

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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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  
Petitioner

v.

ZOND, INC.  
Patent Owner

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Case IPR2014-00818<sup>1</sup>  
U.S. PATENT NO. 6,853,142  
Title: METHODS AND APPARATUS FOR GENERATING HIGH-DENSITY  
PLASMA

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

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<sup>1</sup> Cases IPR2014-01075, IPR2014-01012, and IPR2014-00866 have been joined with the instant proceeding.

**I. Relief Requested**

This Motion for *Pro Hac Vice* admission is filed solely on behalf of Petitioner GLOBALFOUNDRIES U.S., Inc., GLOBALFOUNDRIES Dresden Module One LLC & Co. KG, and GLOBALFOUNDRIES Dresden Module Two LLC & Co. KG (collectively, “GlobalFoundries” or “Petitioner”). GlobalFoundries respectfully requests that the Board recognize Mr. Brett C. Rismiller as counsel *pro hac vice* during this proceeding.

**II. 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.

**III. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the Proceedings**

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.

In accordance with 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions that the Board may impose. The facts here establish good cause for the Board to recognize Brett C. Rismiller *pro hac vice* on behalf of Petitioner during this

proceeding.

In summary, Mr. Rismiller 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. 6,853,142 is currently asserted against Petitioner in co-pending litigation, in the District of Massachusetts, 1:13-cv-11577-LTS (*Zond v. AMD, et al.*) (“the co-pending litigation”). Mr. Rismiller is a member of the California bar in good standing and works closely with the team representing the Petitioner in the co-pending litigation.

Mr. Rismiller 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. 6,853,142. Petitioner wishes to apply Mr. Rismiller's knowledge of the patent by employing him as counsel in this proceeding. Admission of Mr. Rismiller *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. Rismiller 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. Rismiller as counsel *pro hac vice* during this proceeding.

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

This Motion for *Pro Hac Vice* Admission is supported by an Affidavit of Mr. Rismiller (Ex. 1021).

Respectfully submitted,

Date: April 7, 2015

/s/ David M. Tennant  
David M. Tennant  
Lead Counsel for Petitioner  
GlobalFoundries  
Registration No. 48,362

**Petitioner's Updated Exhibit List**  
**December 15, 2014**

<b>Exhibit</b>	<b>Description</b>
1001	U.S. Patent No. 6,853,142 ("142 Patent")
1002	Kortshagen Declaration ("Kortshagen Decl.")
1003	D.V. Mozgrin, <i>et al</i> , <u>High-Current Low-Pressure Quasi-Stationary Discharge in a Magnetic Field: Experimental Research</u> , Plasma Physics Reports, Vol. 21, No. 5, 1995 ("Mozgrin")
1004	U.S. Patent No. 6,190,512 ("Lantsman")
1005	U.S. Pat. No. 6,413,382 ("Wang")
1006	Plasma Etching: An Introduction, by Manos and Flamm, Academic Press (1989) ("Manos")
1007	10/07/03 Office Action
1008	03/08/04 Response
1009	03/29/04 Allowance
1010	U.S. Patent No. 7,147,759 ("759 Patent")
1011	05/02/06 Response of '759 Patent File History
1012	The Materials Science of Thin Films, by Ohring M., Academic Press (1992) ("Ohring")
1013	Thin-Film Deposition: Principles & Practice by Smith, D.L., McGraw Hill (1995) ("Smith")
1014	04/21/08 Response in EP 1560943

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