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- ,	ise3:01-cv-022/	CIVII COVE	nt1 Filed06/11/0	Page 1 of 2	
JS 44 - No. CALIF (Rev. 4/97) The JS-44 civil cover sheet and					or other papers as required
by law, except as provided by loc of the Clerk of Court for the purpo	cal rules of court. This fo	orm, approved by the Judio	cial Conference of the Unit	ed States in September 1	1974, is required for the use
i. (a) PLAINTIFFS			DEFENDANTS		
SEMITOOL, INC.			APPLIED MATERIALS, INC.,		
1					
(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF U.S.A.			COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT U.S.A.		
(EXCEPT IN U.S. PLAINTIFF CASES)			(IN U.S. PLAINTIFF CASES ONLY)		
· · · · · · · · · · · · · · · · · · ·			NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE		
			ERACTION INVOLVED.		
(C) ATTORNEYS (FIRM NAME, AD	DRESS, AND TELEPHONE NUI	MBER)	ATTORNEYS (IF KNOWN)	J	
Judith B. Jennis	on				
Jennifer S. Sim		_			
Perkins Coie LLP	)	0	04 0	277	
101 Jefferson Dr	ive				
Menlo Park, CA 9	4025 (65	0) 838 <b>-1</b> 4300 T	U L		
II. BASIS OF JURISDIC	TION (PLACE AN 'X' IN ON		ZENSHIP OF PRINC	IPAL PARTIES (PL/	ACE AN 'X' IN ONE BOX FOR
1 U.S. Government	X 3 Federal Question	(For di	versity cases only)	PLAINTIFF	ONE BOX FOR DEFENDANT)
Plaintiff	(U.S. Government No	t a Party)	PTF DEF		PTF DEF
2 U.S. Government	4 Diversity	Citizen of Th	is State 1 1		i Place 4 4 4
Defendant	(Indicate Citizenship	of Parties Citizen of An	other State 2 1	of Bustiness In This S 2 Incorporated and Princip	
	in Item III)	ORIZON OF ALL	omer state 2	of Business In Anothe	
		Citizen or Su	,	3 Foreign Nation	☐ 6 ☐ 6
N/ ODIOIN		Foreign Cou			
IV. ORIGIN	noved from 2 Domo	PLACE AN "X" IN 0  nded from		d from 6 Multidistrici	7 Appeal to District
		ate Court Reope	by annual control of the control of		Judge from Magistrate  Judgment
V. NATURE OF SUIT	(PLACE AN "X" IN ONE E	BOX ONLY)			
CONTRACT	TOR		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	610 Agriculture	422 Appeal 28 USC 158	400 State Reapportionment
120 Marine	310 Airplane 315 Airplane Product	362 Personal Injury -	620 Other Food & Drug	423 Withdrawal	410 Antitrust
130 Miller Act	Liability	Med. Malpractice  365 Personal Injury -	625 Drug Related	28 USC 157	430 Banks and Banking 450 Commerce/ICC Rates/etc.
140 Negotiable Instrument	320 Assault, Libel &	Product Liability	Seizure of Property 21 USC 881	PROPERTY RIGHTS	460 Deportation
150 Recovery of Overpayment & Enforcement of Judgment	Slander  330 Federal Employers	368 Asbestos Personal Injury Product Liability	I		470 Racketeer Influenced and
151 Medicare Act	Liability	injury ( ) outsite Elementy	640 RR & Truck	820 Copyrights	Corrupt Organizations 810 Selective Service
152 Recovery of Defaulted	340 Marine	PERSONAL PROPERTY	650 Airline Regs.	X 830 Patent	850 Securities/Commodities/
Student Loans (Excl. Veterans	345 Marine Product	370 Other Fraud	660 Occupational	840 Trademark	Exchange
153 Recovery of Overpayment	Liability 350 Motor Vehicle	371 Truth in Lending	Safety/Health 690 Other	SOCIAL SECURITY	875 Customer Challenge 12 USC 3410
of Veteran's Benefits	355 Motor Vehicle	380 Other Personal		861 HIA (1395ff)	891 Agricultural Acts
160 Stockholders' Suits	Product Liability	Property Damage	LABOR	862 Black Lung (923)	892 Economic Stabilization
195 Contract Product Liability	360 Other Personal Inju	ry 385 Property Damage Product Liability	710 Fair Labor	B63 DIWC/DIWW	Act
<u> </u>	CIVII DICUTE	PRISONER PETITIONS	Standards Act 720 Labor/Mgmt, Relations	(405(g))	893 Environmental Matters 894 Energy Allocation Act
REAL PROPERTY	CIVIL RIGHTS	510 Motion to Vacate	730 Labor/Mgmt.	864 SSID Title XVI	895 Freedom of
210 Land Condemnation	441 Voting	Sentence	Reporting &	865 RSi (405(g))	Information Act
220 Foreclosure	442 Employment	Habeas Corpus:	Disclosure Act	FEDERAL TAX SUITS	900 Appeal of Fee  Determination Under
230 Rent Lease & Ejectment	443 Housing	530 General 535 Death Penalty	740 Railway Labor Act	870 Taxes (U.S. Plaintiff or Defendant)	Equal Access to Justice
240 Torts to Land	444 Welfare 440 Other Civil Rights	540 Mandamus & Other	790 Other Labor Litigation		950 Constitutionality of
245 Tort Product Liability 290 All Other Real Property	440 Other Civil Rights	550 Civil Rights	791 Empl. Ret. Inc. Security Act	871 IRS - Third Party 26 USC 7609	State Statutes
230 All Other Real Floperty		555 Prison Condition			890 Other Statutory Actions
VI. CAUSE OF ACTION	(CITE THE US CIVIL	STATUTE UNDER WHICH	H YOU ARE FILING AND I	NRITE A BRIEF STATE	MENT OF CAUSE.
DO NOT CITE JURISDICTIONA			is an action :	for patent in	fringement
pursuant to 35 U.	S.C. Section	1, et seq.			
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS IS A UNDER F.R.C.P. 23		AND \$ Preliminary dollar amount		y if demanded in complaint:
VIII. RELATED CASE(S)					
IX. DIVISIONAL ASSIGN			The second secon	SAN FRANCISCO/OAKL	
DATE <b>June 11, 2001</b>	SIGN	ATURE OF ATTORNEY	OF RECORD		
		Jaus	X		
	Judi	h B. Jennison,	Attorney for Pl	aintiff Semito	ol, Inc. NDC-JS44
	(/		$\bigcup$		[civilcover.pdf]

JS 44 Reverse (Rev. 12/96)

## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-44

Authority For Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. (a) Plaintiffs Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

- III. Residence (citizenship) of Principal Parties. This section of the JS-44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

- V. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section IV above, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause.
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII.Related Cases. This section of the JS-44 is used to reference relating pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.