

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR
MANUFACTURING COMPANY LTD. and APPLE INC.
Petitioners

v.

MYW SEMITECH, LLC,
Patent Owner

U.S. Patent No. 11,538,763
Issue Date: December 27, 2022

Title: CHIP PACKAGE

Inter Partes Review No. IPR2026-00066

PATENT OWNER'S PRELIMINARY RESPONSE

TABLE OF CONTENTS

I. INTRODUCTION1

II. THE '763 PATENT.....3

III. LEVEL OF ORDINARY SKILL4

IV. CLAIM CONSTRUCTION5

V. PETITIONER FAILS TO DEMONSTRATE A REASONABLE
LIKELIHOOD THAT ANY CHALLENGED CLAIM IS UNPATENTABLE
.....6

 A. The Petition Fails To Comply With 37 C.F.R. §42.104(b)(3) Because
 It Advances Inconsistent Claim Construction Positions Before The
 Board and District Court6

 B. The Petition Fails To Comply With 37 C.F.R. §42.24(a)(1)(i) Because
 It Substantially Exceeds 14,000 Words.....8

 C. The Petition Fails To Comply With 37 C.F.R. § 42.104(a).....11

 D. The Petition Fails To Demonstrate A Reasonable Likelihood That Any
 Challenged Claims Are Unpatentable Under Grounds 1A-1D12

 1. Sundaram Does Not Teach or Suggest the Claimed “First
 Region” and the “Second Region”12

 E. The Petition Fails to Demonstrate A Reasonable Likelihood That Any
 Challenged Claims Are Unpatentable Under Grounds 2A-2C18

 1. The Yu-Lin-191 Combination Does Not Teach or Suggest the
 Claimed “Solid Layer” that is a “Compound of Silicon and
 Oxygen”18

 2. The Yu-Lin-191 Combination Does Not Teach or Suggest the
 Claimed Thickness of the “Solid Layer”20

VI. CONCLUSION.....21

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Pi Net Int’l, Inc. v. JPMorgan Chase & Co.</i> , 600 F. App’x 774 (Fed. Cir. 2015)	11
<i>Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.</i> , IPR2025-00632, Paper 20, 5 (PTAB Nov. 3, 2025).....	2, 7, 8
<i>Revvo Techs. Inc. v. Cerebrum Sensor Techs, Inc.</i> , IPR2025-00632, Paper 36 (PTAB Jan. 26, 2026)	7
<i>Tesla, Inc. v. Intellectual Ventures II LLC</i> , IPR2025-00340, Paper 18, 3 (PTAB Nov. 5, 2025).....	7, 8
Statutes	
35 U.S.C. § 314(a)	1
Other Authorities	
37 C.F.R. § 42.24 (a)(1)(i)	2, 8, 11
37 C.F.R. §42.104(a).....	3, 11, 12
37 C.F.R. §42.104(b)(3).....	2, 6
37 C.F.R. § 42.104(b)(4)’s.....	10
37 C.F.R. § 42.107	1
83 Fed. Reg. 51,340, 51,350 (Oct. 11, 2018).....	7

PATENT OWNER'S EXHIBIT LIST

Exhibit No.	Description
2001	U.S. Patent No. 9,615,453
2002	Information Disclosure Statement for U.S. Application No. 17/929,180 dated December 21, 2023
2003	[SEALED] Email chain between Richard Juang, counsel for MYW Semitech, and Daniel Richards, counsel for Apple Inc., regarding production of materials
2004	[SEALED] Defendant Apple Inc.'s First Supplemental Responses to Plaintiff MYW Semitech, LLC's First Set of Interrogatories (Nos. 1-12)
2005	[SEALED] Email chain between Richard Juang, counsel for MYW Semitech, and Daniel Richards, counsel for Apple Inc., regarding availability of source code
2006	[SEALED] Email chain between Richard Juang and Peter Yang, counsel for TSMC, regarding inventorship.
2007	Oral Order for Motion to Stay Pending <i>Inter Partes</i> Review, <i>MYW Semitech, LLC v. Apple Inc.</i> , 1-25-cv-00504 (DDE) Dkt. 68 (January 21, 2026)
2008	Stipulation and [Proposed] Order to Amend Scheduling Order, <i>MYW Semitech, LLC v. Apple Inc.</i> , 1-25-cv-00504 (DDE) Dkt. 58 (December 3, 2025)
2009	Apple Inc.'s Infringement Contentions, <i>MYW Semitech, LLC v. Apple Inc.</i> , 1-25-cv-00504 (DDE) (January 9, 2026)
2010	Agreed Stipulation Regarding the Discovery of Electronically Stored Information, <i>MYW Semitech, LLC v. Apple Inc.</i> , 1-25-cv-00504 (DDE) Dkt. 39 (October 14, 2025)
2011	Revision to Rules of Practice Before the Patent Trial and Appeal Board, 90 Fed. Reg. 48,335 (proposed Oct. 17, 2025) (to be

