

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., GLOBAL FOUNDRIES 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.

---

Cases IPR2014-00828, IPR2014-00829, IPR2014-00917<sup>1</sup>  
Patent 7,808,184 B2

---

Before KEVIN F. TURNER, *Administrative Patent Judge*.

DECISION

Motions for *Pro Hac Vice* Admission of Mr. Anthony J. Fitzpatrick  
*37 C.F.R. § 42.10*

---

<sup>1</sup> This Decision addresses the same issues in the *inter partes* reviews listed herein. Therefore, we issue one Decision to be filed in all of the cases. The parties, however, are not authorized to use this style of filing in subsequent papers.

Petitioners Taiwan Semiconductor Manufacturing Company, Ltd. and TSMC North America Corporation (collectively “TSMC”) filed a Motion for *Pro Hac Vice* Admission of Mr. Anthony J. Fitzpatrick in each of the proceedings identified above. Paper 16. (“Mot.”).<sup>2</sup> Although Patent Owner Zond, LLC was authorized to file an Opposition to each of the Motions within one week after the filing of the Motion (Paper 4, 2; *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639, slip op. at 3 (PTAB Oct. 15, 2013) (Paper 7)), our record shows no Opposition has been filed. For the reasons provided below, TSMC’s Motions are *granted*.

Pursuant to 37 C.F.R. § 42.10(c), we 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. The Order authorizing motions for *pro hac vice* admission requires a statement of facts showing there is good cause for us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear in the instant proceedings.

In the proceedings at issue, lead counsel for TSMC, Mr. David M. O’Dell, is a registered practitioner. Mot. 2. TSMC’s Motions indicate that there is good cause for us to recognize Mr. Fitzpatrick *pro hac vice* during these proceedings, and is supported by the Declaration of Mr. Fitzpatrick (Ex. 1217). Mot. 2–3.

---

<sup>2</sup> For the purpose of clarity and expediency, we treat IPR2014-00828 as representative, and all citations are to IPR2014-00828 unless otherwise noted.

In particular, Mr. Fitzpatrick declares that he is an experienced patent litigation attorney and has been practicing law, with a focus on patent litigation and other intellectual property matters. Ex. 1217 ¶ viii. Mr. Fitzpatrick also declares that he has established familiarity with the subject matter at issue in the instant proceedings, as he has been representing Taiwan Semiconductor Manufacturing Company, Ltd., in the related district court litigation that involves the same patents being challenged in the proceedings before us. *Id.* at ¶ ix. Additionally, Mr. Fitzpatrick's Declaration complies with the requirements set forth in the Board's Order authorizing motions for *pro hac vice* admission. *Id.* at ¶¶ i–ix.

On this record, we determine that Mr. Fitzpatrick has sufficient legal and technical qualifications to represent TSMC in the instant proceedings. We further recognize that there is a need for TSMC to have its counsel in the co-pending litigation involved in the proceedings before us. Accordingly, TSMC has established that there is good cause for Mr. Fitzpatrick's admission.

Accordingly, it is

ORDERED that TSMC's Motions for Pro Hac Vice Admission of Mr. Anthony J. Fitzpatrick are *granted*; Mr. Fitzpatrick is authorized to represent TSMC as back-up counsel in the instant proceedings;

FURTHER ORDERED that TSMC is to continue to have a registered practitioner represent it as lead counsel for those proceedings;

IPR2014-00828, IPR2014-00829, IPR2014-00917  
Patent 7,808,184 B2

FURTHER ORDERED that Mr. Fitzpatrick is to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations; and

FURTHER ORDERED that Mr. Fitzpatrick is to be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

IPR2014-00828, IPR2014-00829, IPR2014-00917  
Patent 7,808,184 B2

For PATENT OWNER:

Gregory J. Gonsalves  
[gonsalves@gonsalveslawfirm.com](mailto:gonsalves@gonsalveslawfirm.com)

Bruce J. Barker  
CHAO HADIDI STARK & BARKER LLP  
[bbarker@chsblaw.com](mailto:bbarker@chsblaw.com)

For PETITIONER:

*TSMC and Fujitsu:*

David L. McCombs  
David M O'Dell  
HAYNES AND BOONE, LLP  
[david.mccombs.ipr@haynesboone.com](mailto:david.mccombs.ipr@haynesboone.com)  
[david.odell.ipr@haynesboone.com](mailto:david.odell.ipr@haynesboone.com)

Richard C. Kim  
DUANE MORRIS, LLP  
[rckim@duanemorris.com](mailto:rckim@duanemorris.com)

*GlobalFoundries:*

David Tennant  
Dohm Chankong  
WHITE & CASE LLP  
[dtennant@whitecase.com](mailto:dtennant@whitecase.com)  
[dohm.chankong@whitecase.com](mailto:dohm.chankong@whitecase.com)

*Gillette:*

Michael A. Diener  
Larissa B. Park  
WILMER, CUTLER, PICKERING, HALE AND DORR, LLP  
[michael.diener@wilmerhale.com](mailto:michael.diener@wilmerhale.com)  
[larissa.park@wilmerhale.com](mailto:larissa.park@wilmerhale.com)

# 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.