

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY, LTD.,
TSMC NORTH AMERICA CORPORATION,
FUJITSU SEMICONDUCTOR LIMITED,
FUJITSU SEMICONDUCTOR AMERICA, INC.,
ADVANCED MICRO DEVICES, INC., RENESAS ELECTRONICS
CORPORATION, RENESAS ELECTRONICS AMERICA, INC.,
GLOBALFOUNDRIES U.S., INC., GLOBALFOUNDRIES DRESDEN
MODULE ONE LLC & CO. KG, GLOBALFOUNDRIES DRESDEN
MODULE TWO LLC & CO. KG, TOSHIBA AMERICA ELECTRONIC
COMPONENTS, INC., TOSHIBA AMERICA INC., TOSHIBA
AMERICA INFORMATION SYSTEMS, INC.,
TOSHIBA CORPORATION, and
THE GILLETTE COMPANY,

Petitioners,

v.

ZOND, LLC,
Patent Owner

Case IPR2014-00802¹
Patent 7,811,421 B2

**AFFIDAVIT OF ANTHONY J. FITZPATRICK IN SUPPORT OF
PETITIONERS' MOTION FOR *PRO HAC VICE* ADMISSION**

¹ Cases IPR 2014-00848, IPR 2014-00992, and IPR 2014-01071 have been joined with the instant proceeding.

AFFIDAVIT OF ANTHONY J. FITZPATRICK

I, Anthony J. Fitzpatrick, being duly sworn and upon oath, hereby attest to the following:

- i. I am a member in good standing of the Massachusetts Bar (#564324), as well as the following Federal Courts:
 - a) U.S. Court of Appeals for the First Circuit;
 - b) U.S. Court of Appeals for the Federal Circuit;
 - c) U.S. District Court for the District of Massachusetts;
 - d) U.S. District Court for the Eastern District of Wisconsin; and
 - e) Supreme Court of the United States.
- ii. I have not been suspended or disbarred from practice before any court or administrative body.
- iii. I have never had an application for admission to practice before any court or administrative body denied.
- iv. No sanction or contempt citation has been imposed against me by any court or administrative body.
- v. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the Code of Federal Regulations.

AFFIDAVIT OF ANTHONY J. FITZPATRICK

- vi. I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
- vii. Other than presently applying to appear *Pro Hac Vice* before the Office in connection with the *Inter Partes* Review proceedings of the patents listed below in section ix, I have not applied to appear *Pro Hac Vice* before the Office in any other proceeding in the last three years.
- viii. I am an experienced litigation attorney, with experience in many litigations involving patent infringement in District Courts across the country, including experience with fact and expert document and deposition discovery, claim construction, *Markman* hearings, motion practice, trials and hearings, and investigations before the International Trade Commission.
- ix. I am counsel for Petitioner Taiwan Semiconductor Manufacturing Company, Ltd., the defendant in related on-going litigations in which U.S. Patent Nos. 6805779, 6806652, 6853142, 7147759, 7604716, 7808184, and 7811421, are and were asserted by the Patent Owner. I am familiar with the subject matter at issue in this proceeding as a result of my representation of Taiwan Semiconductor Manufacturing Company,

AFFIDAVIT OF ANTHONY J. FITZPATRICK

Ltd. in the related litigation, including the prior art that Petitioner presents in this proceeding, as well as issues of claim construction.

Date: 10/28/2014

/Anthony J. Fitzpatrick/

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