	codified at 37 C.F.R. pt. 42).
2012	Declaration of Richard Juang
2013	Default Protective Order
2014	Apple Inc's Proposed Constructions in <i>MYW Semitech, LLC v. Apple Inc.</i> , C.A. No. 25-504-RGA-EGT (Feb. 12, 2026)
2015	Joint Claim Construction Chart in <i>MYW Semitech, LLC v. Apple Inc.</i> , C.A. No. 25-504-RGA-EGT (Feb. 26, 2026)

Pursuant to 35 U.S.C. § 314(a) and 37 C.F.R. § 42.107, Patent Owner MYW Semitech, LLC, (“MYW” or “Patent Owner”) files this preliminary response setting forth merits and non-discretionary reasons why institution of the Petition for *inter partes* review (“IPR”) of claims 1-23 (the “challenged claims”) of U.S. Patent No. 11,538,763 (“the ’763 patent”), as requested by Taiwan Semiconductor Manufacturing Company Ltd. (“TSMC”) and Apple Inc. (“Apple”) (collectively, “Petitioners”), should be denied.

I. INTRODUCTION

Institution should be denied for multiple reasons. First, the Petition fails to demonstrate a reasonable likelihood that any challenged claim is unpatentable. For Grounds 1A-1D, the Petition relies on Sundaram for limitations relating to the claimed first and second regions. But in claims 1 and 18, only the “second region” is recited as including “copper plugs” (claim 1) or metal conductors (claim 18). The Petition points to Figure 3 of Sundaram as containing a “first region,” but that region has copper plug. In addition, Sundaram’s Figure 3 does not accurately show the claimed relative spacing and relationship of the vias.

For grounds 2A-2C, the Petition alleges Yu discloses the claimed “solid layer” that is a “compound of silicon and oxygen.” But the alleged solid layer in Yu is silicone rubber that is not in a solid state. In addition, the claims require the solid layer to have “a thickness between 100 and 300 micrometers.” But a POSITA

reviewing Yu and Lin-191 would not choose a layer with a thickness between 100 and 300 micrometers.

Second, the Petition fails to comply with the regulations governing IPR Petitions. 37 C.F.R. §42.104(b)(3) (and the Director’s guidance in *Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper 20, 5 (PTAB Nov. 3, 2025) (precedential)) require Petitioners to “explain sufficiently why [different claim construction positions are] warranted.” In the district court litigation, Petitioner Apple proposed a narrowing construction for “semiconductor chip” as “[p]lain and ordinary meaning, which is ‘a semiconductor device comprising an IC (integrated circuit).’” Here, Petitioners argue that “claim construction is unnecessary” for any term. Accordingly, under *Revvo* and similar Director Review decisions, institution should be denied because Petitioners are advancing a different, narrower claim construction in the district court than in this IPR without any explanation for why a different construction is necessary here.

The 131-page Petition also fails to comply with 37 C.F.R. § 42.24 (a)(1)(i), exceeding the 14,000 word limit for Petitions by thousands of words. The Petition uses excessive words in images, deleted spacing between words, and excessive acronyms or abbreviations for word phrases to circumvent the rules on word count. Patent Owner will be significantly prejudiced if it is limited to 14,000 words in its Patent Owner’s Response to respond to the 131-page Petition.

Finally, the Petition fails to comply with 37 C.F.R. §42.104(a), which requires Petitioners to certify that the '763 Patent “is available for *inter partes* review and that the petitioner is not barred or estopped from requesting an *inter partes* review challenging the patent claims on the grounds identified in the petition.” Instead, the Petition certifies only that “the '763 Patent is eligible for IPR.”

For each of these reasons, institution should be denied.

II. THE '763 PATENT

The '763 Patent discloses a “method and structure to manufacture a glass substrate” and a “chip building a system on the glass substrate.” *See* Ex. 1001, 1:20-23. The glass substrate comprises “multiple metal conductors through in said glass substrate and multiple metal bumps are between said glass substrate and said display panel substrate, wherein said one of said metal conductors is connected to one of said contact pads through one of said metal bumps.” *Id.*, abstract.

