

Paper No. \_\_\_\_\_

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, and  
FUJITSU SEMICONDUCTOR AMERICA, INC.,

Petitioners,

v.

ZOND, LLC,  
Patent Owner

---

Case IPR2014-00803<sup>1</sup>  
Patent 7,808,184 B2

---

**PETITIONERS' MOTION FOR *PRO HAC VICE* ADMISSION  
PURSUANT TO 37 C.F.R. § 42.10(C)**

---

<sup>1</sup> Case IPR2014-00858 has been joined with the instant proceeding.

This Motion for *Pro Hac Vice* admission is filed solely on behalf of Taiwan Semiconductor Manufacturing Company, Ltd. and TSMC North America Corporation (collectively "TSMC" or "Petitioner"). TSMC respectfully moves that the Board recognize Mr. Anthony J. Fitzpatrick as counsel *pro hac vice* during this proceeding.

**1. Time for Filing**

This Motion for *Pro Hac Vice* Admission is being filed no sooner than twenty one (21) days after service of the petition. (IPR2013-00639, Paper No. 7).

**2. Statement of Facts Showing Good Cause for Counsel *Pro Hac Vice***

Petitioner has been authorized to file motions seeking admission *pro hac vice* under 37 C.F.R. 42.10(c). (Paper No. 3). Petitioner's lead and back-up counsel are registered practitioners:

Lead Counsel: David M. O'Dell, USPTO Reg. No. 42,044; and

Backup Counsel: David L. McCombs, USPTO Reg. No. 32,271.

The following statement of facts shows that there is good cause for the Board to recognize Mr. Fitzpatrick *pro hac vice* on behalf of Petitioner.

In summary, Mr. Fitzpatrick is an experienced litigator, has established familiarity with the subject matter at issue in this proceeding from his participation in co-pending litigation involving the subject patent, and if admitted, will be

involved in the depositions that occur in this proceeding. Specifically, U.S. Patent No. 7,808,184 is currently asserted against Petitioner in co-pending litigation, in the District of Massachusetts, 1:13-cv-11634-WGY (*Zond v. Fujitsu, et al.*) (“the co-pending litigation”). Mr. Fitzpatrick is a member of the Massachusetts bar in good standing, and is representing the Petitioner, in the co-pending litigation.

Mr. Fitzpatrick has analyzed prior art references and claim charts in connection with invalidity contentions and has been involved in forming claim construction positions related to the claimed inventions, all of which are relevant to the petition requesting *inter partes* review of U.S. Patent No. 7,808,184. Petitioner wishes to apply Mr. Fitzpatrick’s knowledge of the patent by employing him as counsel in this proceeding. Admission of Mr. Fitzpatrick *pro hac vice* will enable Petitioner to avoid unnecessary expense and duplication of work between this proceeding and the co-pending litigation.

Petitioner’s lead and backup counsel are registered practitioners and Mr. Fitzpatrick is an experienced litigation attorney having familiarity with the subject matter at issue in this proceeding. Therefore, Petitioners respectfully submit that there is good cause for the Board to recognize Mr. Fitzpatrick as counsel *pro hac vice* during this proceeding.

**3. Affidavit of Individual Seeking to Appear**

This Motion for *Pro Hac Vice* Admission is supported by an Affidavit of Mr. Fitzpatrick (Ex. 1124).

Respectfully submitted,

Date: October 28, 2014

/David M. O'Dell/  
David M. O'Dell  
Lead Counsel for Petitioner TSMC  
Registration No. 42,044

**Petitioners' Updated Exhibit List**  
**October 28, 2014**

<b>Exhibit</b>	<b>Description</b>
1101	U.S. Patent No. 7,808,184 ("the '184 Patent")
1102	Declaration of Dr. Richard DeVito ("DeVito Decl.")
1103	D.V. Mozgrin and V.N. Skerbov, <u>High-Current Low-Pressure Quasi-Stationary Discharge in a Magnetic Field: Experimental Research</u> , Plasma Physics Reports, Vol. 21, No. 5, pp. 400-409, 1995 ("Mozgrin")
1104	A. A. Kudryavtsev, <i>et al</i> , <u>Ionization relaxation in a plasma produced by a pulsed inert-gas discharge</u> , Sov. Phys. Tech. Phys. 28(1), pp. 30-35, January 1983 ("Kudryavtsev")
1105	U.S. Pat. No. 6,413,382 ("Wang")
1106	Certified Translation of D.V. Mozgrin, <u>High-Current Low-Pressure Quasi-Stationary Discharge in a Magnetic Field: Experimental Research</u> , Thesis at Moscow Engineering Physics Institute, 1994 ("Mozgrin Thesis")
1107	Mozgrin Thesis (Original Russian)
1108	Catalogue Entry for Mozgrin Thesis
1109	File History for U.S. Pat. No. 7,808,184, Office Action of December 8, 2009 ("12/08/09 Office Action")
1110	File History for U.S. Pat. No. 7,808,184, Response dated June 3, 2010 ("06/03/10 Response")
1111	File History for U.S. Pat. No. 7,808,184, Notice of Allowance, ("06/28/10 Notice of Allowance")
1112	Plasma Etching: An Introduction, by Manos and Flamm, pp. 185-258, Academic Press (1989) ("Manos")

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.