

Paper No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY, LTD.
Petitioner

v.

DSS TECHNOLOGY MANAGEMENT, INC.
Patent Owner

Patent 5,652,084
IPR2014-01030

Title: METHOD FOR REDUCED PITCH LITHOGRAPHY

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

Petitioner Taiwan Semiconductor Manufacturing Company, LTD. (“TSMC”) respectfully moves that the Board recognize Mr. Scott Cunning 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.

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

The following statement of facts shows that there is good cause for the Board to recognize Mr. Cunning *pro hac vice* on behalf of the Petitioner. Further, the Patent Owner does not oppose Mr. Cunning appearing *Pro Hac Vice* during this proceeding. In summary, Mr. Cunning 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 used in the depositions that occur in this proceeding.

Specifically, U.S. Patent No. 5,652,084 is currently asserted against Petitioner TSMC in a co-pending litigation, *DSS Technology Mgmt. Inc. v. TSMC Ltd. et al.* 2:14-cv-00199-RSP (ED. Tex.), (“the related litigation”). Mr. Cunning is a member of the Virginia State Bar and the D.C. Bar in good standing, and is representing the Petitioner, TSMC, in the related litigation.

Mr. Cunning has analyzed prior art references and claims 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. 5,652,084. TSMC has expended significant resources in the related litigations with Mr. Cunning as its counsel, and wishes to apply Mr. Cunning's knowledge of the patent by employing him as counsel in this proceeding.

Therefore, TSMC respectfully submits that there is good cause for the Board to recognize Mr. Cunning as counsel *Pro Hac Vice* during this proceeding.

3. Affidavit or Declaration of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by an Affidavit of Mr. Cunning (Ex. 1013).

Respectfully submitted,

Date: February 6, 2015

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

TSMC'S UPDATED EXHIBIT LIST

February 6, 2015

TSMC-1001	Cleeves, U.S. Patent No. 5,652,084
TSMC-1002	Prosecution History of U.S. Patent No. 5,652,084
TSMC-1003	Cleeves (II), U.S. Patent No. 5,710,061
TSMC-1004	Jinbo, Japanese Patent App. No. 04-71222 (English Translation with Certification)
TSMC-1005	Brownell, U.S. Patent No. 4,591,547
TSMC-1006	McColgin, U.S. Patent No. 4,931,351
TSMC-1007	Matthews, U.S. Patent No. 4,548,688
TSMC-1008	Cooper, U.S. Patent No. 5,158,910
TSMC-1009	Declaration of Richard Blanchard
TSMC-1010	Curriculum Vitae of Richard Blanchard
TSMC-1011	Jinbo, Japanese Patent App. No. 04-71222
TSMC-1012	Affidavit of Erick Hasegawa
TSMC-1013	Affidavit of Mr. Scott Cunning in Support of Motion for <i>Pro Hac Vice</i> Admission

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