Claim 1 is reproduced below:

Claim	Claim Language
1(Pre)	A chip package comprising:
1A	a solid layer having a first surface and a second surface opposite to said first surface, wherein said first surface is substantially parallel to said second surface, wherein said solid layer comprises a compound of silicon and oxygen, wherein said solid layer has a thickness between 100 and 300 micrometers , wherein said solid layer comprises a first

	region and a second region between said first region and an edge of said solid layer;
1B	a plurality of copper plugs in a plurality of through vias in said second region of said solid layer respectively, wherein one of said plurality of copper plugs comprises a first copper layer contacting a sidewall of one of said plurality of through vias, wherein said first region has a width in a direction greater than a shortest distance between said sidewall of one of said plurality of through vias and said edge of said solid layer in said direction and greater than a pitch between two neighboring copper plugs of said plurality of copper plugs;
1C	a first interconnection scheme over said first surface, wherein said first interconnection scheme comprises a first metal interconnect over said first surface, a second metal interconnect over said first surface and first polymer layer over said first and second metal interconnects, wherein said first metal interconnect is connected to a first copper plug of said plurality of copper plugs, wherein said second metal interconnect is connected to a second copper plug of said plurality of copper plugs, wherein said first metal interconnect comprises a first metal layer and a second copper layer comprises a first metal layer and a second copper layer second copper plug and a top surface of said first copper plug are substantially in the same horizontal plane;
1D	a first metal bump over said first interconnection scheme, wherein said first metal bump comprises a second metal wherein said first metal bump comprises a second metal layer; and
1E	a first semiconductor chip under said first interconnection scheme, wherein said first semiconductor chip comprises a third metal interconnect on a first metal pad of said first semiconductor chip, wherein said third metal interconnect comprises a third metal layer on said first metal pad and a third copper layer over said third metal layer, wherein said third copper layer has a thickness between 5 and 30 micrometers.

III. LEVEL OF ORDINARY SKILL

Petitioners allege the following level of ordinary skill:

A POSITA at the time of the '763 Patent would have had at least a bachelor's degree in electrical engineering, materials science, or

physics (or an equivalent degree), and at least two years of experience in semiconductor design or semiconductor manufacturing. A master's degree or Ph.D. in a relevant field may substitute for some work experience or vice versa. Additional education or experience might substitute for the above requirements.

Pet., 1. For the purposes of this preliminary response, Patent Owner does not dispute Petitioners' level of ordinary skill.

IV. CLAIM CONSTRUCTION

Petitioners allege that “[f]or this IPR only, claim construction is unnecessary because, as set forth herein, the prior art falls within the indisputable scope of the Challenged Claims under any reasonable construction (including any proposed in litigation).” Pet., 2. As discussed below, this Petition should be dismissed because Petitioners have proposed a different, narrower construction in the district court litigation for the term “semiconductor chip.”

For the purposes of this preliminary response, Patent Owner does not believe any claims need to be construed. Patent Owner reserves the right to propose claim terms for construction should this IPR be instituted. In the corresponding district court litigation, Patent Owner has not proposed any specific constructions for any claim terms.

**V. PETITIONER FAILS TO DEMONSTRATE A REASONABLE
LIKELIHOOD THAT ANY CHALLENGED CLAIM IS
UNPATENTABLE**

**A. The Petition Fails To Comply With 37 C.F.R. §42.104(b)(3)
Because It Advances Inconsistent Claim Construction Positions Before
The Board and District Court**

The Petition asserts that “claim construction is unnecessary.” Pet., 2. But in the parallel district court litigation between Patent Owner and Petitioner Apple, Apple has identified a claim term for construction and provided a proposed construction for that term. In the district court litigation, Apple has identified the term “semiconductor chip” for construction. Apple has asserted that “semiconductor chip” should be construed to have its plain and ordinary meaning which is “a semiconductor device comprising an IC (integrated circuit).” Ex. 2014. In the district court, Apple stated it believe this construction for “semiconductor chip” “may be relevant to lack of written description or enablement, an/or non-infringement.” Ex. 2015, 4. The term “semiconductor chip” is present in both independent claims (1 and 18) as well as dependent claims 3, 4, 6, 14, 16 and 21 of the ’763 Patent. *See* Ex. 1001.

