, Waldrop '804, and Roohparvar '270 5. Hynix in view of Widmer '307, Flach '617, JESD79-2B, and Roohparvar '270
15	1. Ryu in view of Cole, Arcoleo, and Grundy 2. Spansion 29NS-N in view of Widmer '307, Flach '617, and JESD79-2B 3. Spansion 29NS-N in view of Roohparvar '791, Smith '581, and Waldrop '804 4. Hynix in view of Roohparvar '791, Smith '581, Waldrop '804, and Roohparvar '270 5. Hynix in view of Widmer '307, Flach '617, JESD79-2B, and Roohparvar '270

II. U.S. Patent No. 9,972,381

Asserted Claim	Listing of Grounds
1	1. Grundy in view of Kilbuck 2. Spansion 29NS-N in view of Widmer '307 and Conley '273 3. Hynix in view of Widmer '307 4. Samsung in view of Roohparvar '791 5. Samsung in view of Widmer '307
2	1. Grundy in view of Kilbuck 2. Spansion 29NS-N in view of Widmer '307, Conley '273, and Garret '005 3. Hynix in view of Widmer '307 and Garrett '005 4. Samsung in view of Roohparvar '791 and Garrett '005 5. Samsung in view of Widmer '307 and Garrett '005
4	1. Grundy in view of Kilbuck 2. Spansion 29NS-N in view of Widmer '307, Conley '273, and Ryu '499 3. Hynix in view of Widmer '307 and Ryu '499

	4. Samsung in view of Roohparvar '791 and Garrett '005 5. Samsung in view of Widmer '307 and Ryu '499
6	1. Grundy in view of Kilbuck 2. Spansion 29NS-N in view of Widmer '307, Conley '273, and Ryu '499 3. Hynix in view of Widmer '307 and Ryu '499 4. Samsung in view of Roohparvar '791 and Garrett '005 5. Samsung in view of Widmer '307 and Garrett '005
10	1. Grundy in view of Kilbuck 2. Spansion 29NS-N, Widmer '307, Conley '273, and Roohparvar '909 3. Hynix in view of Widmer '307 and Roohparvar '909 4. Samsung in view of Roohparvar '791 and Roohparvar '909 5. Samsung in view of Widmer '307 and Conley '273
12	1. Grundy in view of Kilbuck 2. Spansion 29NS-N in view of Widmer '307, Conley '273, and Jigour '900 3. Hynix in view of Widmer '307 4. Samsung in view of Roohparvar '791 and Jigour '900 5. Samsung in view of Widmer '307 and Jigour '900
15	1. Grundy in view of Kilbuck 2. Spansion 29NS-N in view of Widmer '307 and Conley '273 3. Hynix in view of Widmer '307 4. Samsung in view of Roohparvar '791 and Conley '273 5. Samsung in view of Widmer '307
16	1. Grundy in view of Kilbuck 2. Spansion 29NS-N in view of Widmer '307 and Conley '273 3. Hynix in view of Widmer '307 4. Samsung in view of Roohparvar '791 and Spansion 29NS-N 5. Samsung in view of Widmer '307
21	1. Grundy in view of Kilbuck

	2. Spansion 29NS-N in view of Widmer '307 and Conley '273 3. Hynix in view of Widmer '307 and Spansion S29NS-N 4. Samsung in view of Roohparvar '791 and Spansion S29NS-N 5. Samsung in view of Widmer '307 and Spansion S29NS-N
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III. U.S. Patent No. 7,685,393

Asserted Claim	Listing of Grounds
1	1. Zumkehr '225 in view of Stark '922 2. LaBerge '345 in view of Matsui '192 3. Thomann '444 in view of Stark '922 4. Kerl '350 in view of Stark '922 5. Altera Cyclone in view of Stark '922
9	1. Zumkehr '225 in view of Stark '922 and Johnson '378 2. LaBerge '345 in view of Matsui '192 and Stark '922 3. Thomann '444 in view of Stark '922 4. Kerl '350 in view of Stark '922 and Manabe '167 5. Altera Cyclone in view of Stark '922 and Johnson '378
13	1. Zumkehr '225 in view of Stark '922 and LaBerge '345 2. LaBerge '345 in view of Matsui '192 3. Thomann '444 in view of Stark '922 and LaBerge '345 4. Kerl '350 in view of Stark '922 and LaBerge '345 5. Altera Cyclone in view of Stark '922 and LaBerge '345

Infineon's election of prior art invalidity grounds is without prejudice. For example, this election has been made without the benefit of claim construction, fact discovery, final articulation of MOSAID's infringement theories, and prior to any decisions by the Patent Trial and Appeal Board regarding institution of an *inter partes* review proceedings. In accordance with the procedures set forth in the Scheduling Order (D.I. 43), Infineon reserves the right to substitute

grounds should it have good cause to do so. Also in accordance with the Scheduling Order, this election is made without prejudice to any non-prior art grounds of invalidity (such invalidity grounds brought pursuant to 35 U.S.C. §§ 101, 112) that Infineon has disclosed and will pursue in this case. Further, notwithstanding Infineon's election of prior art grounds, Infineon reserves the right to rely on any previously-disclosed reference to illustrate the state of the art at the time of the alleged invention claimed by each of MOSAID's asserted patent, to demonstrate how a skilled artisan would understand the teachings of references included in Infineon's elected prior art grounds, and/or to demonstrate the knowledge or motivations of a skilled artisan.