

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROCHIP TECHNOLOGY INCORPORATED; AND
MICROSEMI CORPORATION,

Petitioners,

v.

BELL SEMICONDUCTOR, LLC,

Patent Owner.

Case No. IPR2020-00191
U.S. Patent No. 7,221,173

**DECLARATION OF KOUROS AZIMI IN SUPPORT OF
PATENT OWNER'S PRELIMINARY RESPONSE
UNDER 35 U.S.C. § 313 AND 37 C.F.R. § 42.107**

I, Kouros Azimi, hereby declare as follows:

I. INTRODUCTION

1. I am over the age of eighteen (18) years and otherwise competent to make this declaration.

2. I am Senior Director of IP for Bell Semiconductor, LLC (“Bell Semic”).

3. I make this declaration based on my personal knowledge.

4. Bell Semic is the owner of U.S. Patent No. 7,221,173 (the “’173 Patent”) Bell Semic purchased the ’173 Patent from Avago Technologies General IP (Singapore) PTE. Ltd. (“Avago”), which acquired the ’173 Patent from the original assignee, Agere Systems, Inc., through a series of mergers, acquisitions, and transfers.

5. I was a Patent Engineer and Senior Manager at Agere Systems (“Agere”) from February 2004 through May 2013.

6. Agere designed and manufactured integrated circuits and was a global leader in semiconductors and software solutions for storage, mobility, and networking markets. As part of its business, Agere had a licensing program, which provided a significant business and economic incentive to promptly file and protect all intellectual property and inventions developed at the company.

7. I served as the Chairman of the Agere Patent Committee from February 2004 to May 2013.

8. Engineers at Agere would submit ideas for inventions stemming from their work on an invention submission form. The forms were then submitted to the Patent Committee either via email or in hard copy.

9. Upon receipt by the patent staff, an invention submission form would be stamped and (1) assigned a sequential submission number, (2) dated with the date received by the Agere IP department, and (3) assigned to an in-house Agere attorney.

10. The Agere Patent Committee met monthly, usually the second Wednesday of the month, to review invention submissions received from Agere engineers.

11. Generally, all invention submissions were compiled into a binder and distributed to committee members before each meeting. The cutoff date to compile invention submission forms was generally one week before the actual meeting.

12. If approved by the patent committee, an invention submission would be transmitted to Agere's outside prosecution counsel to prepare a draft application. The transmission to outside prosecution counsel generally occurred within 1-2 weeks after approval by the patent committee.

13. Agere generally approved and referred dozens of submissions from each monthly patent review meeting to outside prosecution counsel to become patent applications.

14. Once assigned, prosecution counsel would review the submission materials. Depending on the materials provided by Agere, prosecution counsel would begin the drafting process (if they had sufficient information), or prosecution counsel might set up a meeting with the relevant engineers/inventor(s) to better understand a claimed invention before beginning the drafting process.

15. The drafting process was iterative, with drafts and comments exchanged between outside prosecution counsel on the one hand and in-house counsel and the engineer/inventors(s) on the other hand.

16. Once a patent application was complete, the managing in-house Agere attorney would make one final review of the application before filing with the Patent Office. While times could vary depending on the complexity of the invention, on average, it took three months to complete the drafting process and convert an invention submission package into to final patent application.

17. I have reviewed the Invention Submission designated Exhibit 2001. The form is consistent with the invention submission forms used by Agere in 2004. Based on my review of Ex. 2001, it was received by the Agere Patent Committee

by May 10, 2004, and was assigned to in-house attorney Fred M. Romano, as designed by the initials “FMR.”

18. Based on the general practice of the Agere Patent Committee outlined above, the invention submission of Exhibit 2001 was most likely raised and discussed at the June 2004 Agere Patent Committee meeting.

I hereby declare that all statements made are of my own knowledge are true and that all statements made on information and belief are believed to be true. I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this proceeding.

March 19, 2021



Kouros Azimi