The Petition should be denied because Petitioner Apple has proposed inconsistent positions for the construction of “semiconductor chip.” 37 C.F.R. §42.104(b)(3) requires the Petition identify “how the challenged claim is to be construed.” “Although the Board’s rules do not necessarily prohibit petitioners

from taking inconsistent claim construction positions before the Board and a district court, [] when a petitioner advances different positions before the Board and a district court, that petitioner is required to explain why those different positions are warranted. *Tesla, Inc. v. Intellectual Ventures II LLC*, IPR2025-00340, Paper 18, 3 (PTAB Nov. 5, 2025) (informative). *See also Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper 20, 4 (PTAB Nov. 3, 2025) (precedential) (“the rules discourage petitioners from seeking broader constructions at the Board to support a patentability challenge while seeking narrower constructions in litigation to avoid infringement liability”); *Revvo Techs. Inc. v. Cerebrum Sensor Techs, Inc.*, IPR2025-00632, Paper 36 (PTAB Jan. 26, 2026) (vacating decision granting institution and denying institution where Petitioner failed to sufficiently explain why it was taking a different claim construction position in the IPR); Changes to the Claim Construction Standard for Interpreting Claims in Trial Proceedings Before the Patent Trial and Appeal Board, 83 Fed. Reg. 51,340, 51,350 (Oct. 11, 2018) (“Claim Construction Standard”) (adopting the *Phillips* standard “will promote a more fair and balanced system because parties will no longer be able to argue for a broader claim scope in PTAB proceedings than that used by federal courts.”).

Here, Petitioners have not identified why different claim construction positions are warranted in the district court and IPR. Pet., 2. Instead of applying

Apple’s proposed construction for “semiconductor chip” from district court, Petitioners instead apply no construction. *See, e.g.*, Pet., 2. Accordingly, the Petition should be denied under *Tesla* and *Revvo*.

B. The Petition Fails To Comply With 37 C.F.R. §42.24(a)(1)(i) Because It Substantially Exceeds 14,000 Words.

37 C.F.R. § 42.24 (a)(1)(i) limits Petitions requesting *inter partes* review to 14,000 words. The Trial Practice Guide explains that “when certifying word count, a party need not go beyond the routine word count supplied by their word processing program.” However, the Trial Practice Guide warns that “Parties should not abuse the process.” Patent Trial and Appeal Board Consolidated Trial Practice Guide (“CTPG”), 38 (Nov. 2019)¹ (“Word Count and Page Limits”). “Except in cases of obvious abuse, the Board will generally accept a party’s certification of compliance with word count limits.” *Id.* The Consolidated Trial Practice Guide explains:

Excessive words in figures, drawings, or images, deleting spacing between words, or using excessive acronyms or abbreviations for word phrases, in order to circumvent the rules on word count, may lead to a party’s brief not being considered. *See, e.g., Pi Net Int’l, Inc. v. JPMorgan Chase & Co.*, 600 F. App’x 774 (Fed. Cir. 2015).

Id., 40.

¹ Available at <https://www.uspto.gov/sites/default/files/documents/tpgnov.pdf>.

This is a case of obvious abuse. The Petition is **131 pages long**, not counting sections that are not considered for the word count. *See* Pet., 1-131. Almost two normal, 14,000-word Petitions could fit in 131 pages. While Petitioners certify a word count of 13,457 words, that certification does not take into account the “excessive words in figures, drawing, or images,” the “delet[ed] spacing between words” or the “use[of] excessive acronyms [and] abbreviations for word phrases” rampant throughout the 131 pages of the Petition. CTPG, 40.

The Petition contains roughly **114 images of figures**, almost all of which contain additional words that are not part of the certified word count. Counting only additional words that were added to these figures by Petitioners and were not already present in the original figures, these 114 images account for approximately **967** additional words.

The Petition contains excessive acronyms and abbreviations for word phrases, including “REOS” for “reasonable expectation of success” (39 uses), “MTC” for “motivation to combine” (49 uses) and “RDL” for “polymer-metal redistribution layer” (20 uses). These unusual abbreviations alone account for **over 300 additional words**. This is without counting more common abbreviations such as POSITA, CTE, etc., which would balloon the word count by hundreds more words.

Many of the limitations also contain only cross references in lieu of argument or explanation. *See, e.g.*, Pet., 124-136. While this is an obvious attempt to circumvent the word limit, it also calls into question whether the Petition satisfies 37 C.F.R. § 42.104(b)(4)'s requirement to identify "how the construed claim is unpatentable."

Patent Owner's complaint is not so much the methods Petitioners used to circumvent the word limits but rather the sheer scope of the circumvention. Annotated figures, abbreviations and contractions are common in Petitions and ordinarily not something Patent Owner would raise, however here the sheer number of annotated figures, abbreviations, acronyms, and cross references are an obvious and blatant attempt to circumvent the rules on word count.

Further, there is no reason this Petition needed to be nearly twice as long as a normal Petition. This is not a patent with an excessive number of claims. The '763 Patent has only 23 claims. Ex. 1001, cls. 1-23. The independent claims are not short, but there are only two. *Id.*, cls. 1, 18. The entire claim section takes up approximately a page and a half of the patent. Many of the limitations are repeated between the two claim sets. The issue is that the Petition contains seven separate grounds that collectively cover each claim of the '763 Patent multiple times. Pet., 2. There was no need for a single Petition to advance seven separate grounds over 131 pages given the claims at issue.

Finally, rebutting a Petition of this extraordinary length is prejudicial to Patent Owner. Patent Owner does not necessarily need extra word count for this paper given the limited scope of the optional preliminary response and the recent changes in IPR practice moving discretionary denial issues into separate briefing. However, Patent Owner will need extra word count for the Patent Owner Response if this IPR is instituted. A typical 13,000-14,000-word Patent Owner Response is usually around 70-80 pages. If this IPR is instituted, the Patent Owner Response will require significantly more arguments and significantly more evidence (with expert testimony) to address all the arguments raised in the 131-page Petition.

Taken together, this is a case similar to *Pi Net Int'l, Inc. v. JPMorgan Chase & Co.*, 600 F. App'x 774 (Fed. Cir. 2015), where a brief obviously abused the word count feature in order to circumvent the word limits. This Petition far exceeds the 14,000 word limit. Petitioners' failure to comply with 37 C.F.R. §42.24(a)(1)(i) is an additional reason institution must be denied.

C. The Petition Fails To Comply With 37 C.F.R. § 42.104(a)

37 C.F.R. § 42.104(a) requires that the “petitioner must certify that the patent for which review is sought is available for *inter partes* review and that the petitioner is not barred or estopped from requesting an *inter partes* review challenging the patent claims on the grounds identified in the petition.” 37 C.F.R. §

42.104(a) (emphasis in original). The Petition states only “Petitioners certify the ’763 Patent is eligible for IPR”:

<p>III. REQUIREMENTS UNDER 37 C.F.R. § 42.104</p> <p>A. Grounds for Standing Under 37 C.F.R. § 42.104(a)</p> <p>Petitioners certify the ’763 Patent is eligible for IPR.</p>
--

Pet., 1.

Petitioner’s statement certifies the ’763 Patent is “*eligible* for IPR,” not that the patent is “*available* for inter partes review” as required by § 42.104(a). And Petitioner’s statement completely fails to certify that “the petitioner is not barred or estopped from requesting an inter partes review challenging the patent claims on the grounds identified in the petition” as required by § 42.104(a). Because the Petitioner fails to comply with 37 C.F.R. § 42.104(a), institution must be denied.

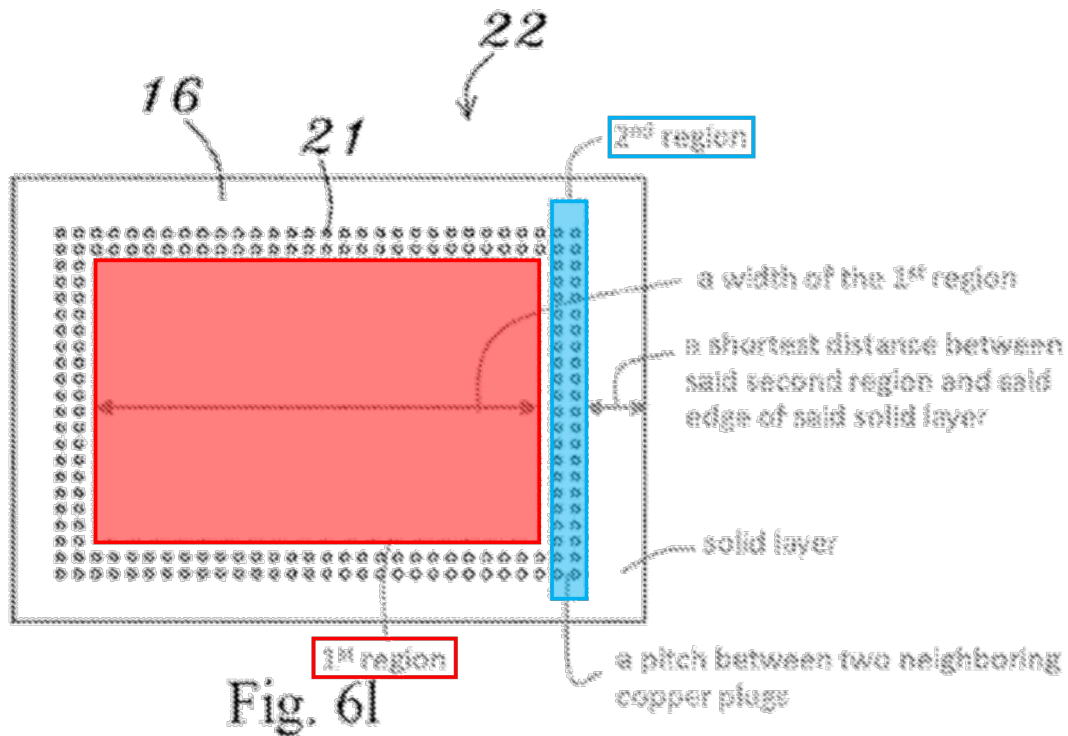
D. The Petition Fails To Demonstrate A Reasonable Likelihood That Any Challenged Claims Are Unpatentable Under Grounds 1A-1D

1. Sundaram Does Not Teach or Suggest the Claimed “First Region” and the “Second Region”

The independent claims of the ’763 Patent (claims 1 and 18) recite “said solid layer comprises a first region and a second region between said first region and an edge of said solid layer” “wherein said first region has a width in [a/said] direction greater than a shortest distance between said sidewall of one of said plurality of [through vias/metal conductors] and said edge of said solid layer in

said direction and greater than a pitch between two neighboring [copper plugs/metal conductors] of said plurality of [copper plugs/metal conductors].” Ex. 1001, cls. 1, 18. Moreover, claims 1 and 18 recite “a plurality of [copper plugs/metal conductors] in [a plurality of through vias in] said second region.” *Id.* Ground 1A (the only ground in Grounds 1A-1D that includes the independent claims) relies on Sundaram alone for these limitations. Pet., 8-12 (discussing limitations 1(a)(iv), 1(b) and 1(b)(ii)); 61 (discussing limitations 18(a)(iii) and 18(b)) and 64 (discussing limitation 18(b)(ii)).

During prosecution, the applicant amended the claim language relating to the “first region” and “second region” and submitted an annotated version of Figure 6l to explain how the amendments were supported by the specification. An annotated version of Figure 6l is reproduced below:



Ex. 1002, 272 (annotated). As shown, the “first region” is a region having no copper plugs or metal conductors. The “second region,” on the other hand, is a region having copper plugs or metal conductors.

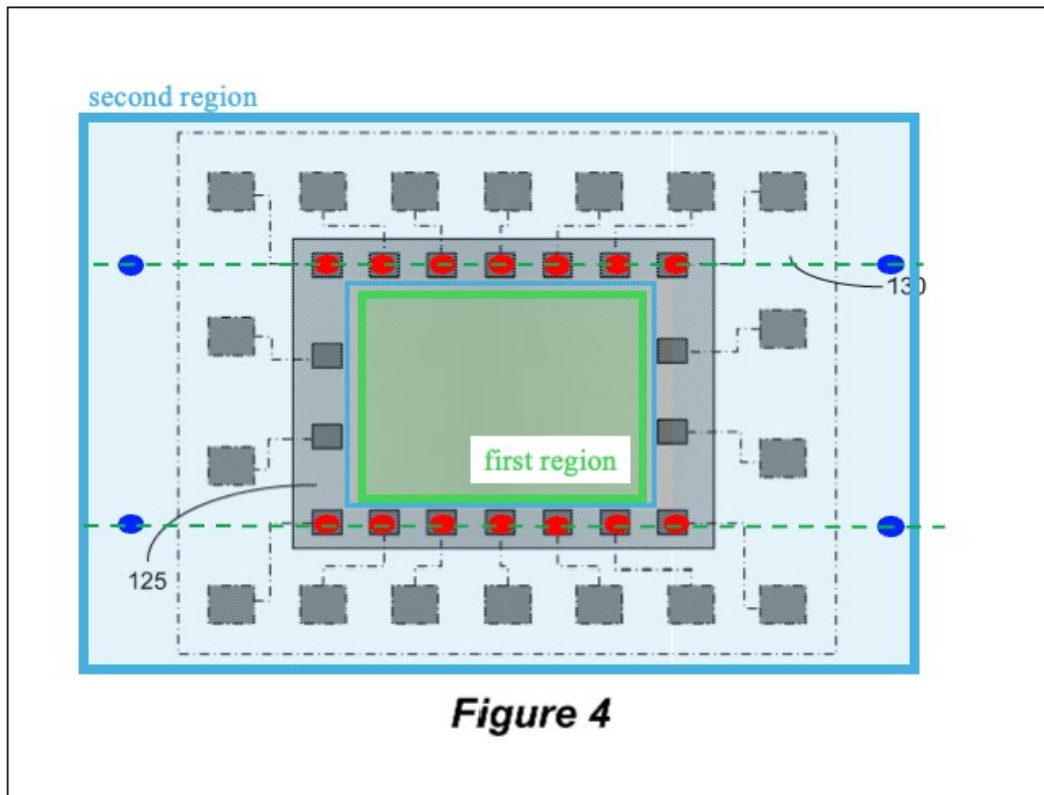
In the Petition, Petitioner has identified Sundaram’s Figure 3 as allegedly disclosing the claimed “first region” and “second region.” Petitioner’s annotated and highlighted version of Figure 3 is reproduced below.

the same relative dimensions. Sundaram explains that “FIG. 4 illustrates a top view of the interconnect structure 100 showing the first electronic device 125 above the interposer 105, and the second electronic device 130 below the interposer 105.” *Id.*, 7:1-4. Figure 4 shows that electronic device 125 is smaller than electronic device 130. But Sundaram’s Figure 3 shows that electronic device 125 is larger than electronic device 130. Thus, a POSITA would have recognized these inconsistencies and would not have relied on either Figure 3 or Figure 4 as accurately showing relative spacing and relationship of the vias in interposer 105 because a POSITA would not have known which figure (if either) shows the correct relative spacing and relationship of the vias.

Petitioners acknowledge that Sundaram’s Figures 3 and 4 are inconsistent. *Pet.*, 72 n.6. But Petitioners provide no evidence why Sundaram’s Figure 3 is correct and Figure 4 is wrong. It is equally likely that Figure 3 is correct and Figure 4 is wrong, or that both Figures 3 and 4 are wrong. At a minimum, the inconsistencies between Figures 3 and 4 would prevent a POSITA from relying on the relative dimensions that the Petition draws from those figures.

In its discussion of dependent claim 13, the Petition identifies different parts of Sundaram as allegedly disclosing the same “first region” and “second region” recited in independent claim 1. For claim 13, the Petition identifies the “first

region” and “second region” in a highlighted and annotated version of Sundaram’s Figure 4 as reproduced below:



Pet., 72.² According to Sundaram, Figure 4 is a top view of the interconnect structure illustrated in Figure 3. Ex. 1004, 3:27-28. Petitioners cannot point to *two different sets of first and second regions* as satisfying the elements of claim 1 and claim 13.

² The Petition also adds the four blue circles to Sundaram’s Figure 4 apparently in an attempt to “correct” that figure. There is no basis for Petitioner to modify the figures from the references it relies upon to bolster its arguments.

Also, for claim 13, Petitioners add Lin-863 for its alleged teaching of the claimed first and second regions. Pet., 74-77. But Petitioners did not rely on Lin-863 when allegedly showing that the prior art taught or suggested the claimed first and second regions. For claim 1, the Petition relied on Sundaram alone. Pet., 8-9. Petitioners cannot point to Lin-863 as teaching the first and second regions for dependent claim 13, when they did not rely on Lin-863 for independent claim 1. The Petition fails to show that there is a reasonable likelihood that Petitioners would prevail with respect to any of the challenged claims 1-23 under Grounds 1A-1D.

E. The Petition Fails to Demonstrate A Reasonable Likelihood That Any Challenged Claims Are Unpatentable Under Grounds 2A-2C

1. The Yu-Lin-191 Combination Does Not Teach or Suggest the Claimed “Solid Layer” that is a “Compound of Silicon and Oxygen”

Independent claims 1 and 18 recite a “solid layer” “wherein said solid layer comprises a compound of silicon and oxygen.” Ex. 1001, 22:55-57, 24:35-36. The specification of the ’763 patent teaches that the “solid layer” is either glass (*i.e.*, a solid) or a “polymer layer cured to a solid state.” *Id.*, 7:12-15, 7:45-48. Thus, the ’763 patent expressly teaches that an uncured polymer is not sufficiently rigid to be a “solid layer.”

The Petition identifies Yu's molding compound 18 as the alleged "solid layer." Pet., 89. The Petition points to Yu's teaching that the molding layer 18 can be made of "epoxy, polyimide, silicone rubber, the like, or a combination thereof." Pet., 89; Ex. 1010, 2:61-65. Petitioners' expert focused on Yu's teaching of silicone rubber as allegedly corresponding to the claimed "solid layer." Ex. 1003, ¶ 286. Silicone rubber is an elastomer composed of silicone, which is an organic polymer. Ex. 1057, 14:26-28; Ex. 1051, ¶ [0016]. Yu never discloses that its silicone rubber is cured to a solid state, and thus, Yu's silicone rubber is not a "solid layer."

Petitioner's expert opines that Yu's silicone rubber alone or in combination with epoxy and/or polyimide also teaches the claimed solid layer that is a compound of silicon and oxygen. Ex. 1003, ¶ 286. But Petitioner's expert does not argue or provide evidence that epoxy or polyimide are a solid compound that contains silicon and oxygen. *Id.* The expert's testimony rests on the idea that silicone rubber is the "solid layer" even if it is combined with epoxy or polyimide. *Id.* Thus, epoxy or polyimide do not cure the deficiencies identified with respect to Yu's silicone rubber.

2. The Yu-Lin-191 Combination Does Not Teach or Suggest the Claimed Thickness of the “Solid Layer”

Independent claims 1 and 18 recite “a solid layer” “wherein said solid layer has a thickness between 100 and 300 micrometers.” Ex. 1001, 22:57-58, 24:36-38. As mentioned above, the Petition asserts that Yu’s molding compound 18 corresponds to the claimed “first polymer layer.” Pet., 89. But Yu does not disclose the thickness of the molding compound 18 or even a range of thicknesses. Thus, the Petition looks to a secondary reference, Lin-191, for disclosure of a polymer layer having the claimed thickness. Pet., 89-91. Lin-191 states that encapsulating layer 85 has a thickness between 20 and 500 micrometers and preferably between 30 and 100 micrometers. Ex. 1005, ¶ [0109]. But rather than rely on the preferred thickness of “between 30 and 100 micrometers,” Petitioners selectively choose the teaching that the layer 85 is 20-500 micrometers. There is no reason to choose the less-preferred 20-500 micrometer range rather than the preferred thickness of 30 to 100 micrometers other than the fact that the 20-500 micrometer range overlaps with the claimed 100-300 micrometer thickness. This is obvious hindsight.

Alternatively, the Petition relies on a calculation in which the thicknesses of different structures in Lin-191’s Figure 21 are added together. But again, Petitioner selectively chooses to rely on dimensions that conveniently add up to a thickness

that Petitioner asserts render the claimed thickness obvious. Pet., 90. For example, Lin-191 states that metal pillars or bumps 14 have a thickness “between 15 and 520 micrometers, and preferably between 20 and 110 micrometers.” Ex. 1005, ¶ [0066]. Petitioner chose to use the 20-110 micrometer thickness in its calculation instead of the 15-520 micrometer thickness because the 20-110 micrometer thickness helps Petitioner arrive at a thickness for layer 85 between 23.011 micrometers and 121.3 micrometers. Pet., 90. This is pure hindsight recreation of the claimed thickness.

Neither the Petition nor Petitioner’s expert provide any basis or explanation for why a POSITA would have chosen one set of thicknesses over the other set of thicknesses disclosed in Lin-191. Pet., 89-91; Ex. 1003, ¶¶ 287-294. Hindsight cannot be a basis for finding the challenged claims obvious.

VI. CONCLUSION

For at least the foregoing reasons, Petitioners have failed to demonstrate a reasonable likelihood that any challenged claim is unpatentable. Thus, institution of this *inter partes* review must be denied.

Dated: March 2, 2026

Respectfully submitted,

By: / *Donald L. Jackson* / _____

Donald L. Jackson (USPTO Reg. No. 41,090)

Richard Juang (USPTO Reg. No. 71,478)*

Chandran B. Iyer (USPTO Reg. No. 48,434)

Ronald M Daignault*

Erin Hadi (USPTO Reg. No. 79,904)*

djackson@daignaultiyer.com

rjuang@daignaultiyer.com

cbiyer@daignaultiyer.com

rdaignault@daignaultiyer.com

ehadi@daignaultiyer.com

DAIGNAULT IYER LLP

8229 Boone Boulevard, Suite 450

Vienna, VA 22182

**Not admitted in Virginia*

Attorneys for MYW Semitech, LLC

CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. § 42.24(d), Patent Owner certifies that this Patent Owner Preliminary Response has 4,270 words as counted by the word-processing system used to prepare this document. This word count complies with the 14,000 word limit under 37 C.F.R. § 42.24(b)(1).

Dated: March 2, 2026

Respectfully Submitted,

By: / Donald L. Jackson /
Donald L. Jackson
USPTO Reg. No. 41,090

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing PATENT OWNER'S PRELIMINARY RESPONSE was served electronically via email on March 2, 2026, on the following counsel of record for Petitioners:

Jennifer C. Bailey
Paul R. Hart
Justin Grimes
ERISE IP, P.A.
jennifer.bailey@eriseip.com
paul.hart@eriseip.com
justin.grimes@eriseip.com
PTAB@eriseip.com

Dated: March 2, 2026

Respectfully Submitted,

By: / *Donald L. Jackson* /
Donald L. Jackson
USPTO Reg. No. 